



New South Wales

# Waverley Local Environmental Plan 2012

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, pursuant to section 33A of the *Environmental Planning and Assessment Act 1979*, adopt the mandatory provisions of the *Standard Instrument (Local Environmental Plans) Order 2006* and prescribe matters required or permitted by that Order so as to make a local environmental plan as follows.

RICHARD PEARSON

As delegate for the Minister for Planning and Infrastructure

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## Contents

	Page
<b>Part 1 Preliminary</b>	
1.1 Name of Plan	4
1.1AA Commencement	4
1.2 Aims of Plan	4
1.3 Land to which Plan applies	5
1.4 Definitions	5
1.5 Notes	5
1.6 Consent authority	5
1.7 Maps	5
1.8 Repeal of planning instruments applying to land	6
1.8A Savings provision relating to development applications	6
1.9 Application of SEPPs	6
1.9A Suspension of covenants, agreements and instruments	6
<b>Part 2 Permitted or prohibited development</b>	
2.1 Land use zones	8
2.2 Zoning of land to which Plan applies	8
2.3 Zone objectives and Land Use Table	8
2.4 Unzoned land	9
2.5 Additional permitted uses for particular land	9
2.6 Subdivision—consent requirements	10
2.7 Demolition requires development consent	10
2.8 Temporary use of land	10
<b>Land Use Table</b>	11
<b>Part 3 Exempt and complying development</b>	
3.1 Exempt development	21
3.2 Complying development	22
3.3 Environmentally sensitive areas excluded	23
<b>Part 4 Principal development standards</b>	
4.1 Minimum subdivision lot size	25
4.1AA Minimum subdivision lot size for community title schemes	25
4.2 Rural subdivision	25
4.3 Height of buildings	25
4.4 Floor space ratio	26
4.4A Exceptions to floor space ratio	26

	Page
4.4B Incentives for providing affordable rental housing	26
4.5 Calculation of floor space ratio and site area	28
4.6 Exceptions to development standards	30
<b>Part 5 Miscellaneous provisions</b>	
5.1 Relevant acquisition authority	32
5.1A Development on land intended to be acquired for public purposes	33
5.2 Classification and reclassification of public land	34
5.3 Development near zone boundaries	34
5.4 Controls relating to miscellaneous permissible uses	35
5.5 Development within the coastal zone	36
5.6 Architectural roof features	38
5.7 Development below mean high water mark	39
5.8 Conversion of fire alarms	39
5.9 Preservation of trees or vegetation	40
5.9AA Trees or vegetation not prescribed by development control plan	41
5.10 Heritage conservation	42
5.11 Bush fire hazard reduction	45
5.12 Infrastructure development and use of existing buildings of the Crown	45
5.13 Eco-tourist facilities	46
<b>Part 6 Additional local provisions</b>	
6.1 Acid sulfate soils	47
6.2 Earthworks	48
6.3 Flood planning	49
6.4 Terrestrial biodiversity	50
6.5 Active street frontages in the Bondi Junction Centre	51
6.6 Location of sex services premises	51
<b>Schedule 1 Additional permitted uses</b>	53
<b>Schedule 2 Exempt development</b>	55
<b>Schedule 3 Complying development</b>	59
<b>Schedule 4 Classification and reclassification of public land</b>	60
<b>Schedule 5 Environmental heritage</b>	61
<b>Dictionary</b>	108

## **2012 No 540**

Clause 1.1      Waverley Local Environmental Plan 2012

Part 1            Preliminary

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## **Waverley Local Environmental Plan 2012**

under the

Environmental Planning and Assessment Act 1979

### **Part 1    Preliminary**

#### **1.1    Name of Plan**

This Plan is *Waverley Local Environmental Plan 2012*.

#### **1.1AA    Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

#### **1.2    Aims of Plan**

- (1) This Plan aims to make local environmental planning provisions for land in Waverley in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
  - (a) to promote and co-ordinate a range of commercial, retail, residential, tourism, entertainment, cultural and community uses to service the local and wider community,
  - (b) to maintain and reinforce Bondi Junction as the primary commercial and cultural centre in Sydney's eastern suburbs,
  - (c) to provide for a range of residential densities and range of housing types to meet the changing housing needs of the community,
  - (d) to provide an appropriate transition in building scale around the edge of the commercial centres to protect the amenity of surrounding residential areas,
  - (e) to protect, maintain and accommodate a range of open space uses, recreational opportunities, community facilities and services available to the community,
  - (f) to enhance and preserve the natural environment through appropriate planning, protecting the integrity of natural systems and by protecting existing trees,

- (g) to identify and conserve the cultural, environmental, natural, aesthetic, social and built heritage of Waverley.

### 1.3 Land to which Plan applies

This Plan applies to the land identified on the Land Application Map.

### 1.4 Definitions

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

### 1.5 Notes

Notes in this Plan are provided for guidance and do not form part of this Plan.

### 1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

### 1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
  - (a) approved by the Minister when the map is adopted, and
  - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

**Note.** The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the website of the Department of Planning and Infrastructure.

## 2012 No 540

Clause 1.8 Waverley Local Environmental Plan 2012

Part 1 Preliminary

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### 1.8 Repeal of planning instruments applying to land

- (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.

**Note.** The following local environmental plans are repealed under this provision:

*Waverley Local Environmental Plan 1996*

*Waverley Local Environmental Plan (Bondi Junction Centre) 2010*

- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

### 1.8A Savings provision relating to development applications

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

**Note.** However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

### 1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

*State Environmental Planning Policy No 1—Development Standards*

*State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*  
(clause 6 and Parts 3 and 4)

*State Environmental Planning Policy No 60—Exempt and Complying Development*

### 1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under

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the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

- (2) This clause does not apply:
- (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
  - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
  - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
  - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
  - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
  - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

## **2012 No 540**

Clause 2.1 Waverley Local Environmental Plan 2012

Part 2 Permitted or prohibited development

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## **Part 2 Permitted or prohibited development**

### **2.1 Land use zones**

The land use zones under this Plan are as follows:

#### **Residential Zones**

R2 Low Density Residential

R3 Medium Density Residential

R4 High Density Residential

#### **Business Zones**

B1 Neighbourhood Centre

B3 Commercial Core

B4 Mixed Use

#### **Special Purpose Zones**

SP2 Infrastructure

#### **Recreation Zones**

RE1 Public Recreation

RE2 Private Recreation

#### **Environment Protection Zones**

E2 Environmental Conservation

### **2.2 Zoning of land to which Plan applies**

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

### **2.3 Zone objectives and Land Use Table**

- (1) The Land Use Table at the end of this Part specifies for each zone:
  - (a) the objectives for development, and
  - (b) development that may be carried out without development consent, and
  - (c) development that may be carried out only with development consent, and
  - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.



- (3) In the Land Use Table at the end of this Part:
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
  - (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Plan.

**Notes.**

- 1 Schedule 1 sets out additional permitted uses for particular land.
- 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.
- 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4 Clause 2.6 requires consent for subdivision of land.
- 5 Part 5 contains other provisions which require consent for particular development. See clauses 5.1A, 5.5, 5.6, 5.7, 5.8, 5.9, 5.9AA, 5.10, 5.11 and 5.12.

**2.4 Unzoned land**

- (1) Development may be carried out on unzoned land only with development consent.
- (2) Before granting development consent, the consent authority:
  - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and
  - (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

**2.5 Additional permitted uses for particular land**

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
  - (a) with development consent, or
  - (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.

## 2012 No 540

Clause 2.6 Waverley Local Environmental Plan 2012

Part 2 Permitted or prohibited development

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- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

### 2.6 Subdivision—consent requirements

- (1) Land to which this Plan applies may be subdivided, but only with development consent.

**Notes.**

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
  - 2 Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development**.
- (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

**Note.** The definition of **secondary dwelling** in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.

### 2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

**Note.** If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, as exempt development, the Act enables it to be carried out without development consent.

### 2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

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- (3) Development consent must not be granted unless the consent authority is satisfied that:
- (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
  - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
  - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
  - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
- (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

## Land Use Table

**Note.** A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies:

*State Environmental Planning Policy (Affordable Rental Housing) 2009* (including provision for secondary dwellings)

*State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

*State Environmental Planning Policy (Infrastructure) 2007*—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

*State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

*State Environmental Planning Policy (Rural Lands) 2008*

*State Environmental Planning Policy No 33—Hazardous and Offensive Development*

*State Environmental Planning Policy No 50—Canal Estate Development*

*State Environmental Planning Policy No 62—Sustainable Aquaculture*

*State Environmental Planning Policy No 64—Advertising and Signage*

## 2012 No 540

Clause 2.8 Waverley Local Environmental Plan 2012

Part 2 Land Use Table

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### **Zone R2 Low Density Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

#### **2 Permitted without consent**

Home occupations

#### **3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hostels; Information and education facilities; Markets; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing

#### **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone R3 Medium Density Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

#### **2 Permitted without consent**

Home occupations

#### **3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Group homes; Home

industries; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4

#### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

### **Zone R4 High Density Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

#### **2 Permitted without consent**

Home occupations

#### **3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres;

## 2012 No 540

Clause 2.8 Waverley Local Environmental Plan 2012

Part 2 Land Use Table

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Community facilities; Home industries; Kiosks; Markets; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

### Zone B1 Neighbourhood Centre

#### 1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To ensure that non-residential uses do not result in adverse impacts on the amenity of existing and future residential premises.
- To strengthen the viability of Waverley's existing business centres as places of vitality for investment, employment and cultural activity.

#### 2 Permitted without consent

Home occupations

**3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Group homes; Home industries; Hostels; Medical centres; Neighbourhood shops; Respite day care centres; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

**4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Bulky goods premises; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Plant nurseries; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Rural supplies; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

**Zone B3 Commercial Core****1 Objectives of zone**

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.

## 2012 No 540

Clause 2.8 Waverley Local Environmental Plan 2012

Part 2 Land Use Table

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- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Bondi Junction Centre as a major commercial centre and ensure that commercial uses dominate.
- To provide direct, convenient and safe pedestrian links between the Bondi Junction bus concourse, rail station and Oxford Street Mall and reinforce the bus and rail interchange as a major passenger transport facility.

### 2 Permitted without consent

Nil

### 3 Permitted with consent

Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities



**Zone B4 Mixed Use****1 Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

**2 Permitted without consent**

Home occupations

**3 Permitted with consent**

Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

**4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

## 2012 No 540

Clause 2.8 Waverley Local Environmental Plan 2012

Part 2 Land Use Table

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### Zone SP2 Infrastructure

#### 1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

#### 2 Permitted without consent

Nil

#### 3 Permitted with consent

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

#### 4 Prohibited

Any development not specified in item 2 or 3

### Zone RE1 Public Recreation

#### 1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To facilitate and manage public access to and along the coastline for all.

#### 2 Permitted without consent

Nil

#### 3 Permitted with consent

Building identification signs; Business identification signs; Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures

**4 Prohibited**

Any development not specified in item 2 or 3

**Zone RE2 Private Recreation**

**1 Objectives of zone**

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Building identification signs; Business identification signs; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads

**4 Prohibited**

Any development not specified in item 2 or 3

**Zone E2 Environmental Conservation**

**1 Objectives of zone**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Environmental facilities; Environmental protection works

## **2012 No 540**

Clause 2.8      Waverley Local Environmental Plan 2012

Part 2          Land Use Table

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### **4 Prohibited**

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

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## Part 3 Exempt and complying development

### 3.1 Exempt development

**Note.** Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
  - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
  - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
  - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
  - (3) To be exempt development, the development:
    - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
    - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
    - (c) must not be designated development, and
    - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
  - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
    - (a) the building has a current fire safety certificate or fire safety statement, or
    - (b) no fire safety measures are currently implemented, required or proposed for the building.
  - (5) To be exempt development, the development must:
    - (a) be installed in accordance with the manufacturer's specifications, if applicable, and

## 2012 No 540

Clause 3.2 Waverley Local Environmental Plan 2012

Part 3 Exempt and complying development

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- (b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.

- (6) A heading to an item in Schedule 2 is part of that Schedule.

### 3.2 Complying development

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
  - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
  - (c) the development is designated development, or
  - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
  - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or
  - (f) the development is on land identified as an environmentally sensitive area.
- (1) The objective of this clause is to identify development as complying development.
  - (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:
    - (a) the development standards specified in relation to that development, and
    - (b) the requirements of this Part,is complying development.

**Note.** See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.

- (3) To be complying development, the development must:
- (a) be permissible, with development consent, in the zone in which it is carried out, and
  - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
  - (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.
- (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.
- (5) A heading to an item in Schedule 3 is part of that Schedule.

### 3.3 Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:  
***environmentally sensitive area for exempt or complying development*** means any of the following:
- (a) the coastal waters of the State,
  - (b) a coastal lake,
  - (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
  - (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
  - (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
  - (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
  - (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
  - (h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,

## 2012 No 540

Clause 3.3      Waverley Local Environmental Plan 2012

Part 3            Exempt and complying development

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- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.



