

Appendix C Middle Harbour Suburbs Locality Statements

LOCALITY C1 MIDDLE HARBOUR SUBURBS

DESIRED FUTURE CHARACTER

The Middle Harbour Suburbs locality will remain characterised by detached-style housing in landscaped settings interspersed by a range of complementary and compatible uses. The land adjacent to Middle Harbour and occupied by the Mosman Rowing Club will be retained for low-scale recreational use sympathetic to its natural setting. The land occupied by the Killarney Heights Tennis Centre at Lot 841 DP 210006 and land occupied by the Killarney Heights Swim Centre at Lot 854 DP 210006 on Tralee Avenue and the land occupied by Belrose Bowling Club at Lot 2 DP 851739 on Forest Way, will continue to be used only as recreation facilities.

The south-west section of the Killarney Heights High School grounds contains bushland and rock outcrops: this area may be developed for housing. Development in this section will recognise the bushland outlook, views and privacy enjoyed from residences adjoining the northern and western boundaries of the site and ensure development reasonably maintains these qualities. The retention of existing landscaping is encouraged, where practical.

Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will be characterised by landscaped front gardens and consistent front building setbacks. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.

The relationship of the locality to the surrounding bushland will be reinforced by protecting and enhancing the spread of indigenous tree canopy and preserving the natural landscape, including rock outcrops, remnant bushland and natural watercourses. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.

Development on hillsides or in the vicinity of ridgetops must integrate with the natural landscape and topography. Development on land which adjoins Middle Harbour shall have regard to the principles contained in Schedule 14.

The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control listed in clause 39.

Future development of the environmentally sensitive land shown cross-hatched on the map will be limited to one dwelling per allotment. Such dwelling will be constructed having regard to the constraints, potential instability, visual sensitivity and impact on the water quality of Middle Harbour.

LAND USE

Category One

Development for the purpose of the following, except within the local retail centres shown on the map:

- housing (except at Lots 841 and 854, DP 210006, Killarney Heights Tennis Centre and Swim Centre and the Mosman Rowing Club and Lot 2 DP 851739, Belrose Bowling Club)
- recreation facilities (Lots 841 and 854, DP 210006, Killarney Heights Tennis Centre and Swim Centre and the Mosman Rowing Club and Lot 2 DP 851739, Belrose Bowling Club)

Development for the purpose of the following only within the local retail centres shown on the map:

- business premises
- health consulting rooms
- housing (not on ground floor)
- housing for older people or people with disabilities (not on ground floor)
- medical centres
- offices
- restaurants
- shops

Note. With the exception of health consulting rooms, housing and housing for older people or people with disabilities, this development is Category 3 in the remainder of the locality.

Category Two

Development for the purpose of the following:

- child care centres

- community facilities
- further education
- health consulting rooms
- hospitals
- housing for older people or people with disabilities
- places of worship
- primary schools
- veterinary hospitals
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- entertainment facilities
- hire establishments
- hotels
- industries
- motor showrooms
- recreation facilities, unless the Locality Statement provides otherwise
- registered clubs
- retail plant nurseries
- service stations
- short term accommodation
- vehicle repair stations
- warehouses

For land outside local retail centres, also development that is Category 1 within those centres, except development for the purpose of health consulting rooms, housing and housing for older people or people with a disability.

On land shown cross-hatched on the map, any development other than for the purpose of bushfire hazard reduction.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing density

The maximum housing density is 1 dwelling for 600m² of site area (which does not include the area of any access corridor, whether such access corridor is to be created or is in existence at the time of application for development consent).

