

Below is an extract from the draft NBLEP:

Part 4 Principal development standards

4.1 Minimum subdivision lot size

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

- (a) to protect and maintain the local character and amenity of the locality and streetscape by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the prevailing subdivision pattern, size and configuration of existing lots in the locality,
- (b) to provide for subdivision where all resulting lots are capable of providing for development that is safe from hazards, including provision for appropriate bush fire protection measures on land that has an interface to bushland,
- (c) to provide for subdivision where all resulting lots are capable of providing for buildings that retain and protect existing significant natural landscape features, enhance remnant bushland, manage biodiversity and will not unacceptably impact on the natural environment or the amenity of neighbouring properties,
- (d) to require larger lots where existing vegetation, topography, public views and natural features of land, including the foreshore, limit its subdivision potential,
- (e) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,
- (f) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services, and where the location of smaller lots maximises the use of existing infrastructure, public transport and pedestrian access to local facilities and services,
- (g) to protect the integrity of land holding patterns in rural localities against fragmentation.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(3A) For the purposes of subclause (3), in calculating the size of a lot the area of any access corridor (including any right of carriageway, access way or other area that provides for vehicle access) is to be excluded, whether the access corridor is to be created or is in existence at the time of the application for development consent for the subdivision.

(3B) Despite subclause (3), development consent may be granted to the subdivision of a lot on which there is an existing dual occupancy, or on which a dual occupancy is proposed in conjunction with the subdivision of land, if –

(a) the area of each lot resulting from the subdivision is equal to or greater than:

- a. In zone R2 – 400 square metres,
- b. In zone R1 and R3 – 200 square metres,

(b) each of the lots resulting from the subdivision will be occupied by only one dwelling, and

(c) the lot is not within the *Warriewood Valley Release Area* as shown on the *Urban Release Area Map*.

WUFA Recommendation:

(3C) should be added stating:

(3C) Despite subclause (3), development consent may be granted for the subdivision of a lot or group of lots if there is no net increase in the number of lots, even if the resulting lot sizes are below the minimum lot size.

6.x Erection of dwelling houses within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road

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

- (a) to restrict the density of development and promote consolidation of land holdings on certain land within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road,
- (b) to protect and enhance the ecological values of natural watercourses and natural bushland in the zone,
- (c) to maintain and enhance the scenic quality of the zone including landforms and vegetation,
- (d) to minimise siltation and pollution of Narrabeen Lagoon and its catchment.

(2) Development consent must not be granted to the erection of a dwelling house on a lot zoned RU4 Primary Production Small Lots, C2 Environmental Conservation and C3 Environmental Management on land shown on the Erection of Dwelling Houses Map.

(3) Despite subclause (2):

- (a) development consent may be granted to the erection of 1 dwelling house on an existing lot if the lot has an area of less than 20 hectares but not less than 2 hectares, and
- (b) development consent may be granted to the erection of 1 dwelling house on Lot 33, DP 870625, Pinduro Place, Cromer and on Lot 2, DP 1007617, Lot 3, DP 1007617, Lot 985, DP 752038, Lot 986, DP 752038, Lot 1001, DP 752038, Lot 1002, DP 752038, Lot 1003, DP 752038, Lot 1004, DP 752038, Lot 1018, DP 752038, Lot 1019, DP 752038, Lot 1, DP 793363 and Lot 2, DP 793363, Oxford Falls.

(4) In subclause (3)(a), an existing lot means all adjacent or adjoining land held by the same person or persons on 8 March 1974.

This clause is not only unfair, but is in direct conflict with current Ministerial Directions and the recently released NSW State Land Use Plan (State Plan) released by the Department of Planning in August 2026.

Page 81 of Appendix D — Housing and Employment Guidance (Northern Beaches):

"While medium and high-density development should be focused in well-located areas, the Northern Beaches, with its larger lot sizes across the suburbs of its LGA, lower density profile and its higher feasibility, make it a prime LGA for additional low-rise diversity including dual occupancies, terraces, town houses and small apartment buildings. **Council must review its permissibility and planning controls, including smaller lot size controls, in areas outside the LMR Housing Areas for low-rise housing typologies to encourage this type of development in its LGA.** This type of housing is appropriate for the existing urban areas of the Northern Beaches to manage infrastructure capacity." — DPHI The Sydney Plan - Appendix D - Housing and Employment Guidance (August 2026)

WUFA Recommendation:

This clause needs to be removed.