## **Part 4 Principal development standards**

### **4.1 Minimum subdivision lot size**

- (1) The objectives of this clause are as follows:
  - (a) to ensure that subdivisions reflect and reinforce the predominant subdivision pattern of the area,
  - (b) to minimise the likely impact of subdivision and development on the amenity of neighbouring properties.
- (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.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

### **4.1AA Minimum subdivision lot size for community title schemes**

[Not adopted]

### **4.2 Rural subdivision**

[Not applicable]

### **4.3 Height of buildings**

- (1) The objectives of this clause are as follows:
  - (a) to establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties,
  - (b) to increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth,
  - (c) to accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land,
  - (d) to ensure that buildings are compatible with the height, bulk and scale of the existing character of the locality and positively complement and contribute to the physical definition of the street network and public space.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

## 2012 No 540

Clause 4.4 Waverley Local Environmental Plan 2012

Part 4 Principal development standards

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### 4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
  - (a) to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,
  - (b) to provide an appropriate correlation between maximum building heights and density controls,
  - (c) to ensure that buildings are compatible with the bulk, scale, streetscape and existing character of the locality,
  - (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

#### 4.4A Exceptions to floor space ratio

Despite clause 4.4, the maximum floor space ratio for a dwelling house or dual occupancy on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential is as follows:

- (a) for lots with an area less than 100 square metres—1:1,
- (b) for lots with an area of 100 square metres to 550 square metres— $[(550 - \text{lot area}) \times 0.0011] + 0.5$ :1,
- (c) for lots with an area greater than 550 square metres—0.5:1.

#### 4.4B Incentives for providing affordable rental housing

- (1) The objective of this clause is to increase the supply of affordable rental housing for very low, low and moderate income earning households by providing incentives for the development of new affordable rental housing.
- (2) This clause applies to development for the purposes of residential flat buildings, or a mixed use development that contains shop top housing, if:
  - (a) the development is on land identified as “Area 1” on the Floor Space Ratio Map, and
  - (b) the development comprises at least one dwelling that is to be used for the purposes of affordable housing.

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- (3) Despite clause 4.4, development consent may be granted for development to which this clause applies that has a gross floor area of no more than:
- (a) the maximum gross floor area that would be permitted for development on that land calculated by using the maximum floor space ratio shown on the Floor Space Ratio Map for that land, plus
  - (b) an additional area of 15% of that maximum gross floor area (the ***affordable housing incentive***).
- (4) Development consent must not be granted for development to which this clause applies unless conditions are attached to that consent to the effect that:
- (a) at least 50% of the area of the affordable housing incentive for the development will be allocated to one or more dwellings providing affordable housing in the development, and
  - (b) for at least 3 years from the date of the issue of the occupation certificate for the development:
    - (i) the dwelling or dwellings will be available for rent as affordable housing, and
    - (ii) all such accommodation will be managed by a registered community housing provider, and
  - (c) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, that will ensure that the requirements in paragraph (b) are met.
- (5) Subclause (4) does not apply to development on land owned by a public authority or to a development application made by, or on behalf of, a public authority or a registered community housing provider.
- (6) For the purposes of the definition of ***affordable housing*** in the Act in its application to this clause, a household is taken to be a very low income household, low income household or moderate income household if the household:
- (a) has a gross income that is less than 120 per cent of the median household income for the time being for the Sydney Statistical Division (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or
  - (b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that

## 2012 No 540

Clause 4.5 Waverley Local Environmental Plan 2012

Part 4 Principal development standards

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which would be charged if the household were to occupy rental accommodation under that scheme.

**Note.** The Act defines **affordable housing** to mean housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

### 4.5 Calculation of floor space ratio and site area

#### (1) Objectives

The objectives of this clause are as follows:

- (a) to define **floor space ratio**,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:
  - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
  - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
  - (iii) require community land and public places to be dealt with separately.

#### (2) Definition of “floor space ratio”

The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

#### (3) Site area

In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

#### (4) Exclusions from site area

The following land must be excluded from the site area:

- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,

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(b) community land or a public place (except as provided by subclause (7)).

(5) **Strata subdivisions**

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) **Only significant development to be included**

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) **Certain public land to be separately considered**

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) **Existing buildings**

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) **Covenants to prevent “double dipping”**

When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) **Covenants affect consolidated sites**

If:

- (a) a covenant of the kind referred to in subclause (9) applies to any land (*affected land*), and

## 2012 No 540

Clause 4.6 Waverley Local Environmental Plan 2012

Part 4 Principal development standards

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(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) **Definition**

In this clause, *public place* has the same meaning as it has in the *Local Government Act 1993*.

### 4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
  - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
  - (a) the consent authority is satisfied that:
    - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
    - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the

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zone in which the development is proposed to be carried out, and

- (b) the concurrence of the Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General must consider:
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
  - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- Note.** When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E3 Environmental Management or Zone E4 Environmental Living.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
- (a) a development standard for complying development,
  - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
  - (c) clause 5.4.

## 2012 No 540

Clause 5.1 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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## Part 5 Miscellaneous provisions

### 5.1 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991* (**the owner-initiated acquisition provisions**).

**Note.** If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>
Zone R2 Low Density Residential and marked "Classified Road"	Roads and Maritime Services
Zone R3 Medium Density Residential and marked "Classified Road"	Roads and Maritime Services
Zone B4 Mixed Use and marked "Road"	Council

- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the



purpose for which it is reserved, be carried out, with development consent, for any purpose.

**Note.** If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning and Infrastructure (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

**5.1A Development on land intended to be acquired for public purposes**

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies to land marked on the Land Reservation Acquisition Map and specified in Column 1 of the Table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.
- (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that Table.

<b>Column 1</b>	<b>Column 2</b>
<b>Land</b>	<b>Development</b>
Zone RE1 Public Recreation and marked "Local open space"	Recreation areas
Zone RE1 Public Recreation and marked "Regional open space"	Recreation areas
Zone B4 Mixed Use for the land shown on the Land Reservation Acquisition Map and marked "Road"	Roads
Zone R2 Low Density Residential for land shown on the Land Reservation Acquisition Map and marked "Classified Road"	Roads
Zone R3 Medium Density Residential for the land shown on the Land Reservation Acquisition Map and marked "Classified Road"	Roads

## 2012 No 540

Clause 5.2      Waverley Local Environmental Plan 2012

Part 5            Miscellaneous provisions

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### 5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.  
**Note.** Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.
- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4:
  - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
  - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
  - (b) any reservations that except land out of the Crown grant relating to the land, and
  - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

**Note.** In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.

### 5.3 Development near zone boundaries

[Not adopted]

**5.4 Controls relating to miscellaneous permissible uses****(1) Bed and breakfast accommodation**

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

**Note.** Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the *Building Code of Australia*.

**(2) Home businesses**

If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.

**(3) Home industries**

If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area.

**(4) Industrial retail outlets**

If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:

- (a) 67% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
  - (b) 400 square metres,
- whichever is the lesser.

**(5) Farm stay accommodation**

If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

**(6) Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 20 square metres.

**(7) Neighbourhood shops**

If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.

**(8) Roadside stalls**

If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 10 square metres.

## 2012 No 540

Clause 5.5 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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### (9) Secondary dwellings

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 30% of the total floor area of the principal dwelling.

### 5.5 Development within the coastal zone

- (1) The objectives of this clause are as follows:
  - (a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development,
  - (b) to implement the principles in the NSW Coastal Policy, and in particular to:
    - (i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and
    - (ii) protect and preserve the natural, cultural, recreational and economic attributes of the NSW coast, and
    - (iii) provide opportunities for pedestrian public access to and along the coastal foreshore, and
    - (iv) recognise and accommodate coastal processes and climate change, and
    - (v) protect amenity and scenic quality, and
    - (vi) protect and preserve rock platforms, beach environments and beach amenity, and
    - (vii) protect and preserve native coastal vegetation, and
    - (viii) protect and preserve the marine environment, and
    - (ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and
    - (x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and
    - (xi) protect Aboriginal cultural places, values and customs, and
    - (xii) protect and preserve items of heritage, archaeological or historical significance.

- (2) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority has considered:
- (a) existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:
    - (i) maintaining existing public access and, where possible, improving that access, and
    - (ii) identifying opportunities for new public access, and
  - (b) the suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:
    - (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and
    - (ii) the location, and
    - (iii) the bulk, scale, size and overall built form design of any building or work involved, and
  - (c) the impact of the proposed development on the amenity of the coastal foreshore including:
    - (i) any significant overshadowing of the coastal foreshore, and
    - (ii) any loss of views from a public place to the coastal foreshore, and
  - (d) how the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected, and
  - (e) how biodiversity and ecosystems, including:
    - (i) native coastal vegetation and existing wildlife corridors, and
    - (ii) rock platforms, and
    - (iii) water quality of coastal waterbodies, and
    - (iv) native fauna and native flora, and their habitats, can be conserved, and
  - (f) the cumulative impacts of the proposed development and other development on the coastal catchment.
- (3) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority is satisfied that:
- (a) the proposed development will not impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore, and

## 2012 No 540

Clause 5.6 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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- (b) if effluent from the development is disposed of by a non-reticulated system, it will not have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and
- (c) the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and
- (d) the proposed development will not:
  - (i) be significantly affected by coastal hazards, or
  - (ii) have a significant impact on coastal hazards, or
  - (iii) increase the risk of coastal hazards in relation to any other land.

### 5.6 Architectural roof features

- (1) The objectives of this clause are as follows:
  - (a) to encourage the creation of a varied and aesthetically pleasing skyline,
  - (b) to encourage quality roof designs that contribute to the aesthetic and environmental design and performance of buildings and allow for individuality of architecture,
  - (c) to encourage the integration of the design of the roof into the overall facade, building composition and desired contextual response,
  - (d) to encourage plant and lift over runs to be placed in the basement.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
  - (a) the architectural roof feature:
    - (i) comprises a decorative element on the uppermost portion of a building, and
    - (ii) is not an advertising structure, and
    - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
    - (iv) will cause minimal overshadowing, and
  - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like)

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contained in or supported by the roof feature is fully integrated into the design of the roof feature.

#### **5.7 Development below mean high water mark**

- (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.
- (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

#### **5.8 Conversion of fire alarms**

- (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.
- (2) The following development may be carried out, but only with development consent:
  - (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
  - (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
  - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
- (3) Development to which subclause (2) applies is complying development if it consists only of:
  - (a) internal alterations to a building, or
  - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.
- (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.

## 2012 No 540

Clause 5.9 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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- (5) In this clause:  
*private service provider* means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.

### 5.9 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.  
**Note.** A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
- development consent, or
  - a permit granted by the Council.
- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.
- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
- that is or forms part of a heritage item or that is within a heritage conservation area, or
  - that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,
- unless the Council is satisfied that the proposed activity:
- is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and



- (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

**Note.** As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.

- (8) This clause does not apply to or in respect of:
- (a) the clearing of native vegetation:
    - (i) that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003*, or
    - (ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
  - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
  - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
  - (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying and Spatial Information Act 2002*, or
  - (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

**Note.** Permissibility may be a matter that is determined by or under any of these Acts.

- (9) [Not adopted]

#### **5.9AA Trees or vegetation not prescribed by development control plan**

- (1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.
- (2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.

## 2012 No 540

Clause 5.10 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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### 5.10 Heritage conservation

**Note.** Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

#### (1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Waverley,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

#### (2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

- (f) subdividing land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

**(3) When consent not required**

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
  - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
  - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
  - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
  - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

**(4) Effect of proposed development on heritage significance**

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

## 2012 No 540

Clause 5.10 Waverley Local Environmental Plan 2012

Part 5 Miscellaneous provisions

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(5) **Heritage assessment**

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) **Heritage conservation management plans**

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) **Archaeological sites**

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) **Aboriginal places of heritage significance**

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

**(9) Demolition of nominated State heritage items**

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

**(10) Conservation incentives**

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

**5.11 Bush fire hazard reduction**

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

**Note.** The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

**5.12 Infrastructure development and use of existing buildings of the Crown**

- (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under *State Environmental Planning Policy (Infrastructure) 2007*.

## **2012 No 540**

Clause 5.13      Waverley Local Environmental Plan 2012

Part 5            Miscellaneous provisions

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- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

### **5.13 Eco-tourist facilities**

[Not applicable]

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## Part 6 Additional local provisions

### 6.1 Acid sulfate soils

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
- (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:
  - (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and
  - (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

## 2012 No 540

Clause 6.2 Waverley Local Environmental Plan 2012

Part 6 Additional local provisions

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- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
  - (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
  - (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
  - (c) minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if:
  - (a) the works involve the disturbance of less than 1 tonne of soil, and
  - (b) the works are not likely to lower the watertable.

### 6.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless:
  - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
  - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.
- (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:
  - (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
  - (b) the effect of the development on the likely future use or redevelopment of the land,
  - (c) the quality of the fill or the soil to be excavated, or both,
  - (d) the effect of the development on the existing and likely amenity of adjoining properties,



- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

**Note.** The *National Parks and Wildlife Act 1974*, particularly section 86, deals with harming Aboriginal objects.

### 6.3 Flood planning

- (1) The objectives of this clause are as follows:
  - (a) to minimise the flood risk to life and property associated with the use of land,
  - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
  - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to:
  - (a) land identified as "Flood planning area" on the Flood Planning Map, and
  - (b) other land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
  - (a) is compatible with the flood hazard of the land, and
  - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
  - (c) incorporates appropriate measures to manage risk to life from flood, and
  - (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
  - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

## 2012 No 540

Clause 6.4 Waverley Local Environmental Plan 2012

Part 6 Additional local provisions

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- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause:  
***land at or below the flood planning level*** means land at or below the level of a 1:100 ARI (average recurrent interval) flood event plus 0.3 metre freeboard.