To measure housing density

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained, and
- the site is the allotment which existed on the day this plan came to effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

This control does not apply:

- (a) where this standard would prevent an existing allotment accommodating one dwelling,
- (b) on land equal to or greater than 3,000m² in area, where the land area per dwelling may be reduced provided the buildings are sited and designed and landscaping is used to ensure the development relates favourably to the pattern, scale and

landscape character of the street and surrounding development, or

- (c) for housing for older people or people with disabilities, where the site area per dwelling may be reduced provided the buildings are sited and designed and landscaping used to ensure the development relates favourably to the pattern, scale and landscape character of the street and surrounding development and the development conforms with the minimum standards set out in clause 29, or
- (d) for housing located within a local retail centre.

Building height

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Buildings within the south-west corner of the Killarney Heights High School grounds where they adjoin existing development off Greystones Road must not exceed 1 storey or 5 metres.

Buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres.

Note. A covenant will limit the above control to one storey

To measure the height of a building:

- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below,
- a storey is the space between two floors, or the space between any floor and its ceiling or roof above,
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and

- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Front building setback

Development is to maintain a minimum front building setback. The minimum front building setback is 6.5 metres.

The front building setback area is to be landscaped and generally free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Consent may be given for development to be carried out within the minimum front setback area:

- on corner blocks or blocks with double street frontage the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or
- on allotments constrained by the location and use of existing buildings or the topography, if it is for the provision of carparking.

Rear building setback

The minimum rear building setback is 6 metres.

The rear building setback area is to be landscaped and free of any structures.

To measure the rear building setback:

- the rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any structure on the allotment.

The rear building setback does not apply to corner allotments.

The rear building setback may be encroached by:

- exempt development, swimming pools and outbuildings which, in total, do not exceed 50 per cent of the rear setback area.

Side boundary envelope and side setback

Buildings must be sited within an envelope determined by projecting planes at 45 degrees from a height of 4 metres above natural ground level at the side boundaries.

The minimum setback from a building to a side boundary is 0.9 metre.

To measure the side boundary envelope and side setback:

- on corner allotments the side boundaries are taken to be the boundaries that do not have frontage to a public street.

Fascias, gutters, downpipes, eaves up to 0.675 metre from the boundary, masonry chimneys, flues, pipes, or other services infrastructure may encroach beyond the side boundary envelope.

Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above natural ground level such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback.

Consent may be granted for development that, to a minor extent, does not comply with:

- the side boundary envelope, to allow the addition of a second storey to an existing dwelling, or
- the side setback, to allow a single storey outbuilding, carport, pergola or the like.

Landscaped open space

The minimum area of landscaped open space is 40 per cent of the site area except on land equal to or greater than 3000m² in area, where a 50 per cent minimum shall apply.

To measure an area of landscaped open space:

- impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area,
- the water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the landscaped open space area,
- landscaped open space must be at ground level, and
- the minimum soil depth of land that can be included as landscaped open space is 1 metre.

Landscaping

Within the south-west section of the Killarney Heights High School grounds, landscaping will consist of species that potentially provide food trees for the Glossy Black-cockatoo (*Calyptorhynchus lathami*), in particular, the planting or retention of She-oaks in this section (*Allocasuarina* spp and *Casuarina* spp) is encouraged.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development.

Column A	Column B
Development for the purpose of:	
Single storey detached houses, being:	
<ul style="list-style-type: none"> • construction of new single storey houses. • alterations to single storey houses. • additions to single storey houses. • constructions of carports, garages and outbuildings associated with a dwelling. 	As described in Schedule 12 – Part A
Attached houses and apartment buildings, being:	As described in Schedule 12 – Part A
<ul style="list-style-type: none"> • internal alterations to attached houses and apartment buildings (excluding balcony enclosures and other devices which are externally visible). • construction of garages associated with these residential buildings. • outbuildings associated with those residential buildings. 	
Swimming pools	As described in Schedule 12 – Part B
Business uses, offices and shops, being:	As described in Schedule 12 – Part D
<ul style="list-style-type: none"> • a different use resulting from a change of use from one type of approved business, office or shop use to another type of business, office or shop use. • internal alterations to business premises, offices and shops. 	

