






Appendix A – Comparison of LEP Provisions and Proposed Approach

CATEGORIES FOR CLAUSES

Compulsory standard	
Compulsory tailored	
Optional	
Local provision	
Land use table	



COLOUR CODING

Administration	Housing
Centres / Precincts	Infrastructure
Character	Rural
Environment	Sustainable Design
Hazards	Tourism








APPLICABILITY

Clause doesn't apply	✘
Clause applies	✓
Similar provision (mainly re WLEP 2000)	≈
NA or no similar provision (mainly re WLEP 2000)	⊘

MAPS

Existing mapping	
New mapping	











Part 1 Preliminary

#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
1	Part 1 Preliminary										
2	1.1 Name of Plan		Names the LEP and year published.	<i>Included in all LEPs referring to the name of the Plan and year published as follows: Manly LEP 2013, Pittwater LEP 2014, Warringah LEP 2011 and Warringah LEP 2000.</i>	The compulsory clause is included in the LEP. The clause will reference Northern Beaches Local Environmental Plan <year published>.	cl.1.1	cl.1.1	cl.1.1	cl.1	✓	
3	1.1AA Commencement		Specifies when the Plan commences after publication on the NSW legislation website.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, but different publication times are specified: MLEP (14 days after publication), PLEP (28 days after publication), and WLEP (when published on the NSW legislation website). WLEP2000 does not specify a commencement date.</i>	The compulsory clause is included in the LEP. The clause will specify the Plan commences 28 days after it is published on the NSW legislation website.	cl.1.1AA	cl.1.1A	cl.1.1A	cl.2	✓	
4	1.2 Aims of Plan		Aims of the Plan enabling Council to tailor these aims to the Local Government Area.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, but the aims differ across the LEPs (including format). WLEP2000 does not set out 'aims' of the Plan, but rather the 'purposes' of the Plan.</i>	The compulsory clause is included in the LEP. The clause will include updated aims in relation to Sustainability, Infrastructure & Collaboration, Liveability, and Productivity, based on a review of existing LEPs, <i>Towards 2040</i> and other key strategies and policies.	cl.1.2	cl.1.2	cl.1.2	cl.3	✓	
5	1.3 Land to which Plan applies		Specifies the Plan applies to the land on the Land Application Map, intended to cover the entire local government area where feasible.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP. The clause will reference a new Land Application Map applying to all land on the Northern Beaches.	cl.1.3	cl.1.3	cl.1.3	cl.2	✓	
6	1.4 Definitions		Refers to the Dictionary at the end of the document	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP.	cl.1.4	cl.1.4	cl.1.4	cl.6	✓	
7	1.5 Notes		Specifies notes in the Plan are for guidance only	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP.	cl.1.5	cl.1.5	cl.1.5	cl.6	✓	

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8	1.6 Consent authority		Specifies that Council is the consent authority for this Plan	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP.	cl.1.6	cl.1.6	cl.1.6	cl.11	✓	
9	1.7 Maps		Refers to the maps that support the Plan	<i>Included in MLEP2013, PLEP2014 and WLEP2011, although the individual maps differ between the LEPs. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP. The new LEP will have digital mapping and will include existing maps () and new maps () including those from recent technical studies.	cl.1.7	cl.1.7	cl.1.7	cl. 6	✓	
10	1.8 Repeal of planning instruments applying to land		Repeals previous LEPs that applied to the land.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, with variation on instruments repealed. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP. The new LEP will repeal the existing four LEPs applying in the LGA, being MLEP2013, PLEP2014, WLEP2011 and WLEP2000.	cl.1.8	cl.1.8	cl.1.8	N/A	✓	
11	1.8A Savings provision relating to development applications		Specifies that development applications lodged prior to the new LEP, but not determined, must be determined as if this Plan had not commenced.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, with minor variations between the LEPs. WLEP2000 includes a similar clause.</i>	The optional clause is included in the LEP.	cl.1.8A	cl.1.8A	cl.1.8.A	cl.5	✓	
12	1.9 Application of SEPPs		Outlines that the Plan is subject to any provisions of State environmental planning policy that prevails over this Plan	<i>Included in MLEP2013, PLEP2014 and WLEP2011, with minor variations between the LEPs. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP. The clause may be updated to reference relevant SEPPs at the time of publication.	cl.1.9	cl.1.9	cl.1.9	N/A	✓	
13	1.9A Suspension of covenants, agreements and instruments		Allows for the suspension of agreements, covenants, or similar restrictions that limit development on land.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The optional clause is included in the LEP.	cl.1.9A	cl.1.9A	cl.1.9A	cl. 32	✓	




Part 2 Permitted or prohibited development






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14	Part 2 Permitted or prohibited development										
15	2.1 Land use zones		Lists the zones that apply to the Plan.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, but each contain different land use zones. WLEP 2000 provides Locality Statements rather than zones. See comparison of each zone in Part 2 below.</i>	The compulsory clause is included in the LEP. It will list all 24 zones proposed for the Northern Beaches LEP.	cl.2.1	cl.2.1	cl.2.1	Appendix B & C	✓	

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16	2.2 Zoning of land to which Plan applies		Refers to the Land Zoning Map	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.2 & Map	cl.2.2 & Map	cl.2.2 & Map	N/A	✓	
17	2.3 Zone objectives and Land Use Table		Specifies the standard structure of a land use table at the end of this part, which includes objectives for development, what development can be done without consent, what requires consent, and what is prohibited.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.3	cl.2.3	cl.2.3	Appendix B & C	✓	
18	2.4 Unzoned land		Specifies that development on unzoned land is only permitted with development consent.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.4	cl.2.4	cl.2.4	N/A	✓	
19	2.5 Additional permitted uses for particular land		Provides for additional uses on certain land as specified either with or without development consent, depending on the conditions outlined in Schedule 1.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP. Changes proposed for Additional Permitted Uses are discussed in Schedule 1 below.	cl.2.5	cl.2.5	cl.2.5	N/A	✓	
20	2.6 Subdivision—consent requirements		Stipulates that land covered by this Plan can be subdivided, but only with development consent, with some exceptions.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.6	cl.2.6	cl.2.6	cl.2.1	✓	
21	2.7 Demolition requires development consent		Specifies that demolition requires development consent, unless specifies as exempt development.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.7	cl.2.7	cl.2.7	N/A	✓	
22	2.8 Temporary use of land		Allows for the temporary use of land in any zone, allowing Council to set a nominated maximum period in any 12-month period.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, however with different time periods specified: the maximum number of days for temporary uses is 52 days in MLEP and WLEP, and 42 days in PLEP. WLEP2000 does not include a similar clause.</i>	The optional clause is included in the LEP, with a consistent maximum 52-day period imposed across the LGA in support of <i>Towards 2040</i> directions for people, great places, connectivity, and productivity.	cl.2.8	cl.2.8	cl.2.8	N/A	✓	
23	2.9 Canal estate development prohibited		Specifies that canal estate development, involving constructed canals or waterways along with dwellings and land elevation changes, is prohibited on land covered by this Plan.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP.	cl.2.8	cl.2.8	cl.2.8	N/A	✓	




Land Use Tables


#	Zone	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
25	Zone RU2 Rural Landscape		Applies to rural land used for commercial primary production that is compatible with ecological or scenic landscape qualities that have been conserved (often due to topography).	<i>Pittwater LEP only. (Ingleside). Permits a broader range of uses than the Warringah LEP RU4 zone, the RU4 zone, including a range of more intensive agricultural uses, dual occupancies, rural industries and function centres.</i>	Apply the RU2 zone to areas where it currently applies, except for lots identified through the Conservation Zones Review for change to a Conservation zone. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs.	N/A	N/A	Applies	N/A	✓	
26	Zone RU4 Primary Production Small Lots		Applies to land to be used for commercial primary industry production, including emerging primary industries and agricultural uses that operate on smaller rural holdings.	<i>Warringah LEP only (Duffys Forest; Terrey Hills). The Myoora Road precinct is zoned RU4, with a range of additional permitted uses, including hotel or motel accommodation, registered clubs, restaurants, garden centres, schools and hospitals (Area 18). These recognise the character of that area as having more commercial or rural production uses in a rural setting.</i>	Apply the RU4 zone and APUs to areas where they currently apply, except for lots identified through the Conservation Zones Review for change to a Conservation zone, including large parts of the deferred lands under WLEP2000. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to permit 'environmental facilities' with consent in the zone to allow recreational use or scientific studies of natural systems and facilities (consistent with permissibility for the RU2 zone). For the deferred lands, some changes to land use permissibility will occur in translating the current WLEP2000 to the RU4 standard zone.	N/A	Applies	N/A	N/A	✓	
27	Zone R1 General Residential		Provides for a variety of housing types and densities and enables other land uses that provide facilities or services to meet the day to day needs of residents.	<i>Manly LEP only (Fairlight and Balgowlah). Permits all residential housing types (excluding rural workers' dwellings), which reflects the built character of the area where it is currently applied.</i>	Retain the use of this zoning and apply it to the same areas in the new LEP. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to omit water-related land uses (i.e. boatsheds, jetties etc) which are redundant in the zone.	Applies	N/A	N/A	N/A	✓	
28	Zone R2 Low Density Residential		Provides for housing needs within a low-density residential environment.	<i>Used in all LEPs except Warringah LEP 2000. However, different uses are permitted in each LEP. The Warringah LEP 2011 permits only dwelling houses and secondary dwellings (granny flats). The Pittwater LEP, in addition, permits dual occupancies. The Manly LEP, in addition, permits medium density housing forms e.g. multi dwelling housing. Other controls e.g. minimum lot size controls, operate to restrict this development to certain locations.</i>	Apply the R2 zone to areas where they currently apply, except for lots identified through the Conservation Zones Review for change to a Conservation zone. Attached dual occupancies will be consistently permitted in the R2 zone across the LGA, subject to minimum lot size and frontage requirements and detached dual occupancies will be permitted only on lots with dual street frontage. Medium density type uses currently permitted in MLEP2013 R2 zone will be retained via "Additional Permitted Uses" mapping for the Manly area, including attached dwellings, semi-detached dwellings, and multi-dwelling housing. Other changes include harmonisation to consistently permit or prohibit a range of non-	Applies	Applies	Applies	N/A	✓	

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					residential uses within the R2 zone across the LGA, including prohibition of neighbourhood shops in the R2 zone (currently only permitted in MLEP2013); to omit water-related land uses (i.e. boatsheds, jetties etc) which are redundant in the zone; and alignment with applicable SEPPs.						
29	Zone R3 Medium Density Residential		Provides for a variety of housing types and housing needs within a medium density residential environment.	<i>Used in all LEPS except Warringah LEP 2000. Permits apartments, as well as lower density housing such as dual occupancies, houses and granny flats. The Warringah and Pittwater R3 zones permit veterinary hospitals and prohibit hostels and shop top housing. The Manly R3 zone applies to the residential lands around Manly Town Centre where hostels, shop top housing and service stations, and a range of tourist and visitor accommodation (as well as restaurants, cafes or takeaways) are permitted. Warringah LEP R3 zone prohibits semi-detached dwellings and serviced apartments</i>	Retain the use of this zoning and apply it to the same areas in the new LEP. Review proposed harmonisation to consistently prohibit or permit a range of uses within the R3 zone across the LGA, including to prohibit service stations as incompatible in the zone, and to permit hostels and semi-detached dwellings. Tourism and medium density type uses currently permitted in MLEP2013 R3 zone will be retained via “Additional Permitted Uses” mapping for the Manly area, including tourist and visitor accommodation, restaurants or cafes, take-away food or drink premises, and shop-top housing. Alignment with applicable SEPPs will also occur.	Applies	Applies	Applies	N/A	✓	
30	Zone R5 Large Lot Residential		Allows for residential housing in a rural setting.	<i>Pittwater LEP only. Supports areas with a large minimum lot size of one dwelling per 20,000sqm in Elanora Heights, and one dwelling per 4,000sqm in Bayview.</i>	Apply the R5 zone to areas where it currently applies, except for lots identified through the Conservation Zones Review for change to a Conservation zone. Zone will also apply to some parts of the deferred lands under WLEP2000. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs. For the deferred lands, some changes to land use permissibility will occur in translating the current WLEP2000 to the R5 standard zone. This is explained in further detail in this PP.	N/A	N/A	Applies	N/A	✓	
31	Zone E1 Local Centre		Aims to provide a diverse range of retail, business, and community services, promote investment for economic growth, enable compatible residential development, encourage ground-floor commercial use, enhance pedestrian-friendly streets, and ensure harmonious urban design with the natural environment.	<i>Applies to multiple centres across the LGA. All Standard Instrument LEPS have generally consistent objectives and permitted uses except: Manly LEP prohibits water reticulation systems; Warringah prohibits advertising structures, and Manly and Pittwater prohibit educational establishments, hospitals, health consulting rooms and emergency services facilities.</i>	Apply to existing land zoned E1. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently prohibit ‘advertising structures’ (except where they identify buildings or businesses) in the zone throughout the LGA.	Applies	Applies	Applies	N/A	✓	

