



New South Wales

Waverley Local Environmental Plan 1996 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S99/00612/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 349

Clause 1 Waverley Local Environmental Plan 1996 (Amendment No 12)

Waverley Local Environmental Plan 1996 (Amendment No 12)

1 Name of plan

This plan is *Waverley Local Environmental Plan 1996 (Amendment No 12)*.

2 Aims of plan

This plan aims to amend *Waverley Local Environmental Plan 1996* so as:

- (a) to require consent for development on public roads, but not for footway restaurants, and
- (b) to amend the definition of *height* in Schedule 2 (Interpretation), and
- (c) to identify No 407 Bronte Road as a heritage item, and
- (d) to correctly describe No 6 Goldie Avenue which is a heritage item, and
- (e) to identify Blenheim Gully as a landscape heritage conservation area on the Heritage map supporting *Waverley Local Environmental Plan 1996*, and
- (f) to identify Nos 1–3 Botany Street on the Heritage map as heritage items, and
- (g) to omit No 5 Campbell Parade and No 4 Goldie Avenue from the Heritage map.

This plan also aims to remove arterial road classifications for Campbell Parade, Bronte Road and Oxford Street from the Zoning map supporting *Waverley Local Environmental Plan 1996*.

3 Land to which plan applies

This plan applies to the land to which *Waverley Local Environmental Plan 1996* applies.

4 Amendment of Waverley Local Environmental Plan 1996

Waverley Local Environmental Plan 1996 is amended as set out in Schedule 1.

5 Amendment of the Zoning map

The Zoning map, within the meaning of *Waverley Local Environmental Plan 1996*, is amended by omitting from it any notation indicating that Campbell Parade, Oxford Street and Bronte Road are classified as arterial roads.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 29

Omit the clause. Insert instead:

29 Development on roads, including footway restaurants

- (1) A person must not carry out development on public roads, shown uncoloured on the Zoning map, except with the consent of the Council.
- (2) Consent to a development application required by subclause (1) may only be granted if the Council is of the opinion that the development:
 - (a) is compatible with the nature of development permissible on neighbouring land and the development standards applicable to development on neighbouring land, and
 - (b) is consistent with the aims of this Plan and the objectives of the zoning applying to neighbouring land.
- (3) Despite subclause (1), development consent is not required for footway restaurants on public roads shown uncoloured on the Zoning map.

[2] Schedule 2 Interpretation

Omit the definition of *height*. Insert instead:

height of a building in a business zone means the greatest distance in metres measured vertically from any point on the building to the natural ground level below that point.

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Amendments

Schedule 1

[3] Schedule 2, definition of “the Heritage map”

Insert at the end of the definition:

, as amended by the maps (or specified sheets of the maps)
marked as follows:

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[4] Schedule 5 Heritage items

Insert “407 (Rocky Mount),” after the matter “402,” relating to Bronte Road
in Part A.

[5] Schedule 5, Part A

Omit “Goldie Street 6”. Insert instead “Goldie Avenue 6”.