HERITAGE ITEMS

The following items of **local heritage significance** are within this locality:

- Trees – Davidson High School site, Pound Avenue, Davidson
- Former “Holland’s Orchard” trees adjacent to Warringah Road, Frenchs Forest
- 45 Grace Avenue, Frenchs Forest

- Former Methodist Church, Forest Way (cnr Naree Road), Frenchs Forest
- 2 Wareham Crescent, Frenchs Forest
- Killarney Heights Village Centre

CONSERVATION AREAS

- Forestville Park, Forestville, as shown on the map

LOCALITY C2 GLEN STREET VILLAGE

DESIRED FUTURE CHARACTER

The Glen Street Village will provide a retail and community focus for the surrounding locality incorporating a mix of business, community, leisure uses and shop top housing.

Future development in the locality will reflect the development of the surrounding areas and improve pedestrian links to surrounding public spaces.

Development at the edge of the village and adjacent to residential land will not reduce the amenity enjoyed by the adjoining occupants. In this regard development will provide a reasonable side and rear setback from adjoining residential land, particularly above ground floor level.

LAND USE

Category One

Development for the purpose of the following:

- business premises
- health consulting rooms
- housing (not on ground floor)
- housing for older people or people with disabilities (not on ground floor)
- medical centres
- offices
- restaurants
- shops

Category Two

Development for the purpose of the following:

- child care centres
- community facilities
- entertaining facilities
- hotel
- recreation facilities
- retail plant nurseries
- service stations

- short term accommodation
- veterinary hospitals
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- further education
- hire establishments
- hospitals
- industries
- motor showrooms
- places of worship
- primary schools
- registered clubs
- vehicle repair stations
- warehouses

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM**Building height**

The maximum height of buildings is 8.5 metres.

To measure the height of a building:

- height is the distance measured vertically between any point on the topmost ceiling of the building and natural ground level below.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development.

Column A

Development for the purpose of:

Single storey detached houses, being:

- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- construction of carports, garages and outbuildings associated with a dwelling.

Attached houses and apartment buildings, being:

- internal alterations to attached houses and apartment buildings (excluding balcony enclosures and other devices which are externally visible).
- construction of garages associated with these residential buildings.
- outbuildings associated with these residential buildings.

Swimming pools

Business uses, offices and shops, being:

- a different use resulting from a change of use from one type of approved business, office or shop use to another type of business, office or shop use.
- internal alterations to business premises, offices and shops.

Column B

As described in
Schedule 12 – Part A

As described in
Schedule 12 – Part A

As described in
Schedule 12 – Part B

As described in
Schedule 12 – Part D

LOCALITY C3 FORESTVILLE VILLAGE

DESIRED FUTURE CHARACTER

The Forestville Village will be developed as a lively neighbourhood centre incorporating a mix of retail, commercial, housing and community uses.

The pedestrian mall will continue to be the focus of the retail activity. As indicated in Diagram C3.1, available at the office of the Council, future retail development will address the mall and its entrances and pedestrian access to retail facilities will be obtained from these places.

A new or upgraded supermarket will be incorporated in the Village. While the new supermarket may be larger than the existing supermarket, it will not dominate the Village. Generally, it will be consistent with other small to medium sized contemporary supermarkets. Pedestrian access to the new supermarket and any associated specialty shops will be obtained directly from the mall.

The established pattern of small shop front development will be maintained and reinforced on the mall by ensuring building facades are broken into distinct vertical segments. The open and sunny fell of the mall will also be protected by ensuring buildings greater than 2 storeys in height are set back appropriately and the safety of the mall will be enhanced by the development of shop-top housing.

Future development between the mall and Warringah Road will generally comprise housing and community uses with compatible small scale offices. Vehicle access from Warringah Road will be replaced with new access from Starkey and Darley Streets. A new pedestrian access will be established between the mall and a bus stop along Warringah Road as shown on Diagram C3.1, with development addressing this walkway.

New development in the locality will be compatible with the character of existing development in the surrounding area incorporating pitched roofs and face brick construction.