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32	Zone MU1 Mixed Use		Allows for shop top housing and aims to foster a variety of business, retail, office, and light industrial uses to create employment opportunities, vibrant, pedestrian-friendly streets and public spaces that support a lively day and evening economy, including weekend and nighttime activities where suitable.	<i>Applies to the Dee Why, Mona Vale and Frenchs Forest strategic centres. The objectives differ and land uses are generally consistent except Pittwater LEP additionally prohibits educational establishments, hospitals, health consulting rooms and emergency services facilities, and Warringah prohibits advertising structures.</i>	Apply to existing land zoned MU1 at Dee Why, Mona Vale and Frenchs Forest strategic centres. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA	N/A	Applies	Applies	N/A	✓	
33	Zone E2 Commercial Centre		Aims to strengthen commercial centres as hubs for business, retail, community, and cultural activities, encouraging pedestrian friendly diverse and active street frontages, permitting residential development if aligned with strategic planning.	<i>Only applies at Warringah Mall under the Warringah LEP which permits hotel or motel accommodation and backpackers accommodation. Residential accommodation not permitted.</i>	Apply to existing land zoned E2 at Warringah Mall with no changes to permitted land uses.	N/A	Applies	N/A	N/A	✓	
34	Zone E3 Productivity Support		Provides for facilities, services, light industries, warehouses, and offices and limits certain retail and commercial activities to cater for business needs not suited to other employment zones.	<i>Applies to business park type areas including Pittwater Road, Brookvale, Pittwater Road Frenchs Forest, Austlink (Belrose) Mona Vale Road at Warriewood, Roseberry Street Balgowlah and North Narrabeen between Lake Park Road and Walsh Avenue Objectives and land uses are generally consistent except that Manly additionally permits Waste or Resource Transfer Stations, Manly and Pittwater prohibit educational establishments, Pittwater prohibits health services facilities and Warringah prohibits advertising structures and additionally permits school based child-care and emergency services facilities.</i>	Apply to existing land zoned E3. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA. Neighbourhood supermarkets currently permitted in MLEP2013 E3 zone will be retained via "Additional Permitted Uses" mapping for the Manly area.	Applies	Applies	Applies	N/A	✓	
35	Zone E4 General Industrial		Enables a variety of industrial, warehouse, logistics, and related land uses including limited non-industrial uses that serve businesses and workers, recognising the need for separation from other zones.	<i>Not used in Manly LEP area. Applies to industrial areas in Brookvale, Cromer, Mona Vale, Warriewood, and smaller industrial areas under the Warringah LEP at Pittwater Road at North Manly; Campbell Parade, Manly Vale; Cook Street Forestville; and Tekpo Road, Terrey Hills.</i>	Apply to existing land zoned E4. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA	N/A	Applies	Applies	N/A	✓	
36	Zone SP4 Enterprise		Aims to support enterprise and productivity by accommodating a range of facilities, light industries, warehouses, and offices, with a focus on fostering new and emerging light industries while restricting retail uses to maintain adequate land availability for industrial and light industrial needs in the future.	<i>Not used in Manly LEP area. This zone applies to Business Parks under WLEP at Frenchs Forest and Austlink (Belrose) and under Pittwater LEP at Mona Vale Road and Vuko Place at Warriewood.</i>	Apply to all land currently zoned SP4. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA.	N/A	Applies	Applies	N/A	✓	

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37	Zone SP1 Special Activities		Applies to land uses or sites with special characteristics that are not accommodated in other zones, such as a major scientific research facility or international sporting establishment, with the primary use or 'special purpose' identified or 'annotated' on the LEP zoning map.	<i>The objectives and land uses permitted under SP1 are generally consistent across all current LEPs (except Warringah LEP 2000).</i>	Apply to all land current zoned SP1 except for Belrose cemetery which will be rezoned to SP2 to reflect zoning of other cemeteries in the LGA. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently permit certain uses within the zone across the LGA, such as roads, building/business identification signs and environmental protection works.	Applies	Applies	Applies	N/A	✓	
38	Zone SP2 Infrastructure		Provides for major infrastructure or land highly unlikely to be used for a different purpose in the future, for example cemeteries and major sewage treatment plants, as well as for transport, social infrastructure or utility infrastructure. The primary use or 'special purpose' is identified or 'annotated' on the LEP zoning map.	<i>The infrastructure to which this zone applies differs across LEPs, particularly in relation to social infrastructure as Manly LEP lists all places of public worship (churches) as SP2.</i>	Apply to all land currently zoned SP2, add Belrose cemetery which will be rezoned from SP1. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently permit certain uses within the zone across the LGA, such as building/business identification signs and environmental protection works.	Applies	Applies	Applies	N/A	✓	
39	Zone SP3 Tourist		Protects tourist and visitor accommodation and prohibits competing land uses such as dwelling houses or residential flat buildings to avoid the conversion of serviced accommodation and other accommodation types into residential uses.	<i>Applies to hotels in Manly and the Narrabeen caravan park. The objectives of these zones are consistent. Both Manly and Pittwater LEPs permit all forms of tourist and visitor accommodation and food and drink premises. Pittwater additionally permits camping grounds, caravan parks, function centres, and information and education facilities and Manly additionally permits advertising structures and certain types of infrastructure subject to the Transport and Infrastructure SEPP.</i>	Apply to all land currently zoned SP3 in existing LEPs. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently permit certain uses within the zone across the LGA, such as camping grounds, caravan parks, eco-tourist facilities, function centres, and information and education facilities, reflective of the broad range of tourist offerings on the Northern Beaches.	Applies	N/A	Applies	N/A	✓	
40	Zone RE1 Public Recreation		Used for public recreational areas and activities including local and regional parks and open space on land is generally owned by Council or a State agency. Land zoned for environmental conservation such as C1 or C2 are also used for limited sustainable recreation, although that is not the primary purpose for the zoning.	<i>The objectives and permitted land uses for this zone differ across LEPs. Warringah LEP utilises the RE1 zone for formalised parks and sporting grounds (primarily for recreation) as well as natural bushland reserves including Collaroy Escarpment and the former Brickworks site in Brookvale/Beacon Hill (primarily for conservation). Manly Dam is zoned entirely as RE1 despite having areas with clear environmental value. Manly and Pittwater LEPs apply the RE1 zone to formalised public parks, and the C2 zone to bushland reserves.</i>	As part of the C zones review, an assessment of land zoned C2, RE1 and W1 has been undertaken to ensure the zoning of these lands accurately reflected the primary use. Some rezoning of land is proposed. Refer to Appendix H for details. Changes to permissibility include alignment with applicable SEPPs; and to consistently permit certain uses within the zone across the LGA, such as take away food and drink premises, horticulture, markets, car parks, public administration buildings, recreation facilities (major), and water-related structures (boat sheds, marinas etc). It is also proposed to permit registered clubs in the RE1 zone subject to a requirement that they be incidental or ancillary to a recreation facility, and to consistently prohibit 'advertising structures'	Applies	Applies	Applies	N/A	✓	

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					(except where they identify buildings or businesses) in the zone throughout the LGA.						
41	Zone RE2 Private Recreation		Applies to recreation areas and facilities on privately owned or managed land, for example, privately owned golf clubs.	<i>The objectives and permitted land uses for this zone differ across LEPs. Pittwater and Manly additionally permit registered clubs and Manly additionally permits depots, centre-based child-care facilities and respite day care facilities. Pittwater additionally permits marinas and advertising structures.</i>	Apply to all land currently zoned RE2. Changes to permissibility include alignment with applicable SEPPs, and to consistently permit certain uses within the zone across the LGA, such as centre based childcare facilities, respite day care centres, recreation facilities (major), and water-related structures (boat sheds, marinas etc). It is also proposed to permit registered clubs in the RE2 zone subject to a requirement that they be incidental or ancillary to a recreation facility, and to consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA.	Applies	Applies	Applies	N/A	✓	
42	Zone C1 National Parks and Nature Reserves		Identifies land in accordance with National Parks and Wildlife Act 1974.	<i>The objectives and permitted land uses for this zone are the same, nothing or 'nil' is permitted with consent, and uses authorised under the National Parks and Wildlife Act 1975 are permitted without consent.</i>	Apply to all land currently zoned C1 with no changes to land uses.	Applies	Applies	Applies	N/A	✓	
43	Zone C2 Environmental Conservation		Protects land outside the national parks and nature reserve system which has high conservation (ecological, scientific, cultural or aesthetic) values and seeks to prevent development that could damage, destroy or adversely affect its value.	<i>Manly and Pittwater LEPs apply the C2 zone to: bushland and foreshores reserves; coastal headlands, cliffs and dunes at Barrenjoey, Whale Beach, Avalon Beach, Bilgola, Newport, Mona Vale, Warriewood, and Manly and certain environmentally sensitive areas of waterway, particularly where the waterways and foreshores interact throughout Pittwater. Warringah LEP generally limits the C2 zone to certain privately-owned bushland with conservation values; it uses the RE1 Public Recreation zoning for Crown and Council bushland reserves. Manly additionally permits eco-tourist facilities and Pittwater additionally permits recreation areas and environmental facilities.</i>	As part of the C zones review, an assessment of land zoned C2, RE1 and W1 has been undertaken with the aim to ensure the zoning of these lands accurately reflected the primary use. Some rezoning of land is proposed. Refer to Appendix H for details. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to harmonise the zone across the LGA by consistently permitting or prohibiting certain uses, such as to permit environmental facilities and to prohibit eco-tourist facilities and recreation areas.	Applies	Applies	Applies	N/A	✓	
44	Zone C3 Environmental Management		Applies to land that has special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards.	<i>The objectives and permitted land uses for this zone differ across LEPs. Pittwater LEP applies to certain non-urban coastal communities on the western foreshore of Pittwater and Scotland Island. Warringah LEP applies this zone to certain non-urban lands in Terrey Hills and Belrose North. Manly LEP applies this zone to all low-density residential properties adjoining the harbour and</i>	C3 zoned areas in MLEP2013 to be rezoned to C4 in new LEP, consistent with Conservation Zones Review methodology. Cottage Point (currently zoned C4) would be rezoned to C3 consistent with like areas in the LGA. Much of the land under WLEP2000 (Oxford Falls Valley/ Belrose North) will also be zoned C3 based on the outcomes of the Conservation Zones Review.	Applies	Applies	Applies	N/A	✓	

#	Zone	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
				<i>ocean foreshores and national parks in Clontarf, Seaforth, Balgowlah Heights and Manly.</i>	Changes to land use permissibility include: Alignment with applicable SEPPs; to consistently permit certain uses within the zone across the LGA, such as community facilities, water-related structures (e.g. boatsheds, jetties etc) and recreation areas; and to consistently prohibit certain uses within the zone across the LGA, such as extensive agriculture, horticulture, and farm buildings.						
45	Zone C4 Environmental Living		Applies to land with special environmental or scenic values, accommodating low impact residential development or bushland.	<i>The objectives and permitted land uses for this zone differ across LEPs. Pittwater LEP applies to steeply sloping foreshore low density residential neighbourhoods on the Pittwater Peninsula and slopes of Elanora Heights. Warringah LEP limits the use of E4 to Cottage Point. Manly LEP applies the zone to environmentally sensitive land adjoining the harbour and ocean foreshores and national parks that are mainly medium to higher density residential areas around Manly and Fairlight where residential flat buildings are permitted.</i>	Retain areas zoned C4 across the Council area. Medium density uses (residential flat buildings, multi-dwelling housing etc.) currently permitted in Manly C4 areas to be retained via “Additional Permitted Uses” mapping. Changes to permissibility include alignment with applicable SEPPs; to consistently permit certain uses within the zone across the LGA, such as group homes, secondary dwellings (i.e. granny flats), home industries, centre based childcare facilities, community facilities, places of public worship and water-related structures (boat sheds, jetties etc); and to consistently prohibit certain uses within the zone across the LGA, such as health consulting rooms.	Applies	Applies	Applies	N/A	✓	
46	Zone W1 Natural Waterways		Intended for natural waterways to be protected for their ecological and scenic values while permitting some low impact uses.	<i>Pittwater LEP applies W1 to the Pittwater Waterway in areas other than marinas (W2 zone). Warringah LEP applies W1 to Narrabeen Lagoon and Middle Harbour (Bantry Bay to Davidson) Manly LEP applies W1 to Manly Beach with other waterways adjoining Manly foreshores are managed separately under the Sydney Harbour SEPP. The objectives and permitted land uses for this zone differ across LEPs. Manly LEP and Pittwater LEP prohibit community facilities, recreation areas and water recreation structures. Manly LEP also prohibits mooring pens, whereas Warringah LEP prohibits mooring pens but not the other uses. Pittwater LEP permits boat sheds, jetties and water recreation structures (such as piers or boat ramps) as an additional permitted use in a large portion of the Pittwater Waterway foreshore identified as Area 23.</i>	As part of the C zones review, an assessment of land zoned C2, RE1 and W1 has been undertaken with the aim to ensure the zoning of these lands accurately reflected the primary use. Some rezoning of land is proposed. Refer to Appendix H for details. Curl Curl, Dee Why and Manly Lagoons are proposed to be rezoned from RE1 to W1. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to harmonise the zone across the LGA by consistently prohibiting uses such as community facilities, recreation areas, mooring pens, and water recreation structures.	Applies	Applies	Applies	N/A	✓	