### 6.4 Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by:
  - (a) protecting native fauna and flora, and
  - (b) protecting the ecological processes necessary for their continued existence, and
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
  - (a) whether the development is likely to have:
    - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
    - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
    - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
  - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
  - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or

- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

### 6.5 Active street frontages in the Bondi Junction Centre

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B3 Commercial Core and Zone B4 Mixed Use in the Bondi Junction Centre.
- (2) This clause applies to land identified as “Active street frontage” on the Active Street Frontages Map.
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.
- (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:
  - (a) entrances and lobbies (including as part of mixed use development),
  - (b) access for fire services,
  - (c) vehicle access.
- (5) In this clause, a building has an *active street frontage* if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.

### 6.6 Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.
- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:
  - (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:
    - (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or
    - (ii) used for the purposes of a child care centre, a community facility, a school or a place of public worship,

## **2012 No 540**

Clause 6.6      Waverley Local Environmental Plan 2012

Part 6          Additional local provisions

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- (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children:
  - (i) that adjoins the proposed development, or
  - (ii) that can be viewed from the proposed development, or
  - (iii) from which a person can view the proposed development.

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## Schedule 1 Additional permitted uses

(Clause 2.5)

### 1 Use of certain land at Bondi Junction in Zone R3 Medium Density Residential

- (1) This clause applies to land at each address shown in Column 1 of the Table to this clause, being the lot described opposite each address in Column 2 of the Table.
- (2) Development for the purposes of office premises is permitted with consent.

Column 1	Column 2
7 Denison Street	Lot 1, DP 599645
9 Denison Street	Lot 1, DP 799127
11 Denison Street	Lot 61, Section B, DP 976168
13 Denison Street	Lot 1, DP 913643
15 Denison Street	Lot 2, DP 913643
17 Denison Street	Lot 3, DP 913643
19 Denison Street	Lot 11, DP 59550
21 Denison Street	Lot 12, DP 59550
23 Denison Street	Lot 13, DP 59550
25 Denison Street	Lot 1, DP 99895
27 Denison Street	Lot 1, DP 579327
29 Denison Street	Lot 1, DP 199075
31 Denison Street	Lot 1, DP 996041
33 Denison Street	Lot 1, DP 797066
35 Denison Street	Lot 1, DP 562873
37 Denison Street	Lot 1, DP 741543
39 Denison Street	Lot 1, DP 718298
41 Denison Street	Lot 1, DP 1089845
43 Denison Street	Lot 5, DP 107706
45 Denison Street	Lot 4, DP 107706
47 Denison Street	Lot 3, DP 107706

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 1 Additional permitted uses

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<b>Column 1</b>	<b>Column 2</b>
49 Denison Street	Lot 2, DP 107706
51 Denison Street	Lot 1, DP 107706
53 Denison Street	Lot B, DP 106980
55 Denison Street	Lot A, DP 106980
57 Denison Street	Lot 1, DP 730719
59 Denison Street	Lot 1, DP 795295
61 Denison Street	Lot 1, DP 1061756
63 Denison Street	Lot 1, DP 197186
65 Denison Street	Lot 1, DP 745989
51 Ebley Street	Lot 5, DP 227462
53 Ebley Street	Lot 6, DP 227462
55 Ebley Street	Lot 7, DP 227462
57 Ebley Street	Lot 8, DP 227462
59 Ebley Street	Lot 9, DP 227462
61 Ebley Street	Lot 10, DP 227462
63 Ebley Street	Lot 11, DP 227462
54 Newland Street	Lot X, DP 107126
56 Newland Street	Lot Y, DP 107126
58 Newland Street	Lot Z, DP 107126
60 Newland Street	Lot 1, DP 227462
62 Newland Street	Lot 2, DP 227462
64 Newland Street	Lot 3, DP 227462
66 Newland Street	Lot 4, DP 227462

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## Schedule 2 Exempt development

(Clause 3.1)

**Note 1.** *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

**Note 2.** Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

### Driveways for non-domestic purposes

- (1) Must be associated with access to an open hard stand space, a carport or garage.
- (2) Must not be constructed or installed on or in, or in relation to, a heritage item or a draft heritage item or on land in a foreshore area.
- (3) Must be constructed so that any surface water is disposed of without causing a nuisance to adjoining owners.
- (4) Must not require cut or fill more than 600mm nor be elevated or suspended below or above ground level (existing).
- (5) Must not be wider than the open shared stand space, carport or garage with which it is associated.
- (6) Must be constructed in accordance with Australian Standard AS 2890.1–1993, *Parking facilities–Off-street car parking*.
- (7) Must not require a new gutter crossing.

### Earthworks and retaining walls for non-domestic purposes

- (1) Must not be constructed or installed on or in, or in relation to, a heritage item or a draft heritage item.
- (2) Must be located at least 900mm from each lot boundary.
- (3) Must not require cut or fill more than 600mm below or above ground level (existing).
- (4) If a retaining wall:
  - (a) must not be higher than 600mm (including the height of any batters) above ground level (existing), and
  - (b) if it is on a sloping site and stepped to accommodate the fall in the land—must not be higher than 800mm above ground level (existing) at each step, and
  - (c) must have adequate drainage lines behind it.

## 2012 No 540

Waverley Local Environmental Plan 2012

Schedule 2 Exempt development

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- (5) Must not redirect the flow of surface water onto an adjoining property.
- (6) Surface water must be disposed of without causing a nuisance to adjoining owners.
- (7) Must be located at least 1m from any registered easement, sewer main or water main.
- (8) If the fill is more than 150mm deep—must not occupy more than 50% of the landscaped area.
- (9) If it is carried out, constructed or installed in a heritage conservation area or a draft heritage conservation area—must be located in the rear yard.
- (10) Must be located at least 50m from a waterbed (natural).

### **Pathways and paving for non-domestic purposes**

- (1) Must be constructed so that any surface water is disposed of without causing a nuisance to adjoining owners.
- (2) Must not require cut or fill more than 600mm below or above ground level (existing).
- (3) Must not have an area more than 15% of the floor area of the associated development.

### **Pergolas (open) for non-domestic purposes**

- (1) Must not be roofed or enclosed.
- (2) Maximum height—2.4m above ground level (natural).
- (3) Must be located at least 900m<sup>2</sup> from each lot boundary.
- (4) Maximum pergola floor area—20m<sup>2</sup>.

### **Restaurants or cafes (located on the footway of a public road)**

- (1) Must be associated with an approved restaurant or cafe on the adjoining property.
- (2) Must maintain continuous pedestrian paths of travel along the footpath and not obstruct access to neighbouring properties.
- (3) Must not have furniture within 3m of a bus stop or taxi stand.
- (4) Must have obtained an approval under section 125 of the *Roads Act 1993*.



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**Scaffolding, hoardings and temporary construction site fences (being development to which State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply)**

- (1) Must enclose the works area.
- (2) The vertical height above footpath level of the structure being erected or demolished must be less than 4m.
- (3) If it is a temporary construction site fence adjoining, or on, a public place, must be covered in chain wire mesh.
- (4) Must be removed immediately after the purpose for which it was erected has finished and when no safety issue will arise from its removal.

**Signage (initial installation of building identification signs or a business identification signs)**

- (1) Must not be constructed or installed on or in, or in relation to, a heritage item or a draft heritage item or on land in a heritage conservation area or draft heritage conservation area.
- (2) Must not cover mechanical ventilation inlets or outlet vents.
- (3) If the sign is a flush wall sign:
  - (a) must not be illuminated, and
  - (b) must not exceed maximum dimensions—300mm high and 450mm long, and
  - (c) maximum of 1 sign per site.
- (4) If the sign is a fascia sign:
  - (a) must not be illuminated, and
  - (b) must not project above or below the fascia or return end of the awning, and
  - (c) must be flush with the fascia.
- (5) If the sign is a top hamper sign:
  - (a) if illuminated—must have electrical conduits taken directly into the building, and
  - (b) must be flush to the external face of the shop front and must not project more than 150mm beyond the face of the building, and
  - (c) maximum of 1 sign per site, and
  - (d) must not extend below the head of the doorway or window to which it is attached, and
  - (e) must be setback 600mm from the side boundary.

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 2 Exempt development

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- (6) If the sign is an under awning sign:
  - (a) if illuminated—must have electrical conduits taken directly into the building, and
  - (b) must not project beyond the awning, and
  - (c) maximum of 1 sign per site, and
  - (d) must be erected horizontal to the ground and at right angles to the building, and
  - (e) must not exceed maximum dimensions—450mm high and 2400mm long, and
  - (f) not less than 2.6m above the ground or pavement level, and
  - (g) must be a minimum of 600mm from the kerb or roadway edge, and
  - (h) must be securely fixed by metal supports.
- (7) If the sign is a window sign:
  - (a) must not be illuminated, and
  - (b) must be located on the ground level facade, and
  - (c) maximum of 1 sign per site, and
  - (d) 60% of the shop window must remain uncovered.
- (8) If the sign is a real estate sign:
  - (a) must not be illuminated, and
  - (b) maximum of 1 sign per site, and
  - (c) for residential premises or serviced apartments—maximum area of 2.5m<sup>2</sup>, and
  - (d) for commercial premises—maximum area of 4.5m<sup>2</sup>.
- (9) If the sign is a temporary sign:
  - (a) must not be illuminated, and
  - (b) the sponsor's name or logo must be subsidiary to the event or matter being advertised, and
  - (c) maximum of 1 sign per site.

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## Schedule 3 Complying development

(Clause 3.2)

**Note.** *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy.

### Part 1 Types of development

(When this Plan was made this Part was blank)

### Part 2 Complying development certificate conditions

**Note.** Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan.

#### General conditions

Any development specified in Part 1 is subject to the same conditions set out in Division 3 of Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

## 2012 No 540

Waverley Local Environmental Plan 2012

Schedule 4 Classification and reclassification of public land

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### Schedule 4 Classification and reclassification of public land

(Clause 5.2)

#### Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description
Nil	

#### Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Bondi Junction	3 Bondi Road being Lot 1, DP 937521	Nil
Bondi Junction	79–81 Grafton Street being Lot 3, DP 1073915	Nil
Bondi Junction	1A Newland Street (also known as 79–81 Grafton Street) being Lot 15, DP 849955	Nil
Bondi Junction	Unit 204, 422 Oxford Street being Lot 204, DP 1017003	Nil

#### Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description
Nil	

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## Schedule 5 Environmental heritage

(Clause 5.10)

### Part 1 Heritage items

Locality	Item name	Address	Property description	Significance	Item no
Bondi	Two storey Edwardian pair of terraces	15–17 Anglesea Street	Lots 1 and 2, DP 206590	Local	I1
Bondi	Inter-war Mediterranean/Spanish style substation	36 Anglesea Street	Lot 1, DP 632238; Lot 1, DP 66636	State	I2
Bondi	Victorian/Federation house	96 Anglesea Street	Lot 1, DP 520411	Local	I3
Bondi	Victorian/Federation cottages	59–63 Avoca Street	Lots 1–3, DP 731877	Local	I4
Bondi	Victorian/Federation houses	59–63 Bondi Road	Lots 1–3, DP 506812	Local	I5
Bondi	Federation commercial terrace	65–73 Bondi Road	Lots 1–5, DP 444781	Local	I6
Bondi	Late Victorian commercial terrace	75–83 Bondi Road	Lots 1–5, DP 33244	Local	I7
Bondi	Federation Queen Anne style mixed development	85–101 Bondi Road	Lots 1 and 2, DP 507418; Lots A and B, DP 316258; Lots A, B and C, DP 323173; Lots 1 and 2, DP 315790	Local	I8
Bondi	Early twentieth century post office	127 Bondi Road	Lot 2, DP 182210	Local	I9
Bondi	Late Federation Free Classical Revival style mechanic building	128 Bondi Road	Lot 2, DP 335013	Local	I10
Bondi	Inter-war Art Deco style residential flat building	134A and B Bondi Road (known as 134 Bondi Road)	Lot A, DP 336659; CP SP 11708	Local	I11

