



Waverley Local Environmental Plan 1996 (Amendment No 29)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/02750/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 662

Clause 1 Waverley Local Environmental Plan 1996 (Amendment No 29)

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1 Name of plan

This plan is *Waverley Local Environmental Plan 1996 (Amendment No 29)*.

2 Aims of plan

This plan aims:

- (a) to extend the requirement for development consent to all land (and not just public roads) shown uncoloured on the Zoning map supporting *Waverley Local Environmental Plan 1996 (the 1996 plan)*, and
- (b) to amend the definition of *mixed development* in the 1996 plan to include a hostel as part of a mixed development, and
- (c) to rezone part of the land to which this plan applies from Zone No 2 (a) Residential—Low Density to Zone No 6 (a) Open Space under the 1996 plan, and
- (d) to permit, with development consent, the carrying out of development for the purposes of dual occupancies and hostels on land within Zones Nos 3 (a) and 3 (b), but only as the residential component in mixed developments under the 1996 plan, and
- (e) to remove an unnecessary and outdated reference to the permissible residential component in mixed development in respect of land within Zone No 3 (c), and
- (f) to remove a road alignment notation on the Zoning map in respect of part of the land to which this plan applies, and
- (g) to remove the exemption from obtaining development consent for certain subdivision, and

- (h) to effect law revision by incorporating into the 1996 plan an unincorporable amendment regarding a map notation relating to arterial road classifications as set out in clause 5 of *Waverley Local Environmental Plan 1996 (Amendment No 12)*.

3 Land to which plan applies

- (1) In respect of the aim set out in clause 2 (a), this plan applies to all land shown uncoloured on the Zoning map supporting the 1996 plan.
- (2) In respect of the aims set out in clause 2 (b) and (g), this plan applies to all land to which the 1996 plan applies.
- (3) In respect of the aim set out in clause 2 (c), this plan applies to land known as Lot 27, DP 6400, Onslow Street, Rose Bay, as shown edged heavy black and lettered “6 (a)” on the map marked “Waverley Local Environmental Plan 1996 (Amendment No 29)” deposited in the office of Waverley Council.
- (4) In respect of the aim set out in clause 2 (d), this plan applies to all land with Zones Nos 3 (a) and 3 (b) under the 1996 plan.
- (5) In respect of the aim set out in clause 2 (e), this plan applies to all land within Zone No 3 (c) under the 1996 plan.
- (6) In respect of the aim set out in clause 2 (f), this plan applies to Lots 1 and 6, DP 4346, Lot 1, DP 857668, Lot 4, DP 243547, Lot 2, DP 512767 and Lot 56, DP 5169, Old South Head Road, Rose Bay.
- (7) In respect of the aim set out in clause 2 (h), this plan applies to the land referred to in clause 5 of *Waverley Local Environmental Plan 1996 (Amendment No 12)*.

4 Amendment of Waverley Local Environmental Plan 1996

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

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 6 Interpretation

Insert after clause 6 (2):

- (3) The Zoning map is also amended:
 - (a) by omitting from it any notation indicating that Campbell Parade, Oxford Street and Bronte Road are classified as arterial roads, and
 - (b) by omitting from it any notation indicating that Lots 1 and 6, DP 4346, Lot 1, DP 857668, Lot 4, DP 243547, Lot 2, DP 512767 and Lot 56, DP 5169, Old South Head Road, Rose Bay, are subject to road realignment.

[2] Clause 10 Zone objectives and development control table

Insert “dual occupancies,” after “boarding houses,” wherever occurring in Item 4 of the matter relating to Zones Nos 3 (a) and 3 (b) in the Table to the clause.

[3] Clause 10, Table

Insert “hostels,” after “dwelling-houses,” wherever occurring in Item 4 of the matter relating to Zones Nos 3 (a) and 3 (b).

[4] Clause 10, Table

Omit “dual occupancies;” wherever occurring in Item 4 of the matter relating to Zones Nos 3 (a) and 3 (b).

[5] Clause 10, Table

Omit “(the residential component of which may be a residential flat building, dwelling-house, boarding house or serviced apartment)” from Item 3 of the matter relating to Zone No 3 (c).

[6] Clause 11 Subdivision of land

Omit clause 11 (2)–(5).

[7] Clause 29

Omit the heading to the clause.

Insert instead “**Development on land, including footway restaurants on public roads, shown uncoloured on Zoning map**”.

[8] Clause 29 (1)

Omit “public roads”. Insert instead “land”.

[9] Schedule 2 Interpretation

Insert “, hostel” after “boarding house” in the definition of *mixed development* in the Schedule.

[10] Schedule 2, definition of “the Zoning map”

Insert “(and as also amended in the manner set out in clause 6 (3))” after “follows”.

[11] Schedule 2, definition of “the Zoning map”

Insert in appropriate order:

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No 29)