#	Zone	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
47	Zone W2 Natural Waterways		Allows for water based recreation and transport provides for a variety of passive and active recreational pursuits and water-based transport while preserving the environmental setting of the waterway.	<i>Only applies in Pittwater LEP for marinas within Pittwater zoned W2. Marinas are listed as an additional permitted use where they extend into adjoining zones. In the Manly LEP area, marinas are largely managed under the provisions of Sydney Harbour SEPP. However, small segments of these sites extend into land zoned RE1 zone where marinas are currently permitted with consent.</i>	Apply to existing W2 mapped areas. Council's review found that no other waterways in the LGA warrant the use of this zone. Action 1.8 of Towards 2040 proposes to expand the W2 zone, subject to a strategic sites assessment, to permit, with consent, sustainable marina expansion. This work has not yet commenced. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA.	N/A	N/A	Applies	N/A	✓	
48	Zone W4 Working Foreshore		Designated to support and encourage industrial and maritime activities along foreshore areas, fostering employment opportunities while preserving the environmental and visual qualities of the foreshore.	<i>This zone applies to certain land in Pittwater LEP area and permits boat building and repair facilities, charter tourism boating facilities, industrial retail outlets, light industries, marinas and wharf or boating facilities.</i>	Apply to existing W4 mapped areas. There are few changes proposed to land use permissibility within this zone, other than to align with applicable SEPPs, and to consistently prohibit 'advertising structures' (except where they identify buildings or businesses) in the zone throughout the LGA. It is also proposed to permit boat sheds in the zone consistent with the permissibility of other water-related structures.	N/A	N/A	Applies	N/A	✓	

Part 3 Exempt and complying development




#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
56	Part 3 Exempt and complying development										
57	3.1 Exempt development		Provides that development specified in Schedule 2 is exempt development if it meets the standards in that schedule and complies with the requirements of this Part. These requirements are separate to exempt development under State Environmental Planning Policies (SEPPs).	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause. Refer to discussion for Schedule 2 below.</i>	The compulsory clause is included in the LEP. Changes proposed for Exempt Development listed in the schedule are discussed in Schedule 2 below.	cl.3.1	cl.3.1	cl.3.1	cl.7	✓	



#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
58	3.2 Complying development		Provides that development specified in Schedule 3 is complying development if it meets the standards in that schedule and complies with the requirements of this Part. These requirements are separate to complying development under State Environmental Planning Policies (SEPPs).	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 includes a similar clause.</i> <i>Refer to discussion for Schedule 3 below.</i>	The compulsory clause is included in the LEP. However, there is no locally specific complying development proposed for Schedule 3, recognising the State Environmental Planning Policy (Exempt and Complying Codes) specifies comprehensive requirements. Refer to discussion for this Schedule below.	cl.3.2	cl.3.2	cl.3.2	cl.8 & cl.9	✓	
59	3.3 Environmentally sensitive areas excluded		Provides that exempt or complying development (within Schedule 2 and 3 of this Plan) is not permitted on any environmentally sensitive areas, including coastal waters, wetlands, protected lands, areas of cultural and biodiversity significance, and critical habitats, as defined in this clause. Council can choose to specify additional areas if required.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, with no additional areas specified. WLEP2000 does not include a similar clause.</i>	The compulsory clause is included in the LEP. No additional areas are specified consistent with existing LEPs.	cl.3.3	cl.3.3	cl.3.3	N/A	✓	

Part 4 Principal development standards




#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
60	Part 4 Principal development standards										
61	4.1 Minimum subdivision lot size		Sets the minimum size requirements for land subdivision and enables Council to set these limits as indicated on the Lot Size Map.	<i>The clause is generally consistent across LEPs with some minor variation in calculating lot size having regard to access handles e.g. battle-axe lots. The objectives share similarities in aiming to protect residential character and ensure that resulting lots are consistent with existing patterns and suitable for safe, environmentally conscious development. However, they differ in their specific focuses, such as the promotion of commercial and industrial development, protection of natural landscape features, or heritage preservation, depending on the locality and priorities of each LEP.</i>	Apply existing principal development standards for minimum lot size with a consolidated provision excluding access corridors from lot size calculations. Update and align objectives to require that newly created lots align with the desired future character of the locality, accommodate safe and environmentally responsible development, and adhere to relevant development controls, include heritage preservation and adequate infrastructure provision, and do not diminish the character of rural areas through land fragmentation.	cl.4.1 & Map	cl.4.1 & Map	cl.4.1	cl.11	✓	




#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
62	4.1AA Minimum subdivision lot size for community title schemes [optional if clause 4.1 is adopted]		Aims to prevent the fragmentation of land in specific zones by ensuring that resulting lots from community title subdivisions under the <i>Community Land Development Act 2021</i> meet the minimum lot size requirements.	<i>Applies to Community Title Scheme subdivisions in the PLEP2014 zones RU2, R2, R5 & C4 and WLEP2011 zones RU4, C3 & C4. The clause is not included in MLEP2013 or WLEP2000.</i>	Apply existing principal development standard where the clause currently applies being zones: RU2, RU4, R2, R5, C3 & C4. This would result in the additional consideration of this clause for current MLEP2013 zones R2, C3 & C4, WLEP2011 zone R2 and PLEP2014 zone C3, as well as the current WLEP2000 area (deferred lands) where zones RU4, R2, R5 and C3 are proposed.	N/A	cl.4.1AA	cl.4.1AA	N/A	✓	
63	4.1# Minimum lot size and frontage controls for certain residential accommodation		Sets the maximum number of dwellings permitted by site area, minimum lot sizes and lot widths for dual occupancies, manor houses, multi dwelling housing, residential flat buildings, and seniors housing.	<i>PLEP2014 sets a minimum lot size of 800m2 for dual occupancies (cl. 4.1B) and sets a minimum site area per dwelling for attached dwellings, multi-dwelling housing, residential flat buildings, semi-detached dwellings, seniors housing within the R3 zone and shop top housing in the E1 zone (cl. 4.5A).</i> <i>MLEP2013 requires a minimum site area for each dwelling as shown on the Minimum Lot Size - Multi-Dwelling Housing (Terraces) and Manor Houses Map. There is no equivalent clause in WLEP2011 or WLEP2000.</i>	Based on Urban Design Study advice, remove density controls (except for Warriewood Valley) and replace with minimum allotment size and street frontage controls for dual occupancies, manor houses, multi dwelling housing, residential flat buildings, and seniors housing. The following standards are based on research of best practice: <ul style="list-style-type: none"> Dual occupancies (R1, R3 zone): 400sqm, 15m Dual occupancies (R2 zone) 800sqm, 18m Manor houses (R1, R3 zone): 800sqm, 18m Multi dwelling housing including terraces, residential flat buildings (other than manor houses) and seniors housing: 1000sqm, 20m 	cl.4.1A	N/A	cl.4.1B & 4.5A	N/A	✓	
64	4.1# Minimum subdivision lot size for strata subdivision (certain uses in certain zones)		Aims to prevent the fragmentation of land in specific zones by ensuring that resulting lots from strata title subdivisions meet the minimum lot size requirements.	<i>WLEP2011 applies this clause to residential or tourist & visitor accommodation in the RU4, C3 and C4 zones. PLEP2014 applies this clause to dual occupancies in the RU2, R2, R5, C4 zones.</i> <i>There is no equivalent clause in MLEP2013 or WLEP2000.</i>	Apply existing clause but harmonise for consistency across the LGA. The clause will apply to residential and tourist and visitor accommodation in zones RU2, RU4, R2, R5, C3 and C4. It will be extended to apply across the LGA to identified zones and land uses, so will be a new clause for land in certain zones under the current MLEP2013 and WLEP2000.	N/A	cl.4.2A	cl.4.2A	N/A	✓	
65	4.2 Rural subdivision		Allows for subdivision of land in specific rural zones into smaller lots for primary production where the proposed subdivision does not entail a dwelling (new or existing) being allowed on the subdivided (smaller) lot.	<i>This is a mandatory provision for LEPs with rural zones, and is applied in WLEP2011 (zone RU4) and PLEP2014 (zone RU2). There is no equivalent clause in MLEP2013 or WLEP2000.</i>	The compulsory clause is included in the LEP and is applied to all land zoned RU2 and RU4. This will be a new clause for such zoned land in the current MLEP2013 and WLEP2000 area.	N/A	cl.4.2	cl.4.2	N/A	✓	
66	4.3 Height of buildings		Clause and map sets rules for how tall buildings can be and enables Council to set these limits as indicated on the Height of Buildings Map.	<i>Building heights in low density residential areas are generally 8.5m or 2 storeys. In medium density areas buildings heights vary from 11m in WLEP2011, to 8.5m and 9m in PLEP2014, and to 12m in MLEP2013.</i> <i>The tallest buildings permitted in each LEP include 13m in PLEP2014, 25-78m in WLEP2011 (Dee Why and</i>	Apply existing development standards for height of buildings without change, other than: <ul style="list-style-type: none"> Height increase for 2 and 3 storey mixed use development in centres currently subject to 8.5m and 11m limits to provide greater amenity and flexibility in the use of buildings 	cl.4.3(1)	cl.4.3(1)	cl.4.3(1)	Appendix B & C	✓	






#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPS, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
				<p><i>Frenchs Forest) and 12m (Manly Beachfront) & 40m (2 towers in Balgowlah) in MLEP2013</i></p> <p><i>No height limits currently apply to Frenchs Forest Business Park or Warringah Mall.</i></p>	<p>over their lifespan – from 8.5m to 9.3m, and from 11m to 12.4m. (No height increase is proposed for Mona Vale)</p> <ul style="list-style-type: none"> Height increase for Brookvale E4 zoned land from 11m to 18m. <p>Introduce new height limits where none currently apply in LEPS:</p> <ul style="list-style-type: none"> New height limit of 30m for Warringah Mall based on recent studies. New height limit for the Frenchs Forest Business Park of a 11m base limit and 21m for employment generating developments. <p>Additionally, the clause sets out height provisions for land that is steeply sloping (>30%) or flood prone to d apply more broadly across the LGA. Special height provisions in clauses 4.3(2E) and (2F) of PLEP2014 for certain site-specific mapped areas are carried across into the LEP with no change.</p>						
67	4.3A Special Height Considerations		Clause sets additional provisions for the height of buildings applicable in certain circumstances or for certain land.	<i>MLEP2013 contains special height provisions for protection of views and PLEP2014 contains provisions for flood prone land, sloping sites and certain land uses including secondary dwellings.</i>	<p>Reflect existing special height clauses in clause 4.3A of MLEP2013, and clause 4.3(2FA) of PLEP2014, as follows: Land in proximity to Sydney Harbour; and Secondary dwellings or rural worker’s dwellings (detached) – limit height to 5.5m in zones C4 and RU2, with some change to harmonise standards and apply more broadly across all C4 zones in the LGA.</p> <p>The existing clause 4.3(2FB) of PLEP2014 limiting the maximum height of a detached dual occupancy that is furthest back from the primary street frontage has been omitted, as detached dual occupancy development will be limited to corner sites or land with a dual street frontage in the R2 zone across the LGA.</p>	cl.4.3A	N/A	cl.4.3 (2A) to (2G)	Appendix B & C	✓	
68	4.4 Floor space ratio		Used to control the density and scale of buildings and enables Council to set these limits as indicated on the Floor Space Ratio	<i>FSR limits currently exist for all residential and employment areas in MLEP2013, and in town centres in North Narrabeen, Warriewood, and Mona Vale in PLEP2014, and in Dee Why and Frenchs Forest precinct in WLEP2011.</i>	Apply existing floor space ratio (FSR) limits for all land reflected in current LEPS, except for FSR for low-density residential zoned land in MLEP2013 (that is, zoned R2 or C3). In this regard, a new LGA-wide FSR standard is proposed for all land	cl.4.4(1)	cl.4.4(1)	cl.4.4(1)	N/A	✓	