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bondi	Early twentieth century building	138 Bondi Road	Lots 2 and 3, Section 1, DP 979732	Local	I12
Bondi	Masonic Centre, Monumental Style	140 Bondi Road	Lot 34, DP 1108671	Local	I13
Bondi	Inter-war Free Classical style mixed development	151–153 Bondi Road	Lot 3, DP 2003	Local	I14
Bondi	Federation Arts and Crafts style mixed development	158 Bondi Road	Lot B, DP 430058	Local	I15
Bondi	Inter-war Georgian Revival style mechanic building	207 Bondi Road	Lot 8–11, DP 13337	Local	I16
Bondi	Twentieth century, all brick church	220 Bondi Road (St Patrick's Church)	Lot 1, DP 549166	Local	I17
Bondi	1930s style residential/commercial building	222–234 Bondi Road	Lot 2, DP 230368	Local	I18
Bondi	Late example of the Federation style	250 Bondi Road	Lot 7, DP 84161	Local	I19
Bondi	Royal Hotel Inter-war Mediterranean style	283 Bondi Road	Lots 1 and 2, DP 1441	Local	I20
Bondi	Federation commercial/residential terrace	298–300 Bondi Road	Lots 2 and 3, DP 4941	Local	I21
Bondi	Late Federation style flat building	301 Bondi Road	Lot 1, DP 6703	Local	I22
Bondi	“Roddymoor”, Federation Arts and Crafts style bungalow	303 Bondi Road	Lots 1 and 2, DP 128660	Local	I23
Bondi	Federation house	310 Bondi Road	Lot 5, DP 3635	Local	I24
Bondi	Individually styled 1930s house	32 Boonara Avenue	Lot 31, DP 9503	Local	I25
Bondi	Federation style cottage	20 Castlefield Street	Lot 1, DP 953569	Local	I26

Locality	Item name	Address	Property description	Significance	Item no
Bondi	Federation style bungalow	25 Castlefield Street	Lots 1–3, DP 1092584	Local	I27
Bondi	Inter-war style mixed development	32 Fletcher Street (known as 50 Dudley Street)	Lots A and C, DP 321112	Local	I28
Bondi	Federation Queen Anne style house	15 Flood Street	Lot 1, DP 725824	Local	I29
Bondi	Victorian Gothic style house	20 Flood Street	Lot 19, DP 80021	Local	I30
Bondi	Federation period, transitional style house	39 Flood Street	Lot 1, DP 924689	Local	I31
Bondi	Federation Arts and Crafts style residential flat building	55 Flood Street (known as 108–116 Bondi Road)	Lot 15, Section G, DP 1640	Local	I32
Bondi	Federation style bungalow	10 Imperial Avenue	Lot 4, DP 976891	Local	I33
Bondi	Late Federation style house	12 Imperial Avenue	Lot A, DP 9869	Local	I34
Bondi	1930s house	15 Imperial Avenue	Lot 1, DP 105433	Local	I35
Bondi	Federation Queen Anne style semi-detached residences	20–22 Imperial Avenue	Lots A and B, DP 364019	Local	I36
Bondi	Federation style house	24–26 Imperial Avenue	CP SP 70219; Lot 109, DP 1051129	Local	I37
Bondi	Federation style house	28 Imperial Avenue	Lot 11, DP 5640	Local	I38
Bondi	Federation Arts and Crafts style semi-detached residences	25–35 Imperial Avenue	Lots 1 and 2, DP 219876; Lots A and B, DP 88899; Lots A and B, DP 541482	Local	I39
Bondi	Inter-war Californian Bungalow	43 Imperial Avenue	Lot 20, DP 667605	Local	I40

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bondi	Inter-war Californian Bungalow	45 Imperial Avenue	Lot B, DP 178448	Local	I41
Bondi	Inter-war residential flat building	47 Imperial Avenue	Lot 22, DP 13337	Local	I42
Bondi	Inter-war residential flat building	49 Imperial Avenue	Lot 23, DP 13337	Local	I43
Bondi	1920s style bungalow	58 Imperial Avenue	Lot 63, DP 9503	Local	I44
Bondi	Old stone house	16–18 Moore Street	Lots 1 and 2, DP 536933	Local	I45
Bondi	Late Victorian villa	1 Ocean Street	Lot A, DP 344489	Local	I46
Bondi	Inter-war bungalow	21 Ocean Street	Lot B, DP 381299	Local	I47
Bondi	1920s bungalow	23 Ocean Street	Lot A, DP 381299	Local	I48
Bondi	Federation Filigree style residence “Beatrice”, “The Rectory”	34 Ocean Street	Lot 6, Section 3, DP 979732	Local	I49
Bondi	Federation Gothic style, St Matthew’s Church	34a Ocean Street	Lot 6, Section 3, DP 979732	Local	I50
Bondi	1920s bungalow	49 Ocean Street	Lot 1, DP 75745	Local	I51
Bondi	Federation Queen Anne style dwelling, “Melrose”	65 Ocean Street	Lot 19, Section B, DP 3426	Local	I52
Bondi	Federation brick cottage	77 Ocean Street	Lot 13 Section B, DP 3426	Local	I53
Bondi	Federation house	225 Old South Head Road	Lot 1, DP 738524; Lot 1, DP 934617	Local	I54
Bondi	House and remnant Federation garden	225 Old South Head Road	Lot 1, DP 738524; Lot 1, DP 934617	Local	I500
Bondi	Stone cottage	18 Park Parade	Lot 23, DP 667185	Local	I55



Locality	Item name	Address	Property description	Significance	Item no
Bondi	Late Victorian Italianate style house	14 Penkivil Street	Lot 5, DP 900389, CP SP 44456	Local	I56
Bondi	Victorian Italianate style house	16 Penkivil Street	Lot 1, DP 1037003	Local	I57
Bondi	Victorian Italianate style dwelling	51 Penkivil Street	Lot B, DP 432393	Local	I58
Bondi	Federation house	81 Penkivil Street	Lot 81, DP 1043012	Local	I59
Bondi	Edwardian style, brick cottage	20 Philip Street	Lot 60, DP 4126	Local	I60
Bondi	Federation weatherboard cottage	13 Stephen Street	Lot 48, DP 5184	Local	I61
Bondi	Early twentieth century semi-detached residences	2–12 Tasman Street	Lots 1–6, DP 253162	Local	I62
Bondi	Early twentieth century terraces	2–40 Watkins Street	Lots A–E, DP 442836; Lots 1–5, DP 444403; Lots A–E, DP 442633; Lots 1–5, DP 33816	Local	I66
Bondi	Federation terraced pair	7–9 Watkins Street	Lots 3 and 4, DP 442730	Local	I63
Bondi	Federation terraced pair	11–13 Watkins Street	Lots 5 and 6, DP 442730	Local	I64
Bondi	Federation terraced pair	15–17 Watkins Street	Lots 7 and 8, DP 442730	Local	I65
Bondi	Late Victorian villa	6 Watson Street	Lot 55, DP 86311; Lot 1, DP 1090655; Lot 9, DP 5860	Local	I67
Bondi	Late nineteenth century, semi-detached residences	60–62 Watson Street	Lots 1 and 2, DP 591646	Local	I68
Bondi	Federation timber cottage	69 Watson Street	Lot 78, DP 2584	Local	I69

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi	Bondi Public School, School Grounds	3 Wellington Street	Lot 1, DP 812880	Local	I501
Bondi	Late nineteenth century, public school building, Bondi Central Public School	3–11 Wellington Street	Lot 1, DP 812880	Local	I70
Bondi	Late Victorian villa, Scarba Home	30 Wellington Street	Lot 2, DP 212809	Local	I71
Bondi	Scarba Home and remnant garden	30 Wellington Street	Lot 2, DP 212809	Local	I502
Bondi Beach	Late Federation semi-detached residences	1–3 Barracluff Avenue	Lots X and Y, DP 438275	Local	I72
Bondi Beach	Twentieth century Inter-war Stripped Classical style public school building	Bondi Beach Public School	Lot 1, DP 814720	Local	I132
Bondi Beach	Inter-war flat building	1–11A Brighton Boulevard	Lots 1407, 1409, 1410 and 1412, DP 752011; Lot A, DP 335996; SP 14180; SP 14038	Local	I73
Bondi Beach	Inter-war Art Deco style residential flat building	92–96 Brighton Boulevard	CP SP 16443	Local	I377
Bondi Beach	Bondi Beach	Campbell Parade	Item bounded by Marks Park (south); Campbell Parade (north west); Ben Buckler (north east) and Tasman Sea (south east)	National	I93
Bondi Beach	Bondi Beach and Park	Campbell Parade		Local	I503
Bondi Beach	Inter-war style residential flat building	20–26 Campbell Parade	Lots 6 and 7, DP 10606	Local	I74

Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	1920s style former hotel	34 Campbell Parade (Bondi Astra)	Lot 100, DP 709522; CP SP 22422	Local	I75
Bondi Beach	Inter-war Free Classical style building	38–48 Campbell Parade	Lot Y, DP 421368; CP SP 58164	Local	I76
Bondi Beach	Inter-war style mixed development	70 Campbell Parade	Lot 10, DP 8230; CP SP 13031	Local	I77
Bondi Beach	Inter-war Free Classical style residential flat building	82 Campbell Parade	Lot 8, DP 5953	Local	I78
Bondi Beach	Inter-war Free Classical style residential flat building	92 Campbell Parade	Lot 6, DP 5953; CP SP 13384	Local	I79
Bondi Beach	Inter-war style residential flat building	118–120 Campbell Parade	Lot 1, DP 5953	Local	I80
Bondi Beach	1920s style commercial building	124 Campbell Parade	Lot B, DP 442100	Local	I81
Bondi Beach	1920s hotel landmark building	178A Campbell Parade (Hotel Bondi)	Lot 1, DP 1130125	Local	I82
Bondi Beach	Inter-war Art Deco style residential flat building	226 Campbell Parade	Lot 3, Section 1, DP 9177	Local	I83
Bondi Beach	Inter-war Art Deco style residential flat building	228 Campbell Parade	Lot 4, Section 1, DP 9177	Local	I84
Bondi Beach	Inter-war Art Deco style residential flat building	230 Campbell Parade	Lot 251, DP 714813	Local	I85
Bondi Beach	Inter-war Art Deco style residential flat building	238 Campbell Parade	Lot 21, Section 1, DP 9177	Local	I86
Bondi Beach	Inter-war Art Deco style residential flat building	246–248 Campbell Parade	CP SP 1618	Local	I87

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	Inter-war Art Deco style residential flat building	250–258 Campbell Parade	Lot 3, DP 14120	Local	I88
Bondi Beach	Inter-war Art Deco style residential flat building	264–268 Campbell Parade	CP SP 5528	Local	I89
Bondi Beach	Inter-war Art Deco style residential flat building	270 Campbell Parade	Lot 1310, DP 752011	Local	I90
Bondi Beach	Inter-war Art Deco style residential flat building	274 Campbell Parade	CP SP 14561	Local	I91
Bondi Beach	Inter-war Art Deco style residential flat building	282 Campbell Parade	CP SP 12046	Local	I92
Bondi Beach	Early twentieth century Federation cottages	17–21 Chambers Avenue	Lot 71, DP 650734; Lot 1, DP 114108; Lot 72, DP 667618	Local	I95
Bondi Beach	Early twentieth century, Federation bungalow	15 Consett Avenue	Lot 48, DP 5953	Local	I96
Bondi Beach	Early twentieth century semi-detached residences	18–20 Consett Avenue	Lots 1 and 2, DP 733010	Local	I97
Bondi Beach	1940s flat buildings	63–65 Curlewis Street	CP SP 39828; CP SP 8337	Local	I98
Bondi Beach	1940s flat buildings	67–71 Curlewis Street	CP SP 12167; CP SP 21830; CP SP 21831	Local	I99
Bondi Beach	Inter-war Spanish Mission style flat building	7 Edward Street	Lot B, DP 329256; CP SP 22517	Local	I100
Bondi Beach	Inter-war Spanish Mission style flat building	11 Edward Street	Lot 1, DP 324404	Local	I101
Bondi Beach	Federation Queen Anne style bungalow	75 Edward Street	Lot 3, DP 1071893; Lot 4, DP 1071893	Local	I102

Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	1930s style bungalow	13 Forest Knoll Avenue	Lot 1, DP 304526	Local	I103
Bondi Beach	Inter-war Spanish Mission style flat building	28 Francis Street	Lot 2, DP 321966; CP SP 14457	Local	I104
Bondi Beach	Inter-war Spanish Mission style flat building	30 Francis Street	Lot 1, DP 321966; CP SP 21833	Local	I105
Bondi Beach	Inter-war Spanish Mission style flat building	34 Francis Street	Lot A, DP 329256	Local	I106
Bondi Beach	Curved street with retaining wall	120 Francis Street	Lot 4, DP 14694	Local	I504
Bondi Beach	Inter-war Mediterranean style substation	Substation 346, Francis Street	Lot 1, DP 325161	Local	I107
Bondi Beach	1930s styled bungalow	7 Glasgow Avenue	Lot 51, DP 12561	Local	I108
Bondi Beach	1930s styled bungalow	73 Glenayr Avenue	Lot 1, DP 579683	Local	I380
Bondi Beach	1930s styled bungalow	75 Glenayr Avenue	Lot 79, DP 11821	Local	I381
Bondi Beach	1940s corner building	88–90 Glenayr Avenue	Lot 84, DP 11821	Local	I382
Bondi Beach	Art Deco style flat building	149–151 Glenayr Avenue	Lot 4, DP 100119	Local	I110
Bondi Beach	Post War Modern style residential flat building	177 Glenayr Avenue	Lot 24, DP 3641; CP SP 11161	Local	I111
Bondi Beach	Inter-war Mediterranean style substation	Substation 339, Glenayr Avenue	Lot 1, DP 324508	Local	I109
Bondi Beach	Inter-war Mediterranean style substation	Substation 183, Gould Street	Lot 1, DP 179174	Local	I112