Site amalgamation will be encouraged to facilitate development and enable all carparking to be provided below ground or behind buildings using shared driveways where possible.

LAND USE

Category One

Development for the purpose of the following:

- business premises
- housing (not on ground floor along the mall)
- housing for older people or people with disabilities (not on ground floor along the mall)
- offices
- restaurants
- shops

Category Two

Development for the purpose of the following:

- child care centres
- community facilities
- veterinary hospitals
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- entertainment facilities
- further education
- health consulting rooms
- hire establishments
- hospitals
-
- hotels
- industries
- medical centres
- motor showrooms
- places of worship
- primary schools
- recreation facilities
- registered clubs
- retail plant nurseries
- service stations

- short term accommodation
- vehicle repair stations
- warehouses

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Building height

Buildings are neither to exceed 3 storeys nor 12 metres.

Buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres.

To measure the height of a building:

- the maximum height in metres is the distance measured vertically between the topmost point of the building (including any plant or equipment) and natural ground level below, and
- a storey is the space between two floors, or the space between any floor and its roof above, (including any plant or equipment), and
- foundation spaces, garages, workshops, store rooms and the like which do not project above natural ground level (at any point) and lofts on top floor apartments are not counted as storeys, and
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Minimum floor to ceiling height

The minimum floor to ceiling heights are 2.7 metres and are measured by the vertical distance between the floor and its ceiling above.

Front building setbacks

The ground floor and first floor of buildings along the Shopfront Activity areas shown on Diagram C3.1 must be aligned to the street and mall frontage where practical, with the second floor being set back at least 5 metres from the property boundary.

Outside the Shopfront Activity areas shown in Diagram C3.1, buildings must be set back at least 10 metres from Warringah Road and 4 metres from Starkey and Darley Streets.

Landscaped open space

For development outside the mall, the minimum area of landscaped open space is 40 per cent of the site area.

To measure an area of landscaped open space:

- impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width of less than 2 metres are excluded from the landscaped open space area, and
- the water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the landscaped open space area, and
- landscaped open space must be at ground level, and
- the minimum soil depth of land that can be included as landscaped open space is 1 metre.

Footpath awnings

Continuous footpath awnings must be provided along the mall.

Pedestrian links

Where Diagram C3.1 indicates a pedestrian link such a link is to be provided (or maintained) in any future development.

Shopfronts

The pattern of small shop frontages along the mall is to be retained. Building form in the areas shown as Shopfront Activity on Diagram C3.1 will be broken into segments generally not exceeding 6.5 metres in length.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A

Development for the purpose of:

Single storey detached houses, being:

- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- constructions of carports, garages and outbuildings associated with a dwelling.

Attached houses and apartment buildings, being:

- internal alterations to attached houses and apartment buildings (excluding balcony enclosures and other devices which are externally visible).
- construction of garages associated with these residential buildings.
- outbuildings associated with these residential buildings.

Swimming pools

Business uses, offices and shops, being:

- a different use resulting from a change of use from one type of approved business, office or shop use to another type of business, office or shop use.
- internal alterations to business premises, offices and shops.

Column B

As described in
Schedule 12 – Part A

As described in
Schedule 12 – Part A

As described in
Schedule 12 – Part B

As described in
Schedule 12 – Part D

LOCALITY C4 GARIGAL NATIONAL PARK

DESIRED FUTURE CHARACTER

The Garigal National Park locality comprises that part of that National Park located within Warringah.

LAND USE

Category One

Nil

Category Two

Development authorised by or under the *National Parks and Wildlife Act 1974*.

Category Three

Nil

PROHIBITED

Development not authorised by or under the *National Parks and Wildlife Act 1974*.