#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
			Map (FSR = Total Floor Area of the Building / Total Land Area).	<i>MLEP2013 Clause 4.4(2A) allows an additional floor space of up to 0.5:1 if at least 50% of the buildings gross floor area is for the purpose of commercial premises – within Seaforth, Manly and Balgowlah Centres only.</i>	zoned R2, C4 and certain C3 zones. The introduction of FSR for these areas is based on the analysis of data for developments on the Northern Beaches over a recent 11-year period. An existing FSR bonus provision applying to key sites in Balgowlah, Manly and Seaforth in MLEP2013 (clause 4.4(2A)) to encourage commercial floorspace will be retained.						
69	4.5 Calculation of floor space ratio and site area		This clause explains how to calculate the floor space ratio (how much building space is allowed on a piece of land), including rules for excluding certain areas from the calculation, preventing double counting of space, and handling public areas.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. WLEP2000 does not include a similar clause.</i>	Apply existing clause with no changes.	cl.4.5	cl.4.5	cl.4.5	N/A	✓	
70	4.6 Exceptions to development standards		Allows for exceptions to development standards if the applicant can show that compliance is unreasonable or unnecessary in the given circumstances and that there are valid environmental planning reasons for the deviation. The clause also specifies certain lands where exceptions will not be allowed, both mandated and locally specified.	<i>The clauses in MLEP2013, PLEP2014 and WLEP2011 share common objectives. All three LEPs restrict variations of the subdivision standard for development resulting in lots smaller than the minimum area specified in rural, large lot residential, and conservation zones.</i> <i>Additional exclusions are applied in MLEP2013 (cl.4.6(8)(ca) and (cb)) and WLEP2011 (cl.4.6(8)(ba), (8A) and (8B)) – relating to:</i> <ul style="list-style-type: none"> • <i>Height of buildings in the Dee Why Town Centre;</i> • <i>FSR in the Frenchs Forest Hospital Precinct;</i> • <i>Length of stay in tourist and visitor accommodation in Manly; or</i> • <i>Development on land at St Patricks Estate, Manly</i> 	The compulsory clause is included in the LEP. Apply existing clause and include exclusions currently listed in MLEP2013 and WLEP2011 for Dee Why Town Centre, Frenchs Forest Precinct, tourist and visitor accommodation in Manly, and St Patrick's Estate in Manly. This will ensure that clause 4.6 cannot be applied to development standards relating to such land as set out in the clause.	cl.4.6	cl.4.6	cl.4.6	N/A	✓	






Part 5 Miscellaneous provisions






#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
71	Part 5 Miscellaneous provisions										
72	5.1 Relevant acquisition authority		Identifies the State authority responsible for acquiring land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> (the owner-initiated acquisition provisions).	<p>Included in MLEP2013, PLEP2014 and WLEP2011 but with difference in the zones to which the clause applies – Zones and purpose marked on the Land Acquisition Map:</p> <ul style="list-style-type: none"> RE1 'local open space' – all LEPs RE1 'regional open space' – all LEPs SP2 'Local Road' – PLEP only SP2 'Classified Road' – all LEPs C1 'National Park' – all LEPs C2 'Local open space' – PLEP only C2 'Regional open space' – PLEP only R2 'Local road' – WLEP only <p>WLEP2000 includes a similar clause and refers land reserved for public open space, regional open space, local roads, and arterial roads.</p>	The compulsory clause is included in the LEP, with the list of land to which it will apply as being a consolidated list from the existing LEPs. A Land Reservation Acquisition Map will accompany the clause reflecting existing reservations.	cl.5.1	cl.5.1	cl.5.1	34-37	✓	
73	5.1A Development on land intended to be acquired for a public purpose		Restricts development on specific land designated for public purposes, as indicated on the Land Reservation Acquisition Map.	<p>PLEP2014 and WLEP2011 include a similar clause however the land and types of development listed varies:</p> <ul style="list-style-type: none"> RE1 'local open space' – <ul style="list-style-type: none"> earthworks (WLEP), recreation areas (PLEP, WLEP) RE1 'regional open space' – <ul style="list-style-type: none"> earthworks (WLEP), recreation areas (PLEP, WLEP) SP2 'Local Road' – <ul style="list-style-type: none"> roads (PLEP) SP2 'Classified Road' – <ul style="list-style-type: none"> earthworks (WLEP), roads (PLEP, WLEP) <p>WLEP2000 permits development "provided it does not render the land unfit for the purpose for which it is reserved". MLEP2013 does not include a similar clause.</p>	The clause will be included in the LEP, with the list of zones and permissible development consolidated and applied across the LGA.	N/A	cl.5.1A	cl.5.1A	cl.36	✓	

#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
74	5.2 Classification and reclassification of public land		Allows the council to classify or reclassify public land as either "operational land" or "community land" under the Local Government Act 1993, based on descriptions provided in Schedule 4.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.</i>	The compulsory clause is included in the LEP.	cl.5.2	cl.5.2	cl.5.2	N/A	✓	
75	5.3 Development near zone boundaries		Allows flexibility in development near zone boundaries by permitting land uses when it aligns with planning objectives and land uses in adjoining zones, applying to land within a certain distance (locally determined) from a boundary between two different zones, but not to specific zones or coastal areas.	<i>Only applies to WLEP2011 land zoned SP1 & SP2 and applying to land within 10 meters of a boundary between two different zones</i>	Not proposed to be adopted in LEP. Council's review found the flexibility offered by this clause is not required and there are concerns it may compromise the provision of infrastructure and special activities to service the community, inconsistent with the intent of <i>Towards 2040</i> .	N/A	cl.5.3	N/A	N/A	✗	
76	5.4 Controls relating to miscellaneous permissible uses		Sets minimum and maximum limits (e.g. floor space and number of bedrooms) for a specified range of miscellaneous permissible uses and allows Council to tailor these limits to the LGA except for neighbourhood supermarkets which are limited to 1,000sqm.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. The same limits are set for the following types of development:</i> <ul style="list-style-type: none"> • <i>Bed and breakfast accommodation: 3 bedrooms</i> • <i>Home businesses: 50sqm of floor area</i> • <i>Home industries: 50sqm of floor area</i> • <i>Farm stay accommodation: 3 bedrooms</i> • <i>Neighbourhood supermarkets: gross floor area 1,000sqm</i> <i>However, each LEPs sets different limits for the following types of development:</i> <ul style="list-style-type: none"> • <i>Industrial retail outlets: whichever is the lesser - 40% of gross floor area of the associated industry or 400sqm (MLEP); 33% or 400sqm (PLEP, WLEP)</i> • <i>Kiosks: 55sqm (MLEP), 20sqm (PLEP), 50sqm (WLEP)</i> • <i>Neighbourhood shops: retail floor area 80sqm (MLEP, WLEP), 100sqm (PLEP)</i> • <i>Roadside stalls: gross floor area 9sqm (MLEP), 10sqm (PLEP), 20sqm (WLEP)</i> • <i>Secondary dwellings (not in a rural zone): whichever is the greater - 60sqm or 30% of the total floor area of the principal dwelling (MLEP), 60sqm or 25% (PLEP), 60sqm or 11% (WLEP)</i> • <i>Artisan food and drink industry exclusions (floor area for retail sales excluding any café or restaurant): whichever is lesser - 40% of gross floor area of the industry or</i> 	Apply existing compulsory miscellaneous development standard and adopt the highest limits from each LEP which is: <ul style="list-style-type: none"> • Bed and breakfast accommodation: 3 bedrooms. • Home businesses: 50sqm of floor area. • Home industries: 50sqm of floor area. • Industrial retail outlets: 40% of gross floor area of the associated industry or 400sqm, whichever is the lesser. • Farm stay accommodation: 3 bedrooms. • Kiosks: 55sqm. • Neighbourhood shops: 100sqm retail floor area. • Neighbourhood supermarkets: 1,000sqm gross floor area (limit set by clause and cannot be amended). • Roadside stalls: 20sqm gross floor area. • Secondary dwellings (not in a rural zone): 60sqm or 25% of the total floor area of the principal dwelling, whichever is the greater. • Artisan food and drink industry exclusions (floor area for retail sales excluding any café or restaurant): 40% of gross floor area of the industry or 400sqm, whichever is the lesser. 	cl.5.4	cl.5.4	cl.5.4	N/A	✓	

#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
				400sqm (MLEP), 33% or 400sqm (PLEP, WLEP) An equivalent clause is not included in WLEP2000							
77	5.5 Controls relating to secondary dwellings on land in a rural zone		This clause sets regulations for secondary dwellings on rural zone land and allows Council to set limits on the floor area and maximum distance between the secondary dwelling and the principal dwelling in meters.	Clause doesn't apply in WLEP2011 as secondary dwellings are not permissible in the RU4 rural zone. PLEP2014 sets a limit of 60sqm for secondary dwellings in rural zones or 25% of the total floor area of the principal dwelling (whichever is greater). No limits were placed on the distance between the secondary dwelling and the principal dwelling. An equivalent clause is not included in WLEP2000.	Apply existing development standard for secondary dwellings in rural zones to 60sqm or 25% of the total floor area of the principal dwelling (whichever is greater) with no controls specifying the maximum distance between the secondary dwelling and the principal dwelling. This will continue to apply only to RU2 zoned land.	N/A	N/A	cl.5.5	N/A	✓	
78	5.6 Architectural roof features		This clause allows building height limits to be exceeded if they are for a decorative roof feature on the condition it is not an advertising structure, does not add floor space, minimally affects overshadowing, and integrates building identification signage or equipment into the roof feature's design.	None of the LEPs include this clause.	This clause is not proposed to be adopted because adequate controls for roof design will be incorporated into the Northern Beaches DCP.	N/A	N/A	N/A	N/A	✗	
79	5.7 Development below mean high water mark		This clause applies to land which includes tidal waters and aims to ensure that development below the mean high-water mark of tidal bodies of water undergoes appropriate environmental assessment.	Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.	This is a compulsory clause that must be adopted if land to which the LEP applies contains tidal waters.	cl.5.7	cl.5.7	cl.5.7	N/A	✓	
80	5.8 Conversion of fire alarms		This clause outlines consent requirements for the conversion of fire alarm systems that can be monitored by Fire and Rescue NSW or a private service provider (entities with agreements in place to monitor fire alarm systems).	Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.	The compulsory clause is included in the LEP.	cl.5.8	cl.5.8	cl.5.8	N/A	✓	
81	5.9 Dwelling house or secondary dwelling affected by natural disaster		This clause allows for the repair or replacement of dwelling houses and secondary dwellings that have been damaged or destroyed by natural disasters with development consent, provided they were lawfully erected and the application is made within 5 years of the natural disaster causing the damage or destruction. Council is able to specify the zones to which this clause applies.	Adopted in all LEPs (including WLEP2000) from the Standard Instrument LEP Order following the Black Summer bushfires in 2020. All zones are listed.	Apply existing optional clause with all zones listed, consistent with same clause in current LEPs.	cl.5.9	cl.5.9	cl.5.9	cl.33B	✓	





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82	5.10 Heritage conservation		This clause focuses on heritage conservation and requires development consent for various activities related to heritage items, conservation areas, archaeological sites, and Aboriginal places of heritage significance that have been identified by Council and listed within Schedule 5.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, although the heritage listings in Schedule 5 differ as applicable to each LEP area. WLEP 2000 lists heritage items within locality statements and has the following relevant clauses: Heritage control (cl 79), Notice to Metropolitan Aboriginal Land Council (cl 80), Development in the vicinity of heritage items (cl 82) and Development of known or potential archaeological sites (cl 83).</i>	The compulsory clause is included in the LEP, noting similar provisions from WLEP2000 will be addressed in the compulsory clause except for those in referral and lodgement requirements which will be translated into either the development assessment forms and/or Development Control Plan.	cl.5.10 & Map & Schedule	cl.5.10 & Map & Schedule	cl.5.10 & Map & Schedule	Div.7, cl.79- 83	✓	
83	5.11 Bush fire hazard reduction		This clause allows bush fire hazard reduction work authorized by the Rural Fires Act 1997 to be conducted on any land without the need for development consent.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.</i>	The compulsory clause is included in the LEP.	cl.5.11	cl.5.11	cl.5.11	N/A	✓	
84	5.12 Infrastructure development and use of existing buildings of the Crown		This clause ensures that the provisions of the plan do not restrict or prohibit the development or use of existing Crown buildings by the Crown itself. It also clarifies that developments carried out by or on behalf of a public authority, in accordance with State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2, are not restricted or prohibited by this plan.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.</i>	The compulsory clause is included in the LEP.	cl.5.12	cl.5.12	cl.5.12	N/A	✓	
85	5.13 Eco-tourist facilities		Ensures that eco-tourist facilities provide a management strategy and consider requirements such as demonstrating a connection to the ecological, environmental, and cultural values of the site, minimizing environmental impact, promoting positive environmental outcomes, managing waste, and conserving natural resources.	<i>This clause applies where eco-tourist facilities are permitted which includes the E2 zone in MLEP2013. In the PLEP2014, it applies to the Eco-tourist facility, Campground and Function Centre zone at Currawong (zoned SP1) and an additional permitted use for the Sydney Conference and Training Centre, 30 Ingleside Road, Ingleside (Schedule 1, Item 6: Area 6 zoned RU4). The clause does not apply currently in WLEP2011 or WLEP2000.</i>	This is a compulsory clause that must be adopted if eco-tourist facilities are permitted with consent on land to which the LEP applies. The clause will be included in the LEP and apply to any proposed eco-tourist facility development.	cl.5.13	N/A	cl.5.13	N/A	✓	
86	5.14 Siding Spring Observatory— maintaining dark sky		Aims to protect observing conditions at the Siding Spring Observatory by promoting lighting practices that minimise light pollution.	<i>Does not apply to the Northern Beaches LGA</i>	Does not apply to the Northern Beaches LGA	N/A	N/A	N/A	N/A		
87	5.15 Defence communications facility		Aims to preserve the optimum operational capability of the defence receiver station established by the Commonwealth	<i>Does not apply to the Northern Beaches LGA</i>	Does not apply to the Northern Beaches LGA	N/A	N/A	N/A	N/A		