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	Inter-war Stripped Classical style public building	20 Hall Street	Lot 2, DP 329116	Local	I113
Bondi Beach	1930s Art Deco Egyptian style commercial building	31–33 Hall Street	Lot 16, Section 4, DP 747	Local	I114
Bondi Beach	Federation style sandstone cottage	43 Hall Street	Lot 13, Section 4, DP 747	Local	I115
Bondi Beach	1930s and 1940s Art Deco and International style flat buildings	6 Hastings Parade	Lot 6, DP 15159; CP SP 31970	Local	I383
Bondi Beach	1930s and 1940s Art Deco and International style flat buildings	8 Hastings Parade	Lot 25, DP 15159; CP SP 16173	Local	I384
Bondi Beach	1930s and 1940s Art Deco and International style flat buildings	25 Hastings Parade	Lot 1370, DP 752011	Local	I117
Bondi Beach	Inter-war Mediterranean style substation	Substation 354, Hastings Parade	Lot 2, DP 333877	Local	I116
Bondi Beach	Early twentieth century cottage	66 Lamrock Avenue	Lot 210, DP 5953	Local	I118
Bondi Beach	Inter-war Georgian Revival style substation	Substation 344, Lucius Street, substation	Lot 1, DP 183019	Local	I119
Bondi Beach	Federation style semi-detached house	108–110 O'Brien Street	Lots A and B, DP 437284	Local	I120
Bondi Beach	Spanish Mission style shop front	281 Old South Head Road	Lot 3, DP 130502	Local	I121
Bondi Beach	Victorian Villa	3 Ormond Street	Lot 5, DP 13236	Local	I122
Bondi Beach	1930s style bungalows	5–7 Ormond Street	Lots 3 and 4, DP 13236	Local	I123

Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	Bondi Beach Cultural Landscape	Queen Elizabeth Drive	Item bounded by Notts Avenue (south); Campbell Parade (north west); Ramsgate Avenue East (north east) and the shoreline of Bondi Beach (south east)	State	I94
Bondi Beach	Early twentieth century building	Queen Elizabeth Drive	Bondi Pavilion	State	I124
Bondi Beach	Late Federation style bungalow	18 Rickard Avenue	Lot 1, DP 943047	Local	I125
Bondi Beach	Late Federation style bungalow	21 Rickard Avenue	Lot 1, DP 951109	Local	I126
Bondi Beach	Late Federation style detached residences	41–43 Roscoe Street	Lots 1 and 2, DP 612365	Local	I127
Bondi Beach	Federation bungalows	33–35 Simpson Street	Lot 11, DP 58757; CP SP 32186	Local	I128
Bondi Beach	Federation Queen Anne style cottage	44 Simpson Street	Lot 25, DP 5110	Local	I129
Bondi Beach	Early twentieth century semi-detached residences	38–40 Sir Thomas Mitchell Road	Lots A and B, DP 442461	Local	I130
Bondi Beach	Inter-war Spanish Mission style flat building	64 Sir Thomas Mitchell Road	Lot 10, DP 13236; CP SP 14833	Local	I131
Bondi Beach	Bondi Beach Public School	Warners Avenue	Lot 1, DP 814720	Local	I503
Bondi Beach	Federation style house	53 Wellington Street	Lot 149, DP 5953	Local	I133
Bondi Beach	Early twentieth century stone cottage	132 Wellington Street	Lot 10, DP 5110	Local	I134
Bondi Junction	Two storey residential flat building	16 Allens Parade	Part Lot 3, DP 11196; SP 11481	Local	I135

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Two storey residential flat building	27 Allens Parade	Part Lot 17B, DP 11197; SP 19633	Local	I136
Bondi Junction	Two storey terrace row	37–51 Allens Parade	Lots A–D, DP 110330; Lots A and B, DP 443051; Lots 1 and 2, DP 579718	Local	I137
Bondi Junction	Semi-detached dwellings	53–55 Allens Parade	Lots A and B, DP 442315	Local	I138
Bondi Junction	Semi-detached dwellings	57–59 Allens Parade	Lots 1 and 2, DP 529760	Local	I139
Bondi Junction	Victorian Federation cottages	2–14 Ben Eden Street	Lots 1–7, DP 446087	Local	I140
Bondi Junction	Single storey dwelling	2 Birrell Street	Lot 1, Section 7, DP 4600	Local	I141
Bondi Junction	Semi-detached dwellings	22–24 Birrell Street	Lots 1 and 2, DP 850629	Local	I142
Bondi Junction	Single storey dwelling, “St Wenn”	26 Birrell Street	Lot 3, DP 850629	Local	I143
Bondi Junction	Single storey dwelling	190 Birrell Street	Lot 1, DP 948909	Local	I144
Bondi Junction	Two storey terrace row	208–236 Birrell Street	Lots 2–14, DP 442360; Lot 4, DP 775752; Lot 1, DP 1089004	Local	I145
Bondi Junction	St Mary’s Anglican Church and grounds	240 Birrell Street	Lot 1, DP 813589	Local	I505
Bondi Junction	Ecclesiastical Gothic style stone church, St Mary’s Church	240–248 Birrell Street	Lot 1, DP 813589; Lot 1, DP 813586	Local	I146
Bondi Junction	Federation Queen Anne/Federation Carpenter Gothic style cottage	7 Bon Accord Avenue	Lot 9, DP 2431	Local	I147
Bondi Junction	Former Tramway shed	Bondi Road	Former Tramway shed (Waverley Park)	Local	I149
Bondi Junction	Federation style house	24 Bondi Road	Lot 2, DP 593850	Local	I148



Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Late Victorian terraces	70–76 Bondi Road	Lots A–D, DP 358848	Local	I150
Bondi Junction	Victorian/Federation terraced pair	78–80 Bondi Road	Lot 1, DP 101730; Lot 1, DP 34331	Local	I151
Bondi Junction	Late Victorian terraces	82–88 Bondi Road	Lots 21 and 40, Section H, DP 1640; Lot 1, DP 923559; Lots 38 and 39, DP 924909	Local	I152
Bondi Junction	Late nineteenth century terraced pair, Italianate style	96–98 Bondi Road	Lots 1 and 2, DP 523383	Local	I153
Bondi Junction	Federation Filigree style terrace houses	100–102 Bondi Road	Lots A and B, DP 413062	Local	I154
Bondi Junction	Church	1–3 Botany Street	Lots 1 and 2, DP 221977	Local	I155
Bondi Junction	Two storey terraces	2–4 Botany Street	Lots 1 and 2, DP 970713	Local	I156
Bondi Junction	Two storey terraces	6–8 Botany Street	Lot 7, DP 538846	Local	I157
Bondi Junction	Three storey residential flat building row	9–15 Botany Street	Lots A–D, DP 20625; SP 10363	Local	I159
Bondi Junction	Two storey terraces	10–12 Botany Street	Lot 1, DP 515954; Lot 1, DP 721725	Local	I158
Bondi Junction	Two storey residential flat building	19 Botany Street	Lot 30, Section 1, DP 185; SP 10426	Local	I160
Bondi Junction	Single storey terrace row	25–29 Botany Street	Lots A–C, DP 32738	Local	I161
Bondi Junction	Two storey terraces	32–34 Botany Street	Lots 501 and 502, DP 731820	Local	I162
Bondi Junction	Semi-detached dwellings	31–33 Botany Street	Lots 2 and 3, DP 449797	Local	I163
Bondi Junction	Two storey terrace row	40–46 Botany Street	Lots 1–4, DP 537847	Local	I164
Bondi Junction	Single dwelling	48 Botany Street	Lot 2, DP 355126	Local	I165
Bondi Junction	Telecommunication tower	50 Botany Street	Lot 1, DP 619753	Local	I166

**2012 No 540**

## Waverley Local Environmental Plan 2012

## Schedule 5 Environmental heritage

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<b>Locality</b>	<b>Item name</b>	<b>Address</b>	<b>Property description</b>	<b>Significance</b>	<b>Item no</b>
Bondi Junction	Ecclesiastical building	39–41 Brisbane Street	Lot 10, DP 59099	Local	I167
Bondi Junction	Facade group only	1–3 Bronte Road	Lots X and Y, DP 393718; Lot D, DP 389074	Local	I168
Bondi Junction	Facade only	3a–5 Bronte Road	Lot 12, DP 1045930	Local	I169
Bondi Junction	Tea Gardens Hotel	4a Bronte Road	Lot 1, DP 82512	Local	I170
Bondi Junction	Facade only	28–42 Bronte Road	Lot A, DP 161158; Lots 1–3, DP 226425; Lot 1, DP 621398	Local	I171
Bondi Junction	Facade only	44–60 Bronte Road	Lot 1, DP 76946; Lots B and C, DP 105981; Lots 1 and 2, DP 231809; Lots X and Y, DP 439279; Lot 1, DP 794626; Lot 48, DP 1085846	Local	I172
Bondi Junction	Facade group only	78–96 Bronte Road	Lots 1 and 2, DP 828697; Lots 1 and 2, DP 605730; Lots 1 and 2, DP 224178; Lots A and B, DP 103030	Local	I173
Bondi Junction	Waverley Telephone Exchange building	120–122 Bronte Road	Lots 3–7, Section 2, DP 185	Local	I246
Bondi Junction	Corner Federation house	2 Council Street	Lot 1, DP 932785	Local	I174
Bondi Junction	Three story residential flat building	9 Dalley Street	Lot A, DP 334552; SP 4993	Local	I175
Bondi Junction	Two storey terrace row	43–55 Denison Street	Lots A and B, DP 106980; Lots 1–5, DP 107706	Local	I176
Bondi Junction	Church building	67–69 Denison Street	Lot 3, DP 1118259; SP 79674	Local	I178

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Two storey terrace	91 Denison Street	Lot 9, DP 1016536	Local	I179
Bondi Junction	Two storey terrace	95 Denison Street	Lot 1, DP 197916	Local	I180
Bondi Junction	Two storey terrace	100 Denison Street	Lot 1, DP 198697	Local	I177
Bondi Junction	Two storey semi-detached residences	123-125 Ebley Street	Lots A and B, DP 436801	Local	I181
Bondi Junction	Two storey terrace row	126-162 Ebley Street	Lots B-H and J, DP 32999; Lots B and C, DP 329621; Lots A-E, DP 442380; Lots 1-4, DP 529479	Local	I185
Bondi Junction	Two storey semi-detached residences	127-129 Ebley Street	Lots 1 and 2, DP 507397	Local	I182
Bondi Junction	Two storey semi-detached residences	131-133 Ebley Street	Lots A and B, DP 443128	Local	I183
Bondi Junction	Two storey semi-detached residences	135-137 Ebley Street	Lots C and D, DP 445260	Local	I184
Bondi Junction	Inter-war bungalow	6 Goldie Avenue	Lot 6, DP 11120	Local	I186
Bondi Junction	Street names to footpaths and gutters	Corner Grafton Street with Leswell and Nelson Streets, Bondi Junction		Local	I189
Bondi Junction	Bondi Junction underground railway and station	93 Grafton Street	Lot 201, DP 1017003; Lot 1, DP 1073913	State	I187
Bondi Junction	Late Victorian villa	18 Kenilworth Street	Lots 39 and 40, Section D, DP 1640	Local	I188

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Two storey terraces	26–28 Lawson Street	Lot 88, DP 975497; Lot 87, DP 1014025	Local	I190
Bondi Junction	Two storey terrace	32 Lawson Street	Lot A, DP 338101	Local	I191
Bondi Junction	Two storey terrace row	3–39 Llandaff Street	Lot 1, DP 171197; Lot 5, DP 171236; Lot 1, DP 171471; Lots 1–14, DP 221245; Lots 2 and 3, DP 303036	Local	I192
Bondi Junction	Bondi Junction Community Health Centre	26 Llandaff Street	Lot 1, DP 196863	Local	I193
Bondi Junction	Two storey terraces	1–3 Mackenzie Street	Lot 1, DP 545139; Lot 10, DP 633662	Local	I194
Bondi Junction	Single storey terrace row	28–32 Mackenzie Street	Lots 1–3, DP 209077	Local	I195
Bondi Junction	Semi-detached dwellings	33–35 Mackenzie Street	Lots 1 and 2, DP 216451	Local	I196
Bondi Junction	Cottage	1 Mill Hill Road	Lot 100, DP 730334	Local	I197
Bondi Junction	Church and hall building	16–26 Mill Hill Road	Lot 10, DP 878411; SP 57419; Lot 18, Section B, DP 976168	Local	I198
Bondi Junction	Two storey terrace, “Iolanthe”	33 Mill Hill Road	Lot 1, DP 719437	Local	I199
Bondi Junction	Two storey terrace, “Cintra”	37 Mill Hill Road	Lot 1, DP 719845	Local	I200
Bondi Junction	Two storey terrace, “Myall”	87 Mill Hill Road	Lot 10, DP 716028	Local	I201
Bondi Junction	Bell type letter receiver	Corner Nelson and Oxford Streets		Local	I223