HERITAGE ITEMS

The following items of **local heritage significance** are within this locality:

- “Soldiers Rock” landing place, Foreshore near Downpatrick Road, Killarney Heights

LOCALITY C5 FORESTWAY SHOPS

DESIRED FUTURE CHARACTER

The Forestway Shops will continue to provide a range of retail and business, community and leisure uses serving the needs of the surrounding district. Expansion of or alterations to the existing approved buildings is or are to be assessed with regard to a masterplan for the site.

Note. The masterplan will address issues such as the relationship of the development with the adjoining residential living area, pedestrian and vehicular circulation and access.

LAND USE

Category One

Development for the purpose of the following:

- business premises
- health consulting rooms
- housing (not on ground floor)
- housing for older people or people with disabilities (not on ground floor)
- medical centres
- offices
- restaurants
- service stations
- shops

Category Two

Development for the purpose of the following:

- child care centres
- community facilities
- entertainment facilities
- recreation facilities
- veterinary hospitals
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- further education
- hire establishments
- hospitals
- hotels
- industries
- motor showrooms
- places of worship
- primary schools
- registered clubs
- retail plant nurseries
- short term accommodation
- vehicle repair stations
- warehouses

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Building height

Buildings are neither to exceed 3 storeys nor 12 metres.

Buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres.

To measure the height of a building:

- the maximum height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A

Column B

Development for the purpose of:

Attached houses and apartment buildings, being:

As described in
Schedule 12 – Part A

- internal alterations to attached houses and apartment buildings (excluding balcony enclosures and other devices which are externally visible).
- construction of garages associated with these residential buildings.
- outbuildings associated with these residential buildings.

Business uses, offices and shops, being:

As described in
Schedule 12 – Part D

- a different use resulting from a change of use from one type of approved business, office or shop use to another type of business, office or shop use.
- internal alterations to business premises, offices and shops.

LOCALITY C6 COOK STREET

DESIRED FUTURE CHARACTER

The Cook Street locality will remain a small industrial and employment area incorporating light industries, warehouses and ancillary service uses.

New development or significant redevelopment will be designed to include an appropriate level of landscaping to soften the visual impact of industrial buildings and other paved areas as viewed from the street.

Buildings will be sited and designed and the use of land managed to minimise interference with the amenity of neighbouring residential areas.

LAND USE

Category One

Development for the purpose of the following:

- industries
- warehouses

Category Two

Development for the purpose of the following:

- child care centres
- hire establishments
- housing (where used in conjunction with industries or warehouses)
- offices (when ancillary to industries or warehouses)
- restaurants
- service stations
- vehicle body repair workshops
- shops (which sell equipment, machinery or materials used by an industry or trade, and include builders' supply and hardware establishments, or which sell goods manufactured on the same land as they are sold)
- vehicle repair stations
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- business premises
- community facilities
- entertainment facilities
- further education
- health consulting rooms
- hospitals
- hotels
- housing, unless this Locality Statement provides otherwise
- medical centres
- motor showrooms
- offices, unless this Locality Statement provides otherwise
- places of worship
- primary schools
- recreation facilities
- registered clubs
- retail plant nurseries
- shops, unless this Locality Statement provides otherwise
- short term accommodation
- veterinary hospitals

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries

Canal estate development is also prohibited within the locality.

BUILT FORM**Building height**

Buildings are neither to exceed 2 storeys nor 9 metres.

Buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres.

To measure the height of a building:

- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Front building setback

Development is to maintain a minimum front building setback.

The minimum front building setback is 6.5 metres.

The minimum front building setback area is to be landscaped and generally free of any structures, carparking or site facilities other than driveways.

Subdivision

The minimum allotment area for any allotment resulting from the subdivision of land is 4,000m².

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A

Development for the purpose of:

Industrial uses, being:

- a different use resulting from a change of use from one type of approved industry or warehouse to another type of industry or warehouse.
- alterations to approved industrial and warehouse buildings.