#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPS, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
			Department of Defence on land near Morundah.								
88	5.16 Subdivisions of, or dwellings on, land in certain rural, residential or conservation areas		This clause aims to minimise land use conflicts between existing and proposed developments in certain rural, residential, or conservation zones. The clause is compulsory for plans that meet specific criteria based on the LGA, but it is optional for others. It sets out matters for consideration for a development application involving the erection of a dwelling or land subdivision relating to a dwelling.	<i>Does not currently apply in the Northern Beaches and is optional for our LGA. Currently it applies in regional areas of the State (such as Byron Shire and Shoalhaven) and The Hills Shire in Greater Sydney</i>	Apply optional miscellaneous provision to align with LSPS priorities to avoid urban intensification and subdivision in the Metropolitan Rural Area and prevent development intensification and incompatible land uses in hazard-prone areas. The clause will apply to zones RU2, RU4, R5, C2, C3 and C4.	N/A	N/A	N/A	N/A	✓	
89	5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations		Aims to regulate the development of artificial waterbodies with a storage capacity of 15 megalitres or more but less than 100 megalitres in environmentally sensitive areas within the area of operations of irrigation corporations.	<i>Does not apply to the Northern Beaches LGA</i>	Does not apply to the Northern Beaches LGA	N/A	N/A	N/A	N/A	⊘	
90	5.18 Intensive livestock agriculture		Ensures appropriate environmental assessment of intensive livestock agriculture, with specific restrictions related to location, Odor impacts, pollution, soil degradation, mitigation measures, site suitability, compliance with industry codes, and alignment with relevant guidelines.	<i>Currently applies only in PLEP2014 where intensive livestock agriculture is permitted in the RU2 zone.</i>	The compulsory clause is included in the LEP as intensive livestock agriculture is a permitted use on certain land to which the plan applies.	N/A	N/A	cl.5.18	N/A	✓	
91	5.19 Pond-based, tank based and oyster aquaculture		Promotes sustainable oyster, pond-based, and tank-based aquaculture by specifying location and operational requirements for development, allowing certain aquaculture in designated zones without consent, and considering industry development plans and sustainable strategies for oyster aquaculture in the approval process.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.</i>	The compulsory clause is included in the LEP.	cl.5.19	cl.5.19	cl.5.19	N/A	✓	
92	5.20 Standards that cannot be used to refuse consent – playing and performing music		This clause prohibits the refusal of development consent for licensed premises based on factors such as the genre of music, live or amplified music, dancing, dance floor presence, stage direction, and decorations, and only allows refusal based on noise if it cannot be managed to an acceptable level.	<i>Included in MLEP2013, PLEP2014, WLEP2011, and WLEP 2000.</i>	The compulsory clause is included in the LEP.	cl.5.20	cl.5.20	cl.5.20	cl.33A	✓	




#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
93	5.21 Flood Planning		Aims to minimise flood risks by ensuring that development is compatible with the flood behaviour of the area, considers climate change projections, and does not adversely affect flood behaviour, safe evacuation, the environment, or other properties as per the Considering Flooding in Land Use Planning Guideline and Floodplain Development Manual.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. A similar clause is included in WLEP2000.</i>	The compulsory clause is included in the LEP.	cl.5.21	cl.5.21	cl.5.21	cl. 47	✓	
94	5.22 Special flood considerations		Aims to ensure sensitive and hazardous developments can be safely evacuated during flood events. It sets out matters that must be considered prior to granting consent and provides a list of development types to which the clause can potentially apply: boarding houses, caravan parks, correctional centres, early education and care facilities, eco-tourist facilities, educational establishments, emergency services facilities, group homes, hazardous industries, hazardous storage establishments, hospitals, hostels, information and education facilities, respite day care centres, seniors housing, sewerage systems, tourist and visitor accommodation and water supply systems.	<i>Included in MLEP2013, PLEP2014 and WLEP2011. An equivalent clause is not included in WLEP2000.</i>	Apply optional clause across the LGA and to all available development types listed. This will be a new clause for WLEP2000 area.	cl. 5.22	cl. 5.22	cl. 5.22	N/A	✓	
95	5.23 Public bushland		This clause aims to protect certain types of public bushland, noting clearing of native vegetation is exempt if authorised under the Local Land Services Act 2013.	<i>Included in MLEP2013, PLEP2014, WLEP2011, and WLEP 2000.</i>	Apply existing optional clause in the LEP.	cl.5.23	cl.5.23	cl.5.23	cl.33C	✓	
96	5.24 Farm Stay Accommodation		This clause creates controls on farm stay accommodation to ensure it does not adversely affect primary production and other land uses, requiring buildings to be accommodated on the same lot as an existing lawful dwelling house or on a lot meeting minimum size requirements for a dwelling house and specifies development that involves changing an existing dwelling into farm stay accommodation is exempt.	<i>The clause is not currently included in any LEP, despite farm stay accommodation being a permissible use currently in the RU2 zone in PLEP2014.</i>	Apply new optional clause to better regulate any proposed farm stay accommodation on land within the LGA.	N/A	N/A	N/A	N/A	✓	
97	5.25 Farm Gate Premises		Aims creates controls for tourism and related commercial uses on land primarily used for primary production without adversely affecting its primary use, in order to balance tourism and commercial activities with the	<i>The clause is not currently included in any LEP, despite farm gate premises being a permissible use currently in the RU4 zone in WLEP2011 (within the broader permitted use 'agritourism').</i>	Apply new optional clause to better regulate any proposed farm gate premises on land within the LGA.	N/A	N/A	N/A	N/A	✓	








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			environment, scenic values, infrastructure, and neighbouring land uses.								









Part 6 Additional local provisions










#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
98	Part 6 Additional local provisions										
99	6.x Active street frontages		Clause aims to promote pedestrian-friendly environments and retail activity by ensuring buildings along specific ground floor street frontages are used for business or retail purposes (and have no medical centres, offices, or residential uses at ground floor level). It is accompanied by an Active Street Frontages Map.	<i>MLEP2013 clause 6.11 defines active frontage as business and retail premises at ground floor, and applies the clause to Seaforth, Balgowlah and Manly centres only.</i> <i>WLEP2011 Part 7 Dee Why Town Centre further specifies that active frontages must have no medical centres or offices at ground floor and no residential uses on the ground and first floors.</i> <i>The E1 Local Centre zone objectives for all LEPs refer to active local centres.</i>	Apply existing MLEP2013 local provision (currently applies to Seaforth, Balgowlah and Manly centres) and expand to additional centres in Avalon Beach, Balgowlah, Collaroy, Dee Why The Strand, Forestville, Freshwater, Manly Vale, Manly, Narrabeen, Newport, North Narrabeen, and Seaforth, informed by the Urban Design Study, AJ+C and Tract Consultants in 2021. Minor edits to clause to clarify uses that qualify as an 'active street frontage' and when not required. Retain existing clause for Dee Why Town Centre in Part 7 of LEP with other site specific controls for this centre.	cl.6.11	Part 7	N/A	N/A	✓	
100	6.x Development in local centres		Clause aims to ensure that the scale and function of development in certain local centres are appropriate to the location, and that development is compatible with the desired future character and amenity of surrounding residential areas. This clause has been introduced into many NSW LEPs recently following the DPE's recent Employment Zone Reforms which saw the merge of the former B1 Neighbourhood Centre and B2 Local Centre Zones into one E1 Local Centre Zone.	<i>Not included in any LEP currently.</i>	This is a new local provision proposed to be included in the LEP to apply to all land previously zoned B1 Neighbourhood Centres prior to the NSW Government's Employment Zones Reforms. The clause will be accompanied by a map indicating these centres.	N/A	N/A	N/A	N/A	✓	





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101	6.x Location of sex services premises		Clause aims to minimise conflicts by establishing a reasonable separation between sex services premises and sensitive uses such as centre-based childcare facilities, community facilities, schools and places of public worship.	<i>Included in MLEP2013, PLEP2014 and WLEP2011 with minor variations in wording and to applicable zones.</i>	Apply existing local provision with minor changes to harmonise the clause across the LGA.	cl.6.20	cl.6.9	cl.7.12	N/A	✓	
102	6.x Noise impacts— licensed premises		Clause requires the consideration of noise impacts on nearby residential accommodation when granting development consent for licensed premises under the Liquor Act 2007.	<i>Currently only applies in MLEP2013.</i>	Apply existing local provision to all licensed premises across the LGA.	cl.6.21	N/A	N/A	N/A	✓	
103	6.x Gross Floor Area in Zone E1 Seaforth, Balgowlah and Manly Local Centres		Aims to stimulate economic growth and employment opportunities in local centres by regulating the gross floor area of commercial premises in specific areas. The clause will apply only to local centres in Manly, Balgowlah and Seaforth.	<i>MLEP2013 clause 6.16 applies to certain local centres (Manly, Balgowlah and Seaforth). Clause 6.16(3) requires at least 25% of a building's gross floor area to be designed for commercial use. Clause 6.16(4) limits retail premises to 1,000m2 encouraging a diverse mix of uses.</i>	Apply existing local provision where currently applies with objectives to encourage the development, expansion and diversity of business activities that will contribute to economic growth, retention of local services and employment opportunities.	cl. 6.16	N/A	N/A	N/A	✓	
104	6.x Registered clubs in RE2 Private Recreation zone		Clause requires that clubs are 'incidental or ancillary' to a recreation facility land on land zoned RE2 Private Recreation.	<i>Clause not included in any LEP currently. In the RE2 Private Recreation zone, registered clubs are currently permitted in MLEP2013 and PLEP2014, and prohibited in WLEP2011. In the RE1 Public Open Space zone, registered clubs are prohibited in all MLEP2013, PLEP2014 and WLEP2011 - but permitted in WLEP2011 via an Additional Permitted Use at Long Reef Golf Club, Manly Vale Bowling Club, Wakehurst Golf Club and North Manly Bowling Club.</i>	This is a new local clause proposed for inclusion in the LEP to support the proposed change to permit registered clubs with consent in RE2 zone subject to ensuring they are 'incidental or ancillary' to a recreation facility. The restriction on registered clubs proposed in this clause is similar to that applied currently in WLEP2011 to certain RE1 Public Recreation zoned land.	N/A	N/A	N/A	N/A	✓	
105	6.# Requirement for development control plans on certain land		Clause and map to ensure development on specific land is only considered after a detailed development control plan has been prepared and adopted for that land, outlining various development controls and principles, including building envelopes, subdivision patterns, transportation, preferred use locations, traffic management, and staging of development.	<i>MLEP2013 requires DCPs for certain sites zoned on a key sites map (in Seaforth (Sydney Road) and Manly (Pittwater Road, Belgrave Street and Whistler Street), while WLEP2011 and PLEP2014 require DCPs for Frenchs Forest and Warriewood Valley respectively. Considerations in preparing DCPs vary with some exemptions.</i>	Apply local clauses in LEP retaining existing requirements for Manly within Part 6 of the LEP, and for Frenchs Forest and Warriewood Valley within Part 7 of the LEP.	cl.6.14	cl.8.4	cl.6.2	N/A	✓	
106	6.# Land in Belrose including Perentie Road		Clause outlines specific requirements for the subdivision of certain land parcels, including restrictions on the number of lots created, the preservation of existing bushland, the inclusion of stormwater and	<i>Clause included in WLEP2011. Applies to certain land in Belrose - being.</i>	Retain existing local provision applying to certain land within the Belrose Road corridor, with updated property descriptions. Several properties to which the clause is no longer relevant (as a	N/A	cl.6.8	N/A	N/A	✓	