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Norfolk Pine—Landscape	2 Nelson Street	SP 34942	Local	I506
Bondi Junction	Late Victorian villas	85–89 Old South Head Road	Lot 1, DP 1041383; Lot 1, DP 511226; Lot 21, DP 877226; DP 11810	Local	I202
Bondi Junction	Federation cottages	101–119 Old South Head Road	Lot A, DP 439676; Lots 1–9, DP 438699	Local	I203
Bondi Junction	Art Deco/Moderne style flat buildings	121–127 Old South Head Road	Lots 1, 2, 3A and 4, DP 19013; CP SP 13648; CP SP 14837; Lots 1 and 2, DP 983740	Local	I204
Bondi Junction	Victorian Italianate style residence	129 Old South Head Road	Lots 3 and 4, DP 983740	Local	I205
Bondi Junction	Federation/Victorian style house	131–133 Old South Head Road	Lot 5, DP 983740; Lot 1, DP 104725	Local	I206
Bondi Junction	Inter-war Art Deco style residential flat building	137 Old South Head Road	Lots 22 and 23, DP 2431; CP SP 13392	Local	I207
Bondi Junction	Bus Depot/Waverley Tram Depot building	1–15 Oxford Street	Lot 1, DP 569173	Local	I224
Bondi Junction	Mansion, “Westgate House”	17–19 Oxford Street	Lot 100, DP 627976; SP 19245	Local	I208
Bondi Junction	Front fence and garden, “Westgate House”—Landscape	17–19 Oxford Street	Lot 100, DP 627976; SP 19245	Local	I507
Bondi Junction	Dwelling house, “The Rectory”	45 Oxford Street	Lot 9, DP 741932	Local	I209
Bondi Junction	Timber yard with two storey building and light industrial sheds	47–49 Oxford Street	Lot 1, DP 626974	Local	I210
Bondi Junction	Facade only	63–69 Oxford Street	Lots 2–5, DP 229496	Local	I211
Bondi Junction	Two storey residential terrace row	194–200 Oxford Street	Lots 10–13, DP 260116	Local	I212

**2012 No 540**

## Waverley Local Environmental Plan 2012

## Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Nelson Hotel	232 Oxford Street	Lot 1, DP 83199	Local	I213
Bondi Junction	Facade group only	231–235 Oxford Street	Lot 100, DP 536906; Lot 2, DP 657661	Local	I214
Bondi Junction	Facade group only	304–330 Oxford Street	Lot 100, Section B, DP 90829; Lots A–C, DP 377601; Lot 105, DP 554309; Lots 1 and 2, DP 597630; Lot 1, DP 719902; Lot 1, DP 745345; Lots 98, 101 and 102, Section B, DP 976386; Lot 104, DP 1087474	Local	I215
Bondi Junction	Imperial Building	356–374 Oxford Street	Lots 1–3 and 5–7, DP 39086; Lot 1, DP 163647; Lot 4, DP 508369	Local	I216
Bondi Junction	Facade group only	406 Oxford Street	Lot 1, DP 518967	Local	I217
Bondi Junction	Facade group only	434–444 Oxford Street	Lot A, DP 438340; Lot 34, DP 873403; Lots 5 and 6, DP 9659	Local	I218
Bondi Junction	Ground floor and first floor facade, ground floor entrance, stairway to first floor and first floor bar area, Bondi Junction Hotel	512–548 Oxford Street	Lot 100, DP 1018008	Local	I219
Bondi Junction	Mid–Victorian stone mansion	6 Paul Street	Lot 6, DP 839076; CP SP 48053	Local	I220
Bondi Junction	Late Victorian terraced pair	10–12 Paul Street	Lot 1, DP 113096; Lot 345, DP 1079016	Local	I221
Bondi Junction	Victorian Italianate style dwelling	27 Paul Street	Lot 1, DP 908329	Local	I222

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Two storey residential flat building	1 Porter Street	Lot 8 and part Lot 9, DP 185; SP 30190	Local	I225
Bondi Junction	Semi-detached dwelling	6-8 Porter Street	Lots 1 and 2, DP 634555	Local	I226
Bondi Junction	Single storey dwelling	15 Porter Street	Lot 7, DP 3795	Local	I227
Bondi Junction	Two storey terrace row	14-22 Porter Street	Lot 1, DP 131590; Lot 1, DP 916823	Local	I228
Bondi Junction	Single storey dwelling	17 Porter Street	Lot 6, DP 3795	Local	I229
Bondi Junction	Single storey dwelling	19 Porter Street	Lot 5, DP 3795	Local	I230
Bondi Junction	Attached/semi-detached dwelling row	1-41 Ruthven Street	Lots 22-42, DP 250200	Local	I232
Bondi Junction	Two storey terrace row	2-10 Ruthven Street	Lots 1-5, DP 250200	Local	I231
Bondi Junction	Two storey terrace row, "Westgate Terrace"	12-42 Ruthven Street	Lots 6-21, DP 250200	Local	I233
Bondi Junction	Single storey dwelling	67 Ruthven Street	Lot 55, DP 252259	Local	I234
Bondi Junction	Two storey terrace, "Ivanhoe"	69 Ruthven Street	Lot 56, DP 252259	Local	I235
Bondi Junction	Boot Factory building	27-33 Spring Street	Lot 6, Section A, DP 145	Local	I236
Bondi Junction	Single storey row	2-36 St James Road	Lots 43-60, DP 250200	Local	I238
Bondi Junction	Single storey dwelling	13 St James Road	Lot 7, DP 17370	Local	I237
Bondi Junction	Federation house	5 St Mary's Avenue	Lot 3, DP 923134; Lot 2, DP 309750	Local	I239
Bondi Junction	Early twentieth century semi-detached	22-24 Waverley Crescent	Lots 141 and 142, DP 1092124	Local	I240

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bondi Junction	Two storey residential flat building	47 Waverley Street	Part Lot 1, Section 1, DP 6847; SP 841	Local	I241
Bondi Junction	Late Victorian house	1 Woodstock Street	Lot 1, DP 972527	Local	I242
Bondi Junction	Late Victorian terrace	2 Woodstock Street	Lot 1, DP 323168	Local	I243
Bondi Junction	Late nineteenth century houses	12–16 Woodstock Street	Lots 43–45, Section F, DP 1640	Local	I244
Bondi Junction	Federation style house	50 Woodstock Street	Lot 26, Section F, DP 1640	Local	I245
Bondi Junction	Single storey dwelling	7 York Road	Lot 4, Section 6, DP 4600	Local	I247
Bondi Junction	Two storey dwelling	21 York Road	Lot 11, Section 6, DP 4600	Local	I248
Bronte	Victorian/Federation timber cottage	1 Albert Street	Lot 4, DP 771103	Local	I249
Bronte	Federation/Inter-war style bungalow	3 Alfred Street	Lot 1, DP 970891	Local	I250
Bronte	Federation bungalow style residence	4 Arden Street	Lot 1, DP 129306	Local	I447
Bronte	Victorian Italianate villa	4a Arden Street	Lot 2, DP 129306	Local	I446
Bronte	Victorian Italianate style villa	10a Arden Street	Lot 1, DP 129299	Local	I448
Bronte	Federation corner house	1 Belgrave Street	Lot 81, DP 2960	Local	I251
Bronte	Victorian Italianate style bungalow	217 Birrell Street	Lot 5, DP 2456	Local	I252
Bronte	Victorian Italianate style dwelling	219 Birrell Street	Lot 6, DP 2456; CP SP 48450	Local	I253
Bronte	Late Victorian Italianate house	223 Birrell Street	Lot 8, DP 2456	Local	I254
Bronte	Victorian Italianate style villa	225 Birrell Street	Lot 9, DP 2456	Local	I255



Locality	Item name	Address	Property description	Significance	Item no
Bronte	Victorian Italianate style villa	229 Birrell Street	Lot 11, DP2456	Local	I256
Bronte	Victorian Italianate style villa	231 Birrell Street	Lot 1, DP 126188	Local	I257
Bronte	Victorian Italianate style bungalow	233 Birrell Street	Lot 13, DP 2456	Local	I258
Bronte	Late Federation/early Inter-war bungalow style residence	237 Birrell Street	Lot 2, DP 10515	Local	I259
Bronte	Late Federation/early Inter-war bungalow style residence	239 Birrell Street	Lot 3, DP 10515	Local	I260
Bronte	Federation bungalow style residence	241 Birrell Street	Lot 1, DP 773753	Local	I261
Bronte	Federation Arts and Crafts style residence	247 Birrell Street	Lot 1, DP 930175; Lot 1, DP 935527	Local	I262
Bronte	Federation cottage	249 Birrell Street	Lot 4, DP 2397	Local	I263
Bronte	Post-War house	14 Blandford Avenue	Lot 28, DP 19554	Local	I264
Bronte	Large two storey early stone villa	18 Blandford Avenue	Lot 5, DP 14121; CP SP 11506	Local	I265
Bronte	Inter-war style residential flat building	32 Blandford Avenue (known as 10a Palmerston Avenue)	Lot 36, DP 19554	Local	I266
Bronte	Victorian Classical style terrace houses	6-24 Brae Street	Lot C, DP 913657; Lot 4, DP 611739; Lots E-H and J-M, DP 913657	Local	I267
Bronte	Public school building of the 1920s	Bronte Public School	Lot 1, DP 801461	Local	I311
Bronte	Late Victorian period houses	327-331 Bronte Road	Lot 12, DP 816245; Lot 1, DP 81871; Lot 1, DP 770756	Local	I268

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Bronte	Landscape	327–331 Bronte Road	Lot 12, DP 816245; Lot 1, DP 81871; Lot 1, DP 770756	Local	I509
Bronte	Federation style villa	333 Bronte Road	Lot 45, DP 809502	Local	I269
Bronte	Victorian Italianate/Federation bungalow style villa	335 Bronte Road	Lot 1, DP 85747	Local	I270
Bronte	Victorian style semi-detached residences	345–347 Bronte Road	Lots 1 and 2, DP 101431	Local	I271
Bronte	Federation bungalow style residence	353 Bronte Road	Lot 1, DP 75724	Local	I272
Bronte	Victorian Italianate style villa	355 Bronte Road	Lot 1, DP 741763	Local	I273
Bronte	Late Victorian villa	369 Bronte Road	Lot 3, DP 915977	Local	I274
Bronte	1920s style house	402 Bronte Road	Lot 7, DP 667506	Local	I275
Bronte	Single storey Victorian weatherboard house	407 Bronte Road	Lot 1, DP 1067704	Local	I276
Bronte	Late Victorian villas	424 Bronte Road	Lot 2, DP 815026	Local	I277
Bronte	Bronte House—building	470 Bronte Road	Lot 1, DP 123571; Lot 8, DP 15134	State	I508
Bronte	Bronte House—grounds	470 Bronte Road	Lot 1, DP 123571; Lot 8, DP 15134	State	I278
Bronte	Inter-war style building	473 Bronte Road (Bogey Hole Café)	Lot A, DP 328922	Local	I279
Bronte	Recreational facility	Bronte Ocean Pool	Bronte Swimming Pool PO 70/58	Local	I280
Bronte	Inter-war style dual occupancy development	21 Brown Street	Lot A, DP 371579	Local	I281
Bronte	Inter-war style dual occupancy development	23 Brown Street	Lot B, DP 371579	Local	I282

Locality	Item name	Address	Property description	Significance	Item no
Bronte	Moreton Bay Fig tree	28 Brown Street	Lot 13, DP 251513	Local	I510
Bronte	Federation cottage	30 Brown Street	Lot 2, DP 5069	Local	I283
Bronte	Federation Queen Anne style bungalow	32 Brown Street	Lot 12, DP 251513	Local	I284
Bronte	Late nineteenth century stone pair of terraced houses	15–17 Busby Parade	Lot 1, DP 78797; Lot 27, DP 1087205	Local	I285
Bronte	Late Victorian, terraced pair	10–12 Chesterfield Parade	Lots H and K, DP 107251	Local	I286
Bronte	Later style bungalow	16 Chesterfield Parade	Lot A, DP 319524	Local	I287
Bronte	Victorian style terraced pair	27–29 Chesterfield Parade	Lots A and B, DP 436510	Local	I288
Bronte	Inter-war bungalow	30 Chesterfield Parade	Lot 55, DP 82731	Local	I289
Bronte	Federation style house	3 Cross Street	Lot 1, DP 938438	Local	I290
Bronte	Palm Trees	26 Cross Street	Lot A, DP 174231	Local	I511
Bronte	Individual Inter-war house	7 Darling Street	Lot 30, DP 666575; Lot 31, DP 316843	Local	I291
Bronte	1930s, Modern style bungalow	9 Darling Street	Lot 30, DP 666574	Local	I292
Bronte	Late Victorian style mansion	19 Evans Street	Lot 1, DP 401531	Local	I293
Bronte	Ellsmore and remnant Victorian garden	19 Evans Street	Lot 1, DP 1028592	Local	I512
Bronte	Victorian style villa	26 Evans Street	Lot 1, DP 199328	Local	I294
Bronte	Victorian style cottage	28 Evans Street	Lot 8, DP 873340	Local	I295