Column B

As described in
Schedule 12 – Part C

LOCALITY C7 BARE CREEK

DESIRED FUTURE CHARACTER

The Bare Creek locality will be characterised by undeveloped native bushland on the north-eastern side of the locality and a waste facility and landfill site. Over time the landfill site will be phased out and the area rehabilitated. The waste facility including waste transfer, recycling and processing operations will continue to operate. The rehabilitated landfill site will eventually accommodate recreational uses in accordance with a plan of management for the locality.

Future development will be integrated with the landscape and topography of the locality and be visually unobtrusive. The use of materials that blend with the natural colours and textures of the natural landscape will be encouraged. The relationship of the locality with the surrounding bushland will be reinforced by incorporating locally occurring plant species in future development.

The bushland on the north-eastern side of the locality, shown cross-hatched on the map, will be preserved in its natural state.

LAND USE

Category One

Development for the purpose of the following:

- recreation facilities
- waste management

Category Two

Development for the purpose of the following:

- community facilities
- entertainment facilities
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops

- business premises
- child care centres
- further education
- health consulting rooms
- heliports
- hire establishments
- hospitals
- hotels
- housing
- industries
- medical centres
- motor showrooms
- offices
- places of worship
- primary schools
- registered clubs
- restaurants
- retail plant nurseries
- service stations
- shops
- short term accommodation
- vehicle repair stations
- veterinary hospitals
- warehouses

On land shown cross-hatched on the map, any development other than for the purpose of bushfire hazard reduction.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within the locality.

BUILT FORM

Building height

The maximum height of buildings is 11 metres.

To measure the height of a building the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Extractive industry

Consent must not be granted for development which may be adversely affected by noise, dust, vibration, or reduced visual amenity because of operation of the quarry in the vicinity of Warringah Gravel and Stone Supplies or which may hinder or prevent the quarry from realising its full economic potential

Consent must not be granted for a subdivision of land within 50 metres of an access road to the quarry which will allow the erection of a dwelling.

LOCALITY C8 BELROSE NORTH

DESIRED FUTURE CHARACTER

The present character of the Belrose North locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses

A dense bushland buffer will be retained or established along Forest Way. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Middle Harbour.

LAND USE

Category One

Development for the purpose of extractive industries (on land covered by Licence Number 64/193 Metropolitan, Belrose – Warringah Gravel and Stone Supplies).

Category Two

Development for the purpose of the following:

- agriculture
- housing
- housing for older people and people with disabilities (on land described in initial paragraph (b) under the heading “Housing density” below)
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- animal boarding or training establishments
- bulky goods shops
- business premises
- child care centres
- community facilities
- entertainment facilities
- extractive industries, unless this Locality Statement provides otherwise
- further education
- health consulting rooms
- heliports
- hire establishments
- hospitals
- hotels
- industries
- medical centres
- motor showrooms
- offices
- places of worship
- primary schools
- recreation facilities
- registered clubs
- restaurants
- retail plant nurseries
- service stations
- shops
- short term accommodation
- vehicle repair stations
- veterinary hospitals
- warehouses

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels

- housing for older people or people with disabilities (other than on land described in initial paragraph (b) under the heading “Housing density” below)
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing density

The maximum housing density is 1 dwelling for 20 ha of site area (which does not include the area of any access corridor, whether such access corridor is to be created or is in existence at the time of application for development consent), except:

- (a) where this standard would prevent the erection of one dwelling on an existing parcel of land, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha, and
- (b) on land that adjoins a locality primarily used for urban purposes and on which a dwelling house is permissible, where there is no maximum housing density if the development is for the purpose of “housing for older people or people with a disability”, and the development complies with the minimum standards set out in clause 29.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained, and

- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

Building height

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Front building setback

The minimum front building setback to all roads is 20 metres. On corner allotments fronting Forest Way the minimum front building setback is to apply to this road and the side setback is to apply to the secondary road.

The minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Extractive industry

In this provision, *the quarry* means the quarry operated by Warringah Gravel and Stone Supplies at the appointed day.