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			sewer infrastructure, asset protection zones and ensuring suitable building areas for preserving natural landscape features such as rock outcrops.	<i>Within Perentie Rod, Belrose - Lot 975, DP 752038, Lot 11, DP 1040417 and Lots 1 and 2, DP 1152206; and Within the Belrose Road Corridor - Lot 52, DP 819308, Lot 12, DP 225340, Lot 5, DP 260080, Lot 3, DP 534463, Lot 13, DP 587071, Lot 33, DP 222330, Lots 38 and 39, DP 238042, Lot A, DP 347637, Lot 2, DP 526613, Lot 11, DP 244797 and Lots 5 and 6, DP 514039</i>	result of completed subdivisions) have been omitted.						
107	6.x Design excellence		Clause aims to ensure a high standard of architectural and urban design for new buildings or external alterations in urban centres, setting out matters for consideration including design, materials and detailing; form and external appearance; sustainable design principles; design of communal areas and pedestrian interface; green spaces; and so on.	<i>Currently, design excellence must be considered for certain land under MLEP2013 (in Manly, Seaforth and Balgowlah Centres, and St Patrick's Estate in Manly), and for the Frenchs Forest precinct and Dee Why Town Centre under WLEP2011. The Council's Design and Sustainability Advisory Panel (DSAP) currently provide evaluation and advice on developments above certain thresholds in these areas. A threshold of developments over 3 storeys or 12 metres applies for application of the clause applying to the Frenchs Forest precinct.</i>	Apply existing local clauses with minor editorial changes to harmonise the clause including threshold, and expand application of the clause to cover Strategic Centres and larger Local centres within the LGA. The clause will apply to the following: <ul style="list-style-type: none"> • <u>Strategic Centres</u>: Manly; Dee Why; Frenchs Forest; Mona Vale; Brookvale • Warringah Mall • <u>Local Centres</u> i.e. all that were previously zoned B2 (now E1): Avalon; Balgowlah; Belrose – Glenrose Shopping Centre; Collaroy – Pittwater Road ; Dee Why – the Strand; Elanora Heights - Kalang Road; Forestville – the Centre ; Frenchs Forest - Forestway shops ; Freshwater Village ; Manly Vale ; Mona Vale ; Narrabeen – Pittwater Road; Newport ; Newport West - Kalinya St / Queens Parade ; North Narrabeen - Windsor Parade - Nareen Parade ; Palm Beach – Barrenjoey Road / Iluka Rd; Seaforth ; Warriewood Square, Jackson Rd <p>The sites will be shown on the Design Excellence Map.</p>	cl.6.13	cl.7.5 & cl.8.5	N/A	N/A	✓	
108	6.x Residual lots (Church Point)		Clause aims to prevent the isolated development of undersized and constrained lots on specific land parcels in Church Point, requiring the consolidation of lots to form registered Torrens title lots which meet minimum lot size requirements.	<i>Included in PLEP2014 currently. Applies to 3 small lots in Church Point that are constrained in terms of future development, being residual to previous land subdivisions, and are required to be consolidated being: 159A McCarrs Creek Road (Lot 17, DP 243387); 171A McCarrs Creek Road (Lot 1, DP 114169) and 183 McCarrs Creek Road</i>	Apply existing local clause without change, and seek feedback from property owners during public exhibition, including public authorities.	N/A	N/A	cl.7.9	N/A	✓	

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				<i>(Lot 102, DP 839311). This land includes land owned by public authorities.</i>							
109	6.x Scenic protection		This clause aims to protect the scenic and environmental qualities of ridgelines and escarpments and natural landforms including rock outcrops.	<i>Under the WLEP 2000, the desired future character statement for Oxford Falls Valley specifies there will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway. Under the WLEP 2011, protection of rock outcrops is specified for the Belrose Road Corridor Subdivisions (Perentie Road).</i>	This is a new local clause proposed for inclusion in the LEP based on existing provisions in WLEP2000 and WLEP2011. It is proposed to translate existing protections and expand application to the entire LGA. Other LEP precedents include the Blue Mountains, Byron Bay, Dungog, Lismore and Campbelltown.	N/A	cl. 6.6 & cl.6.8	N/A	B2	✓	
110	6.x Erection of dwelling houses within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road		Aims to promote land consolidation, protect ecological values, enhance scenic quality, and minimise siltation and pollution of Narrabeen Lagoon by setting minimum lot sizes for erection of dwelling houses.	<i>Warringah LEP 2011 applies to land to the north and south of Mona Vale Road in Belrose and Terrey Hills. It prohibits the erection of a dwelling house on a lot in Zone C3 Environmental Management if the lot is less than 20 hectares, with exceptions to lots greater than 2 hectares. Other exceptions apply to certain specified lots, including Lot 33, DP 870625 Pinduro Place Cromer, and those listed in subclause (5). Warringah LEP 2000 includes similar objectives and restrictions for the 'deferred lands' in Localities B2 Oxford Falls Valley and C8 Belrose North.</i>	Merge requirements into a new local provision which includes current areas under WLEP2011 and proposed C3 and RU4 zoned areas in Oxford Falls Valley and Belrose North (deferred lands).	N/A	cl.6.6	N/A	cl.14	✓	
111	6.x Foreshore scenic protection area		Clause aims to preserve visual aesthetic amenity and views of significant waterways for developments in areas designated on the Foreshore Scenic Protection Area Map.	<i>Currently applies in MLEP2013 only.</i>	Apply existing local clause with minor editorial changes to the same area. The clause will not apply to additional areas based on DPE advice.	cl.6.9	N/A	N/A	N/A	✓	
112	6.x Bushland and Biodiversity land		Clause aims to maintain terrestrial, riparian and aquatic biodiversity on specific land identified on a Terrestrial Biodiversity Map.	<i>The clauses for PLEP2014 (Biodiversity) and MLEP2013 (Terrestrial Biodiversity) are similar except the PLEP clause additionally refers to aquatic lands. WLEP2000 contains general provisions for the protection of existing flora, and Koala habitat protection. WLEP 2011 has no biodiversity mapping, but mapping exists in the DCP.</i>	Apply existing local clause, to be titled 'Bushland and Biodiversity', with editorial changes to harmonise the clause and expand application to the entire LGA based on new mapping from the Biodiversity Planning Review and Deferred Lands Biodiversity Assessment. This will result in changes to mapping for the entire LGA and new statutory protections for Bushland and Biodiversity in the current WLEP 2011 area (formerly within the DCP).	cl.6.5	N/A	cl.7.6	cl.58 & cl.59	✓	








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113	6.x Earthworks		Clause aims to ensure that earthworks from development will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, including waterways and sensitive areas.	<i>Included in MLEP2013, PLEP2014 and WLEP2011, with minor differences in legislative language. Similar clauses are included in WLEP2000 relating to landfill, erosion and sedimentation.</i>	Apply existing local clause with minor editorial changes to harmonise the clause and apply to all land across the LGA.	cl.6.2	cl.6.2	cl.7.2	cl. 77 & cl. 78	✓	
114	6.x Limited development on foreshore area and foreshore building line		Aims to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. The foreshore area is the land between the mean high-water mark of the nearest waterway and the foreshore building line shown on the Foreshore Building Line Map.	<i>MLEP2013 and PLEP2014 include provisions that limit the types of structures that may be erected within the foreshore area generally 15m from the mean high-water mark of Pittwater, North and Middle Harbours. WLEP2011 doesn't include this provision in the LEP but includes a 15m foreshore setback to properties at Cottage Point (adjacent to Cowan Creek) and Narrabeen Lagoon (adjacent to Loftus Street and Ocean Street Bridge) within the DCP.</i>	Retain existing foreshore building line mapping and include clause with additional objectives and landscaped area requirements in the foreshore building line area.	cl.6.10	DCP only	cl.7.8	cl.63A	✓	
115	6.x Stormwater management and Water Sensitive Urban Design		Aims to minimise adverse effects of urban stormwater on various aspects such as land, adjoining properties, native bushland, waterways, and groundwater systems.	<i>MLEP20013 contains a local provision entitled 'Stormwater Management', similar to Standard Instrument clauses in other LEPs, while WLEP2000 includes detailed references to matters that exist in separate guidelines (e.g. references to Council approved drainage systems and on-site stormwater detention). Similar clauses are not included in PLEP2014 or WLEP2011.</i>	Apply updated clause based on existing MLEP2013 local clause and expand application to entire LGA, based on work completed in the Stormwater Study.	cl.6.4	N/A	N/A	cl.76	✓	
116	6.x Landscaping & tree canopy		Aims to promote adequate vegetation retention, permeable areas, and appropriate landscaping in various zones to enhance tree canopy, biodiversity, reduce urban runoff, minimise visual impacts, and complement building scale.	<i>Currently controlled through DCPs not LEPs. Controls vary across DCPs and from area to area. WLEP 2000 specifies that properties in Oxford Falls Valley must maintain a landscape open space of 30% of the site area, while properties in Belrose North must keep a minimum of 50% of the site as natural bushland or landscaped with local species.</i>	New local provision with a map outlining the required minimum percentage of landscaped areas by zone/area, based on a detailed analysis of recent approvals and existing DCP requirements. This clause applies to residential and conservation-residential zoned land as shown on the Landscaped Area Map (i.e. zones R1, R2, R3, R5, C4 and C3 (other than rural)).	N/A	N/A	N/A	B2 & C8	✓	
117	6.x Waterways Wetlands and Riparian Land		Aims to protect and maintain water quality, bank and bed stability, ecological process and aquatic and riparian habitats.	<i>MLEP2013 includes 2 related local provisions and maps (6.6 Riparian land and watercourses and 6.7 Wetlands). PLEP2014 includes cl 7.6 relating to riparian and aquatic biodiversity. WLEP 2000 contains a general clause with no map (60 watercourses and aquatic habitat).</i>	Apply existing local provision with editorial changes to harmonise the provision and expand application to the entire LGA based on updated mapping from the Watercourse, Wetlands and Riparian lands study.	cl.6.6 & 6.7	N/A	cl 7.6	cl.60	✓	









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118	6.x Acid sulphate soils		This clause aims to protect against the disturbance, exposure, and drainage of acid sulphate soils with works categorized into different classes based on their depth below natural ground level and impact on the water table.	<i>MLEP2013, PLEP2014 and WLEP2011 includes consistent clauses and maps, with WLEP2000 including a similar clause.</i>	Apply existing local provision with minimal editorial changes, and merge existing maps.	cl.6.1	cl.6.1	cl.7.1	cl.49A	✓	
119	6.x Coastal management		Aims to mitigate the impacts of coastal hazards, including sea level rise, and protect specific coastal areas for public recreation.	<i>PLEP2014 and WLEP2011, as well as existing Council DCPs and policies, contain provisions on beach erosion, coastal inundation (also known as estuarine inundation) and coastal cliff or slope instability (also known as bluff instability, geotechnical or landslide risk).</i>	Apply existing local provision with minor editorial changes. Expand application to entire LGA based on 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. Draft mapping was exhibited as part of the Conservation Zones Review.	N/A	cl.6.5 Coastline Hazards	cl.7.5 Coastal Risk Planning	N/A	✓	
120	6.x Essential services		Aims to ensure essential services are available or adequate plans are in place for water supply, electricity, sewage disposal, stormwater drainage, or on-site conservation, and suitable vehicular access.	<i>MLEP2013 and PLEP2014 include consistent clauses, and WLEP2000 an equivalent clause. WLEP2011 does not include a similar provision.</i>	Apply existing local provision with some changes to harmonise the clause and expand to entire LGA.	cl.6.12	N/A	cl.7.10	cl. 54	✓	
121	6.x Geotechnical hazard		Aims to ensure that development on land susceptible to landslides is designed, sited, constructed, and managed to match the land's geotechnical conditions, avoid endangering life or property, and address factors such as site layout, design, construction methods, and drainage.	<i>WLEP2011 and MLEP2013 ('Development on Sloping Land' & 'Landslide Risk') provide for DA lodgement requirements and PLEP2014 ('Geotechnical Hazards'). A similar clause is included in WLEP2000.</i>	Apply existing local provision with some changes to harmonise the clause and expand to entire LGA based on recommendations from the Geotechnical Review and Planning Controls study. All land is identified on the Geotechnical Planning Map within a planning class (G1 to G7) based on its geology, topographic position, and slope. Updated mapping of landslip areas identified as 'C5 Narrabeen Slopes >15 degrees' and 'C7 Coastal Cliff Zone'.	cl.6.8	cl.6.4	cl.7.7	cl. 57	✓	
122	6# Affordable Housing		Requires that a specific proportion of the building's floor area must be used for affordable housing, as indicated on the Affordable Housing Contributions Scheme Map. The contribution must be made to Council by way of a dwelling and/or land dedication and/or a monetary contribution.	<i>Applies only in WLEP2011 to land in the Frenchs Forest Town Centre and Narrabeen (1294-1300 Pittwater Road and 2-4 Albert Street) consistent with the Council's Affordable Housing Contribution Scheme adopted on 28 September 2021. Clause specifies a minimum proportion of the building's gross floor area that must be used for affordable housing (10-15% in Frenchs Forest, and 5.7% in Narrabeen).</i>	Apply existing local provision for areas currently covered in Frenchs Forest and Narrabeen, and extend in future where new rezoning occurs.	N/A	cl.6.11	N/A	N/A	✓	