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bronte	Victorian style cottage	30 Evans Street	Lot 1, DP 509253	Local	I296
Bronte	Victorian style cottage	32 Evans Street	Lot 1, DP 560386	Local	I297
Bronte	Victorian style cottage	34 Evans Street	Lot 1, DP 560386	Local	I298
Bronte	Victorian style cottage	36 Evans Street	Lot 1, DP 73650	Local	I299
Bronte	Victorian style cottage	38 Evans Street	Lot 1, DP 76257	Local	I300
Bronte	Victorian style cottage	40 Evans Street	Lot 1, DP 633085	Local	I301
Bronte	Victorian style cottage	42 Evans Street	Lot 7, DP 3078	Local	I302
Bronte	Late Victorian house	44 Evans Street	Lot 6, DP 3078	Local	I303
Bronte	Post-bungalow style house	37 Gardyne Street	Lot B, DP 305465	Local	I304
Bronte	Federation style house	67 Gardyne Street	Lots 14 and 15, Section 2, DP 2806	Local	I305
Bronte	Inter-war style residential flat building	73 Gardyne Street	Lot 20, DP 2806; CP SP 44034	Local	I306
Bronte	Federation style bungalow	75 Gardyne Street	Lots 22 and 23, Section 2, DP 2806	Local	I307
Bronte	Federation style house	27 Gibson Street	Lot 1, DP 100682	Local	I308
Bronte	Federation style house	2 Gipps Street	Lot 1, DP 4176	Local	I309
Bronte	Federation style houses	8–14 Gipps Street	Lots 1–3, DP 308188; Lot 1, DP 308187	Local	I310
Bronte	Inter-war style residential flat building	99 Hewlett Street	Lot 2 and part Lot 1, DP 311365; CP SP 12545	Local	I312
Bronte	Norfolk Island Pine Tree	9 Inverness Street (in nature strip)		Local	I513

Locality	Item name	Address	Property description	Significance	Item no
Bronte	Victorian Academic Gothic style, Lugar Brae Church	Leichhardt Street	Lot 1, DP 618709	Local	I313
Bronte	Federation house	4 Leichhardt Street	Lot 1A, DP 17160; Lot 1, DP 152399	Local	I314
Bronte	Federation Queen Anne style semi-detached residences	14–16 Leichhardt Street	Lots A and B, DP 159665	Local	I315
Bronte	Federation Free style mixed development	22 Leichhardt Street	Lot 1, DP 197283	Local	I316
Bronte	Late Victorian cottage	3 Lugar Street	Lot 3, Section 2, DP 975342	Local	I317
Bronte	Federation semi-detached houses	18–20 Lugar Street	Lots 1 and 2, DP 503003	Local	I318
Bronte	Federation Free style mixed development	48 Macpherson Street	Lot 10, Section 2, DP 111225	Local	I319
Bronte	1920s style flat building	50–54 Macpherson Street	Part Lot 7, DP 63251	Local	I320
Bronte	Inter-war Classical Revival style car repair shop	62 Macpherson Street	Lot 1, DP 721719	Local	I321
Bronte	Late Victorian house	90 Macpherson Street	Lot 1, DP 745829	Local	I322
Bronte	Inter-war Classical Revival style mixed development	118–118a Macpherson Street	Lot 7, DP 78510	Local	I323
Bronte	Victorian Classical mixed development	129–131 Macpherson Street	Lot 27, DP 1066833	Local	I324
Bronte	Inter-war Free Classical style mixed development	141–143 Macpherson Street	Lots 1 and 2, DP 549672	Local	I325
Bronte	Inter-war Mediterranean and Art Deco style mixed development	145a–e Macpherson Street	Lot 1, DP 83002	Local	I326

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bronte	Federation bungalow style semi-detached residences	3 Marroo Street	Lot A, DP 437366	Local	I327
Bronte	Federation semi-detached house	5 Marroo Street	Lot B, DP 437366	Local	I328
Bronte	Bronte Public School	Murray Street	Lot 1, DP 801461	Local	I514
Bronte	Inter-war style residential flat building	1 Palmerston Avenue	Lot 10, DP19554; CP SP 31810	Local	I330
Bronte	Inter-war style residential flat building	3 Palmerston Avenue	Lot 9, DP 19554; CP SP 7036	Local	I331
Bronte	Inter-war style residential flat building	5 Palmerston Avenue	Lot 8, DP 19554	Local	I332
Bronte	Inter-war style residential flat building	6 Palmerston Avenue	Lot 39, DP 19554; CP SP 32220	Local	I333
Bronte	Inter-war style residential flat building	7 Palmerston Avenue	Lot 7, DP 19554; CP SP 40420	Local	I334
Bronte	Inter-war style residential flat building	8 Palmerston Avenue	Lot 38, DP 19554	Local	I335
Bronte	Inter-war style residential flat building	9 Palmerston Avenue	Lot 6, DP 19554	Local	I336
Bronte	Inter-war style residential flat building	10 Palmerston Avenue	Lot 37, DP 19554	Local	I337
Bronte	Inter-war style residential flat building	11 Palmerston Avenue	Lot 5, DP 19554; CP SP 14515	Local	I338
Bronte	Inter-war style residential flat building	12 Palmerston Avenue	Lot 1, DP 710870	Local	I339
Bronte	Inter-war style residential flat building	13 Palmerston Avenue	Part Lot 1, DP 19554; Part Lot B, DP 35409; CP SP 22244	Local	I340
Bronte	Inter-war style residential flat building	15 Palmerston Avenue	Part Lot 1, DP 19554; CP SP 31705	Local	I341
Bronte	Early twentieth century timber cottage	3 Read Street	Lot 37, DP 2483	Local	I342

Locality	Item name	Address	Property description	Significance	Item no
Bronte	Granite Horse Troughs	St Thomas Street (outside Waverley Cemetery)		Local	I515
Bronte	Federation house	19 St Thomas Street	Lots 19 and 20, DP 975932	Local	I344
Bronte	Late Victorian terrace design	36 St Thomas Street	Lot 10, DP 656753	Local	I345
Bronte	Two gothic derived styling, rusticated stone buildings within Waverley Cemetery	44A St Thomas Street	Lot 1616, DP 3000	Local	I343
Bronte	Late nineteenth century traditional Georgian, timber home	61 St Thomas Street	Lot 6, DP 732	Local	I346
Bronte	Inter-war Californian Bungalow	9 Tipper Avenue	Lot 26, DP 977743	Local	I347
Bronte	Late Federation Queen Anne/Inter-war Californian bungalow	10 Tipper Avenue	Lot 1, DP 998029	Local	I348
Bronte	Federation style bungalow	2 Yanko Avenue	Lot 1, DP 954161	Local	I349
Bronte	Federation style bungalow	4 Yanko Avenue	Lot 1, DP 168914	Local	I350
Bronte	Federation style bungalow	6 Yanko Avenue	Lot 1, DP 983728	Local	I351
Bronte	Federation style bungalow	9 Yanko Avenue	Lot A, DP 310320	Local	I352
Bronte	Federation style bungalow	17 Yanko Avenue, Bronte	Lot 1, DP 1093865	Local	I353
Bronte	Federation style terrace house	18 Yanko Avenue	Lot 1, DP 73900	Local	I354
Bronte	Federation bungalow style residence	22 Yanko Avenue	Lot B, DP 306082	Local	I355
Bronte	Late Federation Arts and Crafts style residence	32 Yanko Avenue	Lot 2, DP 110233	Local	I356

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Bronte	Inter-war bungalow Styles	33 Yanko Avenue	Lot M, DP 9910	Local	I357
Bronte	Sandstone outbuilding, former stables	34a Yanko Avenue	Lot 23, DP 9248	Local	I358
Bronte	“Mandalay” Federation bungalow style residence	35 Yanko Avenue	Lot L, DP 9910	Local	I359
Bronte	Sandstone backyard garden wall	40 Yanko Avenue	Lot W, DP 9910	Local	I360
Bronte	Inter-war Californian bungalow	41 Yanko Avenue	Lot E, DP 9910	Local	I361
Bronte	Inter-war Californian bungalow	42 Yanko Avenue	Lot X, DP 9910	Local	I362
Bronte	Inter-war Californian bungalow	43 Yanko Avenue	Lot 23, DP 9248	Local	I363
Bronte	Federation Arts and Crafts style dwelling	44 Yanko Avenue	Lot Y, DP 9910	Local	I364
Dover Heights	Inter-war Art Deco style bungalow	14 Aboukir Street	Lot 7, DP 11810	Local	I365
Dover Heights	Inter-war Functionalist style	10 Arthur Street	Lot 15, Section E, DP 4683	Local	I366
Dover Heights	Inter-war Art Deco style bungalow	2 Lord Howe Street	Lot 163, DP 11822	Local	I367
Dover Heights	1930s Modern or Oceana style house	166 Military Road	Lot 88, DP 1119543	Local	I368
Dover Heights	Former fire command post and fortress observation post	2 Rodney Street	Lot 12, DP 869200	Local	I369
Dover Heights	1950s style houses	32–34 Wallangra Road	Lots 66 and 67, DP 11822	Local	I370
North Bondi	Bondi Ocean Outfall Sewer (BOOS)	Blair Street		State	I371
North Bondi	Inter-war Romanesque style church, Galilee Primary School, St Anne’s Catholic Church–Presbytery	Blair Street	Lot 1, DP 317699	State	I375



Locality	Item name	Address	Property description	Significance	Item no
North Bondi	Inter-war Art Deco style residential flat building	36 Blair Street	Lot 3, DP 6502	Local	I372
North Bondi	Inter-war Georgian Revival style residential flat building	38 Blair Street	Lot A, DP 331432	Local	I373
North Bondi	1940s Spanish Mission style flat building	40 Blair Street	Part Lot 4, DP 6502; CP SP 12740	Local	I374
North Bondi	1930s style, brick religious building, St Anne's Convent of Mercy	60 Blair Street	Lots 58–62, DP 15776	Local	I376
North Bondi	Early twentieth century stone commercial building	144 Brighton Boulevarde	Lot 24, Section 7, DP 786	Local	I378
North Bondi	1940s style symmetrical detached residences	15–15A Clyde Street	Lots 1 and 2, DP 514383	Local	I379
North Bondi	Inter-war Art Deco/International style flat building	1 Mitchell Street	Lot 1, DP 726416	Local	I385
North Bondi	Inter-war Spanish Mission style residence	4 Mitchell Street	Lot 2, DP 14428	Local	I386
North Bondi	Inter-war Spanish Mission style residence	6 Mitchell Street	Lot 3, DP 14428	Local	I387
North Bondi	Inter-war Mediterranean style substation	Substation 345, Murriverie Road	Lots A and B, DP 184825	Local	I389
North Bondi	1930s corner house	52 Murriverie Road	Lot B, DP 313893	Local	I388
North Bondi	Inter-war bungalow style Quarry Master's cottage	118 Murriverie Road	Lot 24, Section A, DP 5491	Local	I390
North Bondi	Inter-war Stripped Classical flat building	119 O'Donnell Street	Lot 43, DP 14447	Local	I391

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Bondi	Bungalow style detached residences	6–8 Vicars Avenue	Lots A and B, DP 443468	Local	I392
North Bondi	Bungalow style detached residences	10–12 Vicars Avenue	Lots X and Y, DP 443846	Local	I393
North Bondi	Bungalow style detached residences	18–20 Vicars Avenue	Lot 172, DP 575871	Local	I394
North Bondi	1930s style, brick chapel, Chapel by the Sea	40 Warners Avenue	Lot B, DP 332059	Local	I395
Queens Park	Federation semi-detached residences	16–18 Alt Street	Lots 1 and 2, DP 208994	Local	I396
Queens Park	Late Federation style house	55 Alt Street	Lot 24, DP 1083466	Local	I397
Queens Park	Federation bungalow	63 Alt Street	Lot 1, DP 449116; Lot 19, DP 455913	Local	I398
Queens Park	House and gardens	1–3 Ashton Street	Lots 1 and 2, DP 630968	Local	I516
Queens Park	Federation semi-detached residences	3 Ashton Street	Lot 2, DP 630968	Local	I399
Queens Park	Federation semi-detached residences	16–18 Ashton Street	Lots 1 and 2, DP 222861	Local	I400
Queens Park	Late Federation bungalow	34 Ashton Street	Lot 21, DP 666622	Local	I401
Queens Park	Federation semi-detached residences	17–19 Birrell Street	Lots 5 and 6, DP 706513	Local	I402
Queens Park	Early worker's cottage	91 Birrell Street	Lot 1, DP 1079974	Local	I403
Queens Park	Early stone house	93 Birrell Street	Lot A, DP 437935	Local	I404
Queens Park	Early workers' houses	95–97 Birrell Street	Lots B and C, DP 437935	Local	I405
Queens Park	Late eighteenth century stone houses	1 Blenheim Street	Lot 4950, DP 1108997	Local	I406