- Consent is not to be granted for extractive industry at the quarry unless the consent authority:

- (a) has considered the effect of the proposed development on flood behaviour, the water quality and the quantity and hydrodynamics of Bare Creek or underground waters, and
 - (b) has considered a rehabilitation plan for the site, and
 - (c) is satisfied that rehabilitation measures will be carried out in accordance with the guidelines in the *Managing Urban Stormwater, Soils and Contamination Handbook* (1998) prepared by the Department of Housing, and
 - (d) is satisfied that, while development is being carried out, noise and vibration levels will be in accordance with the Environment Protection Authority's guidelines
- The consent authority will consult with the Director-General of the Department of Mineral Resources when considering an application for extractive industry. The consent authority will also consider the recommendations for future extraction outlined in the "Extractive Industry Report" in considering such an application.
 - New development will not be permitted in the vicinity of the quarry which may be adversely affected by noise, dust, vibration or reduced visual amenity because of the operation of the quarry or which may hinder or prevent the quarry from realizing its full economic potential.
 - Subdivision of land within 50 metres of an access road to the quarry which will allow the erection of a dwelling will not be permitted.
 - Consent must not be granted to allow the quarry to be used for the disposal of waste brought from other land. Consent must not be granted for extractive industry at the quarry unless the consent authority is satisfied that the extraction will be carried out in such a way as maximises the quality of the material and minimises the creation of waste.

Rear and Side Building Setback

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setbacks is 10 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

Bushland setting

A minimum of 50 per centre of the site area is to be kept as natural bushland or landscaped with local species.

National Park setback

Development is to maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback is to fire fuel reduced and landscaped with local species.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A

Column B

Development for the purpose of:

Single storey detached houses, being:

- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- constructions of carports, garages and outbuildings associated with a dwelling.

As described in
Schedule 12 – Part A

Swimming pools

As described in
Schedule 12 – Part B

LOCALITY C9 AUSTLINK BUSINESS PARK

DESIRED FUTURE CHARACTER

The Austlink Business Park will integrate modern forms of industry, manufacturing, research, warehouses, offices and related services with the natural qualities of the locality and the adjacent National Park.

Articulated building forms, generous landscaped spaces around buildings and building materials that blend in with the colours and textures of the natural landscape will be used to minimise the visual impact of development on long distance views of the locality.

Areas within the locality shown cross-hatched on the map may only be developed if it is clearly demonstrated that the topography of the land is suitable for development and any Aboriginal relics found on the site may be preserved in their natural state.

There will be no vehicle access to properties directly from Mona Vale Road or Forest Way.

LAND USE

Category One

Development for the purpose of the following:

- bulky goods shops
- child care centres
- industries
- offices
- recreation facilities
- warehouses

Category Two

Development for the purpose of the following:

- business premises (with a gross floor area not exceeding 2500m²)
- community facilities
- hospitals
- hotels (only where they incorporate conference centres)
- restaurants
- service stations
- shops (with a gross floor area not exceeding 2.500m²)

- short term accommodation (only where it incorporates conference centres)
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- business premises, unless this Locality Statement provides otherwise
- entertainment facilities
- further education
- health consulting rooms
- heliports
- hire establishments
- hotels, unless this Locality Statement provides otherwise
- housing
- medical centres
- motor showrooms
- places of worship
- primary schools
- registered clubs
- retail plant nurseries
- shops, unless this Locality Statement provides otherwise
- short term accommodation, unless this Locality Statement provides otherwise
- vehicle repair stations
- veterinary hospitals

On the land shown cross-hatched on the map, any development other than for the purpose of bushfire hazard reduction.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities

- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Building height

The maximum height of buildings is 11 metres

To measure the height of a building:

- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below.

Minimum front building setback to Mona Vale Road and Forest Way

Development is to maintain a minimum front building setback. Buildings must be setback at least 30 metres from any property boundaries adjoining Mona Vale Road or Forest Way.