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123	6.# Dual Occupancies		Aims to control dual occupancy developments in line with Council's requirements, with more detail than can be provided in Part 4 density and lot size controls.	<i>Pittwater LEP has a principal development standard (Part 4.1B - not a local provision) that sets a minimum lot size of 800m2 for dual occupancies with objectives to maintain a high level of residential amenity, including adequate provision of private open space.</i>	New local provision providing more detail than what can be provided under the 'Minimum lot size and frontage for certain residential accommodation' clause under Part 4. This new clause proposes to protect tree canopy, reduce the extent of landforms being disrupted, and mitigate bushfire risk, particularly during emergency evacuation for properties that adjoin National Parks. It also aims to protect the amenity impacts of lots with a number of shared boundaries with private properties by prohibiting dual occupancies on a lot that is an existing battle-axe lot. Dual occupancy (detached) is only permitted on those properties that have two street frontages or are on corner lots. The clause provides flexibility to properties containing a heritage item, acknowledging that flexibility of either attached or detached forms are considered important due to unique site conditions.	N/A	N/A	cl.4.1B	N/A	✓	
124	6.# Mix of dwelling sizes in residential flat buildings and mixed-use development		Aims for a mix of dwelling sizes in residential flat buildings and mixed-use developments to ensure housing choices are available for different demographics, living needs, and household budgets (e.g. 1 bedroom, 2 bedroom & 3 bedroom units).	<i>Doesn't currently apply in LEPs however housing mix requirements are included in the Pittwater and Warringah DCP.</i>	New local provision proposed for inclusion in the LEP. Proposed for developments of at least 10 dwellings in residential flat buildings or mixed-use developments that include shop top housing, and requirements for studios and 1-bedroom units to make up at least 20% of the dwellings and 3-bedroom units at least 20%. Precedents exist in Canada Bay, Inner West and The Hills.	N/A	N/A	N/A	N/A	✓	
125	6.x Secondary dwellings		Aims to control secondary dwellings in line with Council's requirements, supplementing LEP clause 5.4 which specifies the maximum total floor area for these developments.	<i>WLEP2011 and MLEP2013 allow additional floorspace for secondary dwellings if located entirely within the principal dwelling (from 60-75sqm). MLEP2013 requires secondary dwellings in C3 and C4 zones to be entirely within the principal dwelling. PLEP2014 limits the height of a secondary dwelling in an RU2 or C4 zone to 5.5m.</i>	Apply existing local provision to allow additional floorspace for secondary dwellings if attached to the principal dwelling (to 75sqm) and expand to across LGA.	cl.6.22	cl. 6.10	cl.4.3(2FA)	N/A	✓	
126	6.x Converting serviced apartments to residential flat buildings		Aims to prevent substandard residential accommodation resulting from the conversion of serviced apartments to residential flat buildings. Requires consideration of design quality principles outlined in State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the design	<i>Applies in PLEP2014 only and applies to the subdivision, under a strata scheme, of buildings or parts of buildings previously used as serviced apartments.</i>	Apply existing local provision to the entire LGA.	N/A	N/A	7.11	N/A	✓	







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			principles of the Apartment Design Guide referenced within that policy.								
127	6.x Tourist and visitor accommodation duration of stay		Aims to maintain the supply and availability of tourist and visitor accommodation across the Northern Beaches to as many different tourists and visitors as possible.	<i>Clause included in MLEP2013. Provides that consent must not be granted to development for tourist and visitor accommodation unless it will not provide accommodation to the same person for a period of more than three consecutive months.</i>	Retain in LEP and expand its application to all tourist and visitor accommodation (as defined in the LEP dictionary) across the LGA.	6.15	N/A	N/A	N/A	✓	
128	6.x Sustainable buildings		Aims to ensure certain types of development (large scale) adhere to environmentally sustainable design (ESD) principles with requirements over and above those in the Sustainable Buildings SEPP and Nabers. Minimum threshold of 1,500sqm floor area applies for application of the clause. ESD principles include water and energy demand reduction, indoor environmental quality, heat absorption reduction, urban greening, passive design and transport initiatives promoting reduced car dependence.	<i>No current LEP provisions however the Pittwater DCP requires a Green Star certification for developments greater than 2,000sqm and the Warringah DCP for Dee Why Town Centre requires Green Star certification for developments greater than \$5M. These controls have not been successful as Council cannot enforce controls over and above those in the Sustainable Buildings SEPP.</i>	New local provision proposed for inclusion in the LEP in recognition of the importance of sustainable building design. Will only apply to large-scale development with minimum threshold of 1,500sqm floor area to apply. LEP precedents exist in Georges River, Ryde, Penrith, Sutherland and City of Sydney, each with different thresholds and addressing different sustainability elements. Clause to be implemented by way of scored checklist developed by Georges River Council - tailored for our LEP clause – which allows choice of which design elements to implement to meet requirements.	N/A	N/A	N/A	N/A	✓	



Part 7 Place Based Controls

#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
129	Part 7A Frenchs Forest Precinct										
130	7A.1 Definitions		Provides definitions for key terms, including "Frenchs Forest Precinct" and various designated sites within the precinct (Site F, Site G, Site H, Site I – refer to related Map), for clarity.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.1	N/A	N/A	✓	
	7A.2 Land to which this Part applies		Specifies that the regulations within the Part apply to land located within the Frenchs Forest Precinct.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.2	N/A	N/A	✓	
	7A.3 Objectives for development in Frenchs Forest Precinct		Outlines the objectives for development in the Frenchs Forest Precinct, including promoting design excellence, balancing housing with various facilities, accommodating employment opportunities, integrating with transport infrastructure, ensuring sustainability, and maintaining high-quality open spaces.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.3	N/A	N/A	✓	
	7A.4 Development control plans		Aims to ensure that development within the precinct complies with site-specific development control plans that address built form controls, impact on the surrounding character, pedestrian access, landscaping, and waste management.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.4	N/A	N/A	✓	
	Design excellence— Sites F, G, and I		<i>For developments on Sites F, G, and I involving new buildings or alterations, design excellence is a prerequisite for obtaining development consent. Criteria include architectural quality, public domain enhancement, impact on view corridors, and compliance with various development considerations.</i>	<i>Frenchs Forest Town Centre</i>	<i>Retain existing local provision within broader Design Excellence clause located in Part 6 of the LEP.</i>	N/A	cl. 8.5	N/A	N/A	✓	
	7A.5 Minimum site areas— Sites G, H and I		Sets minimum site area requirements for developments in specific zones on Sites G, H, and I, based on the type of development (e.g., multi-dwelling housing, residential flat buildings). Site areas must meet or exceed the specified criteria.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.6	N/A	N/A	✓	
	7A.6 Minimum street frontages— Sites G, H, and I		Establishes minimum street frontage requirements for developments in specific zones on Sites G, H, and I, depending on the purpose of the development (e.g., residential flat buildings). The frontage must meet or exceed the specified length.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.7	N/A	N/A	✓	









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	7A.7 Deep soil zone— Site F		For development on Site F, this clause mandates that at least 5,500 square meters of deep soil zone, a landscaped area with no buildings, must be maintained.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.8	N/A	N/A	✓	
	7A.8 Additional floor space for certain BASIX affected buildings— Site F		Developments on Site F may exceed the maximum floor space ratio if they exceed certain energy and water commitments outlined in a BASIX certificate.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.9	N/A	N/A	✓	
	7A.9 Power lines—Site G		In the case of development on Site G, the authority must consider whether the development includes measures to relocate existing power lines underground when granting development consent.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.10	N/A	N/A	✓	
	7A.10 Relocation of Frenchs Forest Police Station		This clause applies to development involving the relocation of the Frenchs Forest Police Station to Site F and subsequent development on Site F. It specifies that the gross floor area of the relocated police station is treated as zero for the purposes of calculating floor area ratios.	<i>Frenchs Forest Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 8.11	N/A	N/A	✓	
131	Part 7B Dee Why Town Centre										
132	7B.1 Definitions		This section provides definitions for various terms used in Part 7, including the Dee Why Town Centre itself, Proposed New Road, and different sites within the town centre.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.1	N/A	N/A	✓	
	7B.2 Land to which this Part applies		Part 7 applies to all land within the Dee Why Town Centre.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.2	N/A	N/A	✓	
	7B.3 Objectives for development within Dee Why Town Centre		This section outlines the main objectives for development within the Dee Why Town Centre. These objectives include creating an attractive living centre, balancing different types of facilities, ensuring consistency with Dee Why's role as a major centre, creating a unified building form, accommodating additional employment opportunities, and contributing to green spaces, among others.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.3	N/A	N/A	✓	






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	7B.4 Development must be consistent with objectives for development		This provision ensures that any development in the Dee Why Town Centre must align with the stated objectives. It also emphasizes the importance of stormwater management, design excellence, and other factors.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.4	N/A	N/A	✓	
	<i>Design excellence within Dee Why Town Centre</i>		<i>This section elaborates on what constitutes design excellence, including architectural design, sustainability principles, communal access and recreational areas, and green spaces.</i>	<i>Dee Why Town Centre</i>	<i>Retain existing local provision within broader Design Excellence clause located in Part 6 of the LEP.</i>	N/A	cl. 7.5	N/A	N/A	✓	
	7B.5 Height of buildings		This clause sets limits on building heights to avoid overshadowing certain areas on specific dates and requires that taller buildings provide a coordinated and varied skyline.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.6	N/A	N/A	✓	
	7B.6 Podium heights		This section specifies maximum podium heights for different areas within the town centre to maintain consistent built form and building separation.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.6A	N/A	N/A	✓	
	7B.7 Site A Oaks Avenue above podium elements		This clause addresses the construction of buildings on Site A and controls building bulk, depth, and overshadowing above the podium level.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.7	N/A	N/A	✓	
	7B.8 Site B Oaks Avenue above podium elements		Similar to the previous clause, this one focuses on Site B and its requirements for construction above the podium level.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.8	N/A	N/A	✓	
	7B.9 Site A Proposed New Road above podium elements		This clause outlines specific requirements for development on Site A, including controls on building components above the podium level.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.9	N/A	N/A	✓	
	7B.10 Allowance for external ancillary plant and roof access		This section sets guidelines for the placement and design of external ancillary structures on building roofs to minimize their visual impact.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.10	N/A	N/A	✓	



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	7B.11 Town Square and pedestrian connections		This clause emphasizes the importance of creating a Town Square and pedestrian connections within the Dee Why Town Centre, specifying requirements for the Town Square's design and surrounding retail uses.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.11	N/A	N/A	✓	
	7B.12 Provisions promoting retail activity		This section promotes retail activity on the ground and first floors of new buildings while encouraging additional employment-generating uses.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.12	N/A	N/A	✓	
	7B.13 Mobility, traffic management and parking		This clause focuses on improving vehicle access, traffic management, and parking within the Dee Why Town Centre while promoting alternative transportation methods and reducing disruption to pedestrian movement.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.13	N/A	N/A	✓	
	7B.14 Community infrastructure floor space in Dee Why Town Centre		This provision sets out objectives related to community infrastructure in specific areas (Site C, Site D, and Site E) and outlines restrictions on building heights and floor space ratios. These provisions and objectives collectively aim to guide the development and growth of the Dee Why Town Centre while ensuring that it meets the needs of the community and adheres to design and sustainability principles. Developers and authorities must consider these regulations when planning and approving projects in the area.	<i>Dee Why Town Centre</i>	Retain existing local provision with no amendments (other than clause renumbering).	N/A	cl. 7.14	N/A	N/A	✓	
133	Part 7C Warriewood Valley Release Area										
134	Part 7C Warriewood Valley Release Area		Applies to Warriewood Valley Release Area on the Urban Release Area Map and includes requirements for Development Control Plans and density requirements for a range of precincts within the Area.	<i>Applies in PLEP2014 to the Warriewood Valley Release Area.</i>	Retain existing local provisions as a separate Part in the LEP with minor amendments to the requirements for development control plans (to align with the broader LEP), and a review of density provisions based on redevelopment to date: <ul style="list-style-type: none"> Existing Sector 5 - to clearly indicate the requirements for the two sites that comprise this Sector i.e. 8 (Lot 1 DP 5055) and 4 (Lot B DP 370222) Forest Road, Warriewood. The changes involve relabelling each site as Sectors 5A and 5B respectively; and rather than a requirement for no more than 94 dwellings across the two sites, requiring no more than 	N/A	N/A	cl 6.1, 6.2	N/A	✓	