The first 15 metres from these road boundaries is to be densely landscaped using indigenous species of canopy trees and shrubs.

Between the 15 metre landscaped buffer and the 30 metre building setback, ground level carparking will be allowed provided it is screened from view from Mona Vale Road and Forest Way.

No signs are to be erected within the 30 metre minimum front building setback area.

Minimum front building setback to other roads

A primary setback of 6.5 metres with a secondary setback of 10 metres is to be established to roads other than Mona Vale Road and Forest Way.

No buildings are to be erected between the front property boundary and the primary building setback.

Buildings and structures (such as carparks) are not to occupy more than 50 per cent of the area between the primary and secondary setbacks.

The area between the primary setback and road boundary is to be used solely for landscaping and driveways.

Side boundary building setback

Development is to maintain a minimum side boundary building setback.

The minimum setback from a building to a side boundary within an allotment less than one hectare in area is 5 metres.

The minimum setback from a building to a side boundary within an allotment greater than one hectare in area is 10 metres.

Landscaped open space

The minimum area of landscaped open space is one-third of the site area.

To measure an area of landscaped open space:

- impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area, and
- the water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the landscaped open space area,
- landscaped open space must be at ground level, and
- the minimum soil depth of land that can be included as landscaped open space is 1 metre.

Site coverage

Buildings must not cover more than one-third of the site area.

Floor space ratio

The maximum floor space ratio for buildings is 1:1. The floor space ratio is the ratio of floor space of the building (excluding driveways, carparking areas etc) to the total area of the site.

Subdivision

The minimum allotment area for any allotment resulting from the subdivision of land is 4,000m².

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A

Development for the purpose of:

Industrial uses, being:

- a different use resulting from a change of use from one type of approved industry or warehouse to another type of industry or warehouse.
- alterations to approved industrial and warehouse buildings.

Column B

As described in
Schedule 12 – Part C

LOCALITY C10 MONA VALE ROAD WEST

DESIRED FUTURE CHARACTER

The present character of the Mona Vale Road West locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses.

A dense bushland buffer will be retained or established along Mona Vale Road West.

Development in the locality will not create siltation or pollution of Middle Harbour.

LAND USE

Category One

Nil

Category Two

Development for the purpose of the following:

- agriculture
- housing
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development for the purpose of the following:

- animal boarding or training establishments
- bulky goods shops
- business premises
- child care centres

- community facilities
- entertainment facilities
- further education
- health consulting rooms
- heliports
- hire establishments
- hospitals
- hotels
- industries
- medical centres
- motor showrooms
- offices
- places of worship
- primary schools
- recreation facilities
- registered clubs
- restaurants
- retail plant nurseries
- service stations
- shops
- short term accommodation
- vehicle repair stations
- veterinary hospitals
- warehouses

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing density

The maximum housing density is 1 dwelling for 20 ha of site area (which does not include the area of any access corridor, whether such access corridor is to be created or is in existence at the time of application for development consent), except where this standard would prevent the erection of one dwelling on an existing parcel of land, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha.

However, consent may be granted for development that will contravene this housing density standard but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained,
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

Building height

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Front building setback

Development is to maintain a minimum front building setback.

The minimum front building setback from Mona Vale Road is 20 metres.

Otherwise, the minimum front building setback is 10 metres.

The minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Rear and Side Building Setback

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setbacks is 10 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

Bushland setting

A minimum of 50 per cent of the site area is to be kept as natural bushland or landscaped with local species.

National Park setback

Development is to maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback is to fire fuel reduced and landscaped with local species.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development

Column A**Column B**

Development for the purpose of:

Single storey detached houses, being:

- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- constructions of carports, garages and outbuildings associated with a dwelling.

As described in
Schedule 12 – Part A

Swimming pools

As described in
Schedule 12 – Part B

LOCALITY C11 BELROSE ROAD CORRIDOR

This is a Deferred Matter.