#	Part and clause	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
					<p>81 dwellings in Sector 5A and no more than 13 dwellings in Sector 5B (i.e. the same density requirement overall). The Urban Release Area Map has been updated to reflect this amendment to show Sectors 5A and 5B, rather than Sector 5.</p> <ul style="list-style-type: none"> Existing Sector 801 - to change the number of dwellings from 38 dwellings to 46 dwellings to reflect an approved Development Application. Development has been completed. Existing Sector 901A - to clearly indicate the requirements for the remaining undeveloped sites that comprise this Sector, as follows: <ul style="list-style-type: none"> Sector 901A to change the number of dwellings from 'not more than 190 or less than 154 dwellings' to 'not more than 50 dwellings' (as this sector has been divided into smaller subsectors). Sector 9A to require 'not more than 33 dwellings or less than 27 dwellings'. Sector 9B to require 'not more than 48 dwellings or less than 39 dwellings'. Sector 9C to require 'not more than 2 dwellings'. Sector 9D to require 'not more than 33 dwellings'. Sector 901CG to relabel a portion of 9 Fern Creek Road and to require 'not more than 12 dwellings'. Sector 901GC to relabel Sectors 901C and 901G and to require 'not more than 19 dwellings'. 						
135	Part 7D Development in St Patrick's Estate										
136	Part 7D Development in St Patrick's Estate		Aims to protect the heritage significance of St. Patrick's Estate by setting specific requirements for development in 15 individual precincts, including provisions related to access, view preservation, building setbacks, and dwelling limits, as indicated on the Key Sites Map.	<i>Applies in MLEP2013 to the St Patrick's Estate site in Manly.</i>	Retain existing local provision in the LEP with minor amendments to include relevant objectives from the Manly LEP SP1 and SP2 zones.	cl.6.19	N/A	N/A	N/A	✓	

Schedules

#	Schedule	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
137	Schedule 1 Additional permitted uses										
138	Schedule 1 Additional permitted uses		The list of Additional Permitted Uses referred to in part 2.5 as nominated by Council. Lists the location, use and whether the development requires consent, despite what is prohibited in the Land Use Table.	<i>Each LEP has a range of different additional permitted uses on various sites. Refer to Appendix D of this Planning Proposal for a comparison of the existing LEPs and proposed approach for this LEP.</i>	Retain most existing additional permitted uses in schedule, plus add others as listed below. Refer to Appendix D of this Planning Proposal.	Sch. 1	Sch. 1	Sch. 1	N/A	✓	
139	New Additional Permitted Use – more diverse residential accommodation for certain R2 zoned land (housing diversity areas)		Provides for housing needs within a low density residential environment.	<i>Used in all LEPs except Warringah LEP 2000. However, different uses are permitted in each LEP. The Warringah LEP 2011 permits only dwelling houses and secondary dwellings (granny flats). The Pittwater LEP, in addition, permits dual occupancies. The Manly LEP, in addition, permits medium density housing forms e.g. multi dwelling housing. Other controls e.g. minimum lot size controls, operate to restrict this development to certain locations.</i>	Provides for boarding houses and hostels to be permissible in the R2 zone within Housing Diversity Areas, that is, areas within 400 metres of local centres of Avalon, Newport, Warriewood, Freshwater and Belrose, on land greater than 1,000 sqm in accordance with Council’s endorsed Local Housing Strategy. Affected land will be identified via “Additional Permitted Uses” mapping.	N/A	N/A	N/A	N/A	✓	
140	New Additional Permitted Uses – more diverse residential accommodation for certain R2 zoned land		Provides for housing needs within a low density residential environment.	<i>The Manly LEP permits medium-density residential uses within the R2 zone: attached dwellings, multi dwelling housing, semi-detached dwellings, shop-top housing, and hostels</i>	Retain such uses via “Additional Permitted Uses” mapping for the R2 zone in the current MLEP2013 area.	Applies	N/A	N/A	N/A	✓	
141	New Additional Permitted Uses – more diverse residential accommodation for certain C4 zoned land		Provides for housing needs within a low density residential environment.	<i>The Manly LEP permits medium-density residential uses within the C4 zone: attached dwellings, multi dwelling housing, semi-detached dwellings, attached dual occupancies, and residential flat buildings</i>	Retain such uses via “Additional Permitted Uses” mapping for the C4 zone in the current MLEP2013 area.	Applies	N/A	N/A	N/A	✓	
142	New Additional Permitted Uses – non-residential uses in certain R2 zoned land		Area and map to support non-residential uses in residential zones	<i>The Manly LEP permits non-residential uses within the R2: recreational facilities (indoor).</i>	Retain use via “Additional Permitted Uses” mapping for the R2 zone in the current MLEP2013 area.	Applies	N/A	N/A	N/A	✓	

#	Schedule	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
143	New Additional Permitted Use – business, residential and tourist related land uses for certain R3 zoned land		Area and map to support residential, business, tourism and permit tourist and visitor accommodation and supporting services.	<i>MLEP2013 R3 zone adjoins Manly Town Centre and permits backpackers' accommodation, bed and breakfast accommodation, hotel or motel accommodation, serviced apartments, restaurants or cafes and take away food and drink premises with consent. These uses are prohibited under WLEP2011 and PLEP2014 R3 zones, except the PLEP2014 which permits serviced apartments.</i>	Include additional permitted uses to reflect existing permissibility only in the Manly area. For the existing Manly R3 zone, continue to permit existing land uses including backpackers' accommodation, bed and breakfast accommodation, hotel or motel accommodation, serviced apartments, restaurants or cafes and take away food and drink premises, service stations etc.	Applies	N/A	N/A	N/A	✓	
144	New Additional Permitted Use – shops in certain E3 zoned land		Area and map to support shops in E3 Productivity Support zone.	<i>MLEP2013 E3 zone permit shops. The use is not permitted in E3 zones elsewhere in the LGA.</i>	Include additional permitted use 'shops' for E3 zone to reflect existing permissibility only in the Manly area.	Applies	N/A	N/A	N/A	✓	
145	Schedule 2 Exempt development										
146	Schedule 2 Exempt development		Lists exempt development under this Plan as nominated by Council, referenced in clause 3.1 Exempt Development.	<p><i>There are differences between LEPs in terms of the development identified as exempt development.</i></p> <ul style="list-style-type: none"> <i>MLEP2011: Signs; Outdoor areas of community land for commercial purposes;</i> <i>PLEP2014: Minor alterations to jetties etc; Maintenance of legally approved moorings; Outdoor areas of community land for commercial purposes;</i> <i>WLEP2011: Display of goods on footpath; Outdoor eating areas; private electricity poles; Signs; Outdoor areas of community land for commercial purposes;</i> <i>WLEP2000: lists a broad range of exempt development in Schedule 1.</i> 	<p>Retain 'Outdoor areas of community land for commercial purposes'; 'Minor alterations to jetties etc'; 'maintenance of legally approved moorings'.</p> <p>Omit 'Display of goods on footpath' and 'Outdoor eating areas'; 'private electricity poles'; 'Signs' – this content is now covered under Codes SEPP Part 2 Division 2.</p> <p>Insert new - 'Advertising Signage on Council Land' (see below).</p>	Sch. 2	Sch. 2	Sch. 2	Sch. 1	✓	

#	Schedule	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
147	New Exempt Development Item – Advertising Signage on Council land		New exempt development type to apply across the LGA for advertising signage on council land	<p>Currently, existing LEPs provide an inconsistent approach with regards to where advertising signage is permitted or prohibited.</p> <p>Certain signage is listed as exempt in MLEP2013 and WLEP2011. Signage is also controlled by SEPP 64 and the Codes SEPP.</p> <p>For advertising structures, MLEP2013 permits these in zones E1 and E3 zone, PLEP2014 in zones E1, E3, E4, MU1, RE1, RE2, SP4, W2 and W4, and WLEP2011 prohibits in all zones.</p> <p>For building identification signs, MLEP2013 permits these in all zones except Conservation zones, SP1, SP2 and W1, PLEP2014 permits in all zones except C1, C2, SP3 and W1 and without consent in RE1, WLEP2011 permits in all zones except C1, C2, SP1, SP2, and W1.</p> <p>For business identification signs, MLEP2013 permits these in all zones except conservation zones, SP1, SP2 and W1, PLEP2014 permits in all zones except C1, C2, SP3 and W1 and WLEP2011 permits these in all zones except C1, C2, SP1, SP2 and W1.</p>	<p>Under the LEP it is proposed to:</p> <p>Permit building identification signs and business identification signs with consent in all zones except C1, C2, and W1, noting that certain signage is exempt under the State Environmental Planning Policy.</p> <p>Prohibit advertising structures in all zones.</p> <p>Include an item in Schedule 2 'Exempt Development' to allow certain advertising structures on Council land for public infrastructure where there is a benefit for the community (e.g. funding of infrastructure). This will be subject to the prohibition of advertising that contains tobacco, nicotine, alcohol, and gambling.</p>	N/A	N/A	N/A	N/A	✓	
148	Schedule 3 Complying development										
149	Schedule 3 Complying development		Lists complying development under this Plan as nominated by Council, referenced in clause 3.2 Complying Development.	<p>WLEP2011 lists one development as complying, being: 'Garages and outbuildings associated with RFBs'.</p> <p>WLEP2000 lists complying development within Localities B2 Oxford Falls Valley and C8 Belrose North 'deferred lands' for developments associated with single storey houses and swimming pools as described in Schedule 12, Part A. However, it is important to note that the majority of land within the WLEP2000 B2 and C8 Localities is mapped as bushfire prone land which precludes complying development under Clause 8 of WLEP2000.</p>	No locally specific complying development is proposed for Schedule 3, recognising that the State Environmental Planning Policy (Exempt and Complying Codes) 2008 provides comprehensive requirements.	N/A	Sch. 3	N/A	Sch. 12	✓	

#	Schedule	Clause Category	CLAUSE SUMMARY What is it? Description of clause.	CURRENT APPLICATION Is clause applied in existing Manly, Pittwater and Warringah LEPs, and if so, how?	PROPOSED APPLICATION What is proposed for the new Northern Beaches LEP?	MLEP 2013	WLEP 2011	PLEP 2014	WLEP 2000 – deferred lands	NB LEP clause	NBC LEP map
150	Schedule 4 Classification and reclassification of public land										
151	Schedule 4 Classification and reclassification of public land		Lists the locality and description of land as: Part 1 Land classified, or reclassified, as operational land—no interests changed; Part 2 Land classified, or reclassified, as operational land—interests changed; or Part 3 Land classified, or reclassified, as community land.	<i>WLEP2011, schedule 4, lists four areas in Collaroy, Freshwater, Forestville and Oxford Falls. None are listed in the other LEPs.</i>	It is not proposed to identify any land that is classified, or reclassified, as operational or community land for the purposes of the Local Government Act 1993, and as referenced in clause 5.2 of the LEP. Existing schedule 4 in WLEP2011 will not be carried over into the new LEP because it is unnecessary to do so.	N/A	Sch. 4	N/A	N/A	✓	
152	Schedule 5 Environmental heritage										
153	Schedule 5 Environmental heritage		As referenced in Part 5.10 of the Plan. Lists protected heritage items, heritage conservation areas, archaeological sites and Aboriginal objects and Aboriginal places of heritage significance.	<i>In total across the LGA there are currently: Local heritage: 572 items, 22 conservation areas and 29 archaeological sites; State heritage: 16 items; Middle harbour heritage items: 10 items (local and State items) and a proposed State heritage listing: Dee Why Civic Precinct. No current LEPs specifically list 'Aboriginal objects' or 'Aboriginal places of heritage significance' as they are captured by other legislation and AHIMS.</i>	Existing heritage listings are consolidated in Schedule 5 and a single LEP Heritage Map will apply across the LGA. There are some minor changes proposed to the schedule such as updating property descriptions, omitting redundant items, renumbering items and consistent display on the map. Refer to Appendix E for details.	Sch. 5	Sch. 5	Sch. 5	Applies	✓	
154	Schedule 6 Pond-based and tank-based aquaculture										
155	Schedule 6 Pond-based and tank-based aquaculture		Outlines regulations for pond-based and tank-based aquaculture, focusing on site location and operational requirements.	<i>Included in MLEP2013, PLEP2014 and WLEP2011 consistently.</i>	Apply existing compulsory Schedule with no amendments.	Applies	Applies	Applies	N/A	✓	
156	Dictionary										
157	Dictionary		The Dictionary defines land use terms, words and expressions used within the LEP. Definitions are mandated by the Standard Instrument LEP, and it is compulsory to include the Dictionary in the LEP	<i>MLEP2013, PLEP2014 and WLEP2011 include the Standard Instrument LEP State-wide mandated dictionary of terms.</i> <i>WLEP2000 includes a list of terms which in some instances differs from the other LEPs.</i>	Mandated Dictionary of terms is included in the LEP. There will be some difference to defined terms in WLEP2000 (which is not a Standard Instrument LEP). References to Maps in the Dictionary are updated to reference Northern Beaches Local Environmental Plan [year to be determined].	Applies	Applies	Applies	Applies	✓	