Locality	Item name	Address	Property description	Significance	Item no
Queens Park	Early weatherboard cottages traditional Georgian form	3 Blenheim Street	Lot 1, DP 779179	Local	I407
Queens Park	Early stone terraced pair	9–11 Blenheim Street	Lots 1 and 2, DP 234217	Local	I408
Queens Park	Late nineteenth century weatherboard cottage	35 Blenheim Street	Lot 2, DP 958289	Local	I409
Queens Park	1930s style house	45 Bourke Street	Lot D, DP 14435	Local	I410
Queens Park	Late Victorian commercial/residential buildings	189–199 Bronte Road	Lots 1–4, DP 503965	Local	I411
Queens Park	Inter-war, Art Deco style hotel, Charing Cross Hotel	81–85 Carrington Road	Lot 1, DP 511877	Local	I412
Queens Park	Victorian terrace style house	105 Carrington Road	Lot 1, DP 620208	Local	I413
Queens Park	Victorian workers' cottages	125–127 Carrington Road	Lot 1, DP 792089; Lot 32, DP 1090796	Local	I414
Queens Park	Victorian/Georgian style timber cottages	129 Carrington Road	Lot 33, Section 1, DP 193323	Local	I415
Queens Park	Federation/Edwardian terraced pair	164–166 Denison Street	Lots 1 and 2, DP 593155	Local	I416
Queens Park	Federation bungalow	192 Denison Street	Lot 8, Section 12, DP 4600	Local	I417
Queens Park	Victorian/Georgian style semi-detached residences	17–19 Edmund Street	Lot 8, DP 850224; Lot 1, DP 1015503	Local	I418
Queens Park	Victorian/Georgian style cottage	24 Edmund Street	Lot 23, Section 1, DP 193323	Local	I419
Queens Park	Victorian/Georgian style sandstone cottage	27 Edmund Street	Lot 28, Section 2, DP 193323	Local	I420

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Queens Park	Late nineteenth century stone terrace	1–2 Fitzgerald Lane	Lot 1, DP 195283; Lot 1, DP 770776	Local	I421
Queens Park	Sandstone Wall	2a Fitzgerald Lane (known as 2a Fitzgerald Street)	Part Lot 41 and Part Lot 42, Section 1, DP 977228	Local	I422
Queens Park	Victorian Italianate style semi-detached dwelling	2–4 Fitzgerald Street	Lot 40, DP 1089205; Lot 1, DP 735864	Local	I423
Queens Park	Victorian Italianate style semi-detached dwelling	6–8 Fitzgerald Street	Lots 1 and 2, DP 216938	Local	I424
Queens Park	Federation brick cottage	12 Henry Street	Lot 14, DP 67658	Local	I425
Queens Park	Federation style traditional weatherboard cottage	12 Isabella Street	Lot 13, DP 4134	Local	I426
Queens Park	Early workers cottages	23–31 Isabella Street	Lot 2, DP 74551; Lot 2, DP 151184; Lots A and B, DP 444461; Lot B, DP 335841	Local	I427
Queens Park	Old stone building	11 Victoria Street	Lot A, DP 947094	State	I429
Queens Park	Inter-war bungalows	1–7 Yenda Avenue	Lots 15–18, DP 13797	Local	I430
Queens Park	Inter-war bungalows	2–12 Yenda Avenue	Lots 1 and 2, DP 1027880; Lots 19–22, DP 13797	Local	I431
Queens Park	Former Tram Shed	York Road		Local	I428
Queens Park	Federation house	41 York Road	Lot 7, Section 9, DP 4600	Local	I432
Queens Park	Garden and fence	45 York Road	Lot 9, Section 9, DP 4600	Local	I517
Queens Park	Inter-war house	55 York Road	Lot 14, Section 9, DP 4600	Local	I433

Locality	Item name	Address	Property description	Significance	Item no
Queens Park	Federation Queen Anne style bungalow	63 York Road	Lot 18, Section 9, DP 4600	Local	I434
Rose Bay	Twentieth century bungalow	32 Chaleyer Street	Lot A, DP 166963	Local	I435
Rose Bay	Late Victorian style terrace	22 Roberts Street	Lot 17, Section 2, DP 975146	Local	I436
Tamarama	1950s style house	4 Thompson Street	Lot 38, DP 16732	Local	I437
Vaucluse	1950s house	7 Ethel Street	Lot B, DP 154575	Local	I438
Vaucluse	Georgian style stone house	23 Macdonald Street	Lot 1, DP 332329	Local	I439
Vaucluse	1950s house in red texture brick	24 Macdonald Street (known as 14 Marne Street)	Lot 2, DP 23177	Local	I440
Vaucluse	1930s style bungalow	313 Military Road	Lot B, DP 315110	Local	I441
Waverley	Late nineteenth century commercial/residential terraces	3–13 Albion Street	Lots 2, 3 and 5, DP 116719; Lot 4, DP 734108; Lots A and B, DP 447114	Local	I442
Waverley	Late nineteenth century commercial/residential terraces	15–31 Albion Street	Lot 1, DP 1015934; Lot 1, DP 87565; Lots 1 and 2, DP 505278; Lots A and B, DP 435662; Lots 1, 2 and 3, DP 435468	Local	I443
Waverley	Georgian style stone building, St Johns, St Catherine's Girls School	26 Albion Street	Lot 1, DP 76210; Lot 1, DP 80046; Part Lot 560, DP 752011; Lot C, DP 318719	Local	I444
Waverley	Individually styled 1940s house	55 Albion Street	Lot 1, DP 774845; CP SP 12263	Local	I445

**2012 No 540**

## Waverley Local Environmental Plan 2012

## Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Waverley	War Memorial Hospital—landscape	Birrell and Church Street and Carrington Road	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	State	I519
Waverley	Waverley College—landscape	Birrell, Henrietta and Salisbury Streets	Lot 1, DP 947626; Lot 1, DP 806275; Lot 1, DP 81870; Lots 1–3 73603; Lot 1, DP 664692; Lot B, DP 314938; Lot 1, DP 448248; Lot 1, DP 940182; Lot 1, DP 942089; Lot 1, DP 942047; Lot 1, DP 972928; Lot 6, DP 940481	Local	I518
Waverley	War Memorial Hospital, Late Victorian buildings and former stables	125 Birrell Street	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	Local	I449
Waverley	Federation style classroom building, Waverley College	141–149 Birrell Street (also known as 14 Carrington Road)	Lot 1, DP 947626; Lot 1, DP 806275; Lot 1, DP 81870; Lots 1–3 73603; Lot 1, DP 664692; Lot 1, DP 448248; Lot 1, DP 940182; Lot 1, DP 942089; Lot 1, DP 942047; Lot 1, DP 972928; Lot 6, DP 940481	Local	I450

Locality	Item name	Address	Property description	Significance	Item no
Waverley	Post War Modernist style Waverley Bowling Club	163 Birrell Street	Part Lot 301, DP 752011, Part Lot 2, DP 218722; Lot 1, DP 966387	Local	I451
Waverley	Victorian/Federation cottages	166–170 Bronte Road	Lots A–C, DP 443715	Local	I452
Waverley	1940s style commercial building, Robin Hood Hotel	203–209 Bronte Road	Lot 1, DP 655918; Lot A, DP 105665; Lot 1, DP 59526	Local	I453
Waverley	Inter-war Free Classical public building	234 Bronte Road	Lot 10, DP 1125134	Local	I454
Waverley	Late nineteenth century commercial terraces	245–277 Bronte Road	Lots 1–4 and 10, DP 436287; Lots 51–53, DP 596369; Lots 54 and 55, DP 599974; Lots A–C, DP 437806; Lot 1, DP 715870; Lot 1, DP 781198; Lot 1, DP 711507; Lot 1, DP 634441	Local	I455
Waverley	Victorian style commercial terrace houses	254 Bronte Road	Lot 2, DP 740902	Local	I456
Waverley	Late Victorian villa	348 Bronte Road	Lot 1, DP 1108093	Local	I457
Waverley	Victorian style residence	350 Bronte Road	Lots 12 and 13, DP 136332	Local	I458
Waverley	Inter-war Californian bungalow	352 Bronte Road	Lot 1, DP 13117	Local	I459
Waverley	Inter-war Californian bungalow	354 Bronte Road	Lot 2, DP 13117	Local	I460
Waverley	Inter-war Californian bungalow	356 Bronte Road	Lot 3, DP 13117	Local	I461
Waverley	Inter-war Californian bungalow	358 Bronte Road	Lot 4, DP 13117	Local	I462
Waverley	1920s Inter-war bungalow	2 Campbell Street	Lot 1, DP 10844	Local	I463

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Locality	Item name	Address	Property description	Significance	Item no
Waverley	Pair of early cottages	2–4 Carlton Street	Lots 1 and 2, DP 959777	Local	I464
Waverley	Federation house	4 Carrington Road	Lot 2, DP 4176	Local	I465
Waverley	Victorian Mansion “The Grange”	12–14 Carrington Road	Lot B, DP 314938	Local	I466
Waverley	Federation house	36–38 Carrington Road	Lot 1, DP 1074716	Local	I467
Waverley	Early twentieth century, ecclesiastical style building, St Clare’s Convent	41–51 Carrington Road	Lots A and B, DP 80515; Lot A, DP 88528; Lot 1, DP 88596	Local	I468
Waverley	1920s Inter-war bungalow	50 Carrington Road	Lot B, DP 307220	Local	I469
Waverley	Early twentieth century, ecclesiastical style building, St Charles School	63 Carrington Road	Lot 11, DP 1043474	Local	I470
Waverley	Late Federation style house	150 Carrington Road	Lot 2, DP 313451	Local	I471
Waverley	Victorian/Edwardian style terraced pair	1–3 Church Street	Lot 1, DP 433964; Lot A, DP 430111	Local	I472
Waverley	Federation style detached residences	2–8 Church Street	Lots 1 and 2, DP 630460; Lot 1, DP 167332; Lots 1, 2 and 3, DP 1098550	Local	I473
Waverley	Federation cottage	4 Gibson Street	Lot 26, DP 4176	Local	I474
Waverley	Federation cottage	8 Gibson Street	Lot 28, DP 4176	Local	I475
Waverley	Late Victorian villa (Froebal House, Macquarie Institute), Waverley College Junior School	42–64 Henrietta Street	Lot 1, DP 837830	Local	I476



Locality	Item name	Address	Property description	Significance	Item no
Waverley	Cultural Planting and "The Jungle"—landscape	42–64 Henrietta Street	Lot 1, DP 837830	Local	I520
Waverley	Victorian style terrace	107 Henrietta Street	Lot 1, DP 947966	Local	I477
Waverley	Victorian style dwelling	109 Henrietta Street	Lot 7, DP 1076373	Local	I478
Waverley	Victorian style villa	111 Henrietta Street	Lots 8 and 9, DP 738	Local	I479
Waverley	Victorian Italianate style villa	113 Henrietta Street	Lot 10, DP 738	Local	I480
Waverley	Victorian style dwelling	115 Henrietta Street	Lot 1, DP 1079923	Local	I481
Waverley	Victorian style dwelling	117 Henrietta Street	Lot 11, DP 666642	Local	I482
Waverley	Early stone terrace	4–22 High Street	Lot 1, DP 437066; Lots 2, 3, 4, 5 and 7, DP 108166; Lots 6 and 9, DP 818; Lot 8, DP 168137; Lot 2, DP 437773	Local	I483
Waverley	Inter-war Californian bungalow	1 Kent Street	Lot 2, DP 168406	Local	I484
Waverley	Late nineteenth century house	21 Kent Street	Lot 11, DP 176332	Local	I485
Waverley	Late Victorian mansion	1 Leichhardt Street	Lot C, DP 318719	Local	I486
Waverley	Late Victorian Italianate style house	5 Leichhardt Street	Lot 16, DP 2049	Local	I487
Waverley	Inter-war Free Classical style flat building	13–15 Leichhardt Street	Lot 1, DP 75037	Local	I488
Waverley	Federation house	19 Leichhardt Street	Lot B, DP 401531	Local	I489

**2012 No 540**

## Waverley Local Environmental Plan 2012

## Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Waverley	St Catherine's School and Grounds	Macpherson Street	Lot 1, DP 76210; Lot 1, DP 80046; Part Lot 560, DP 752011; Lot C, DP 318719	Local	I521
Waverley	Late Victorian house	3 Macpherson Street	Lot 1, DP 1000325; CP SP 60070	Local	I490
Waverley	Late eighteenth century houses	51-57 Macpherson Street	Lot 1, DP 837770; Lots 1, 2 and 3, DP 222202	Local	I491
Waverley	1940s residential commercial building	59 Macpherson Street	Lot 1, DP 433086	Local	I492
Waverley	Victorian stone terrace	5-11 Prospect Street	Lot C, DP 304647; Lots 1 and 2, DP 1091220; Lot A, DP 175826; Lots 1 and 2, DP 702361;	Local	I493
Waverley	Late nineteenth century stone church, Graham Memorial Church	28-30 Victoria Street	Lot 1, DP 908422	Local	I494
Waverley	Large cathedral with Classical Revival facade to lower part of building, Mary Immaculate Church	45-47 Victoria Street/282A Bronte Road	Lot 2 and part Lot 1, DP 774158	State	I495
Waverley	Late Victorian villa	74 Victoria Street	Lot 2, DP 857358	Local	I496
Waverley	Late Victorian house	76 Victoria Street	Lot 1, DP 975149	Local	I497
Waverley	Victorian Filigree style semi-detached residences	33-35 Wiley Street	Lot 1, DP 709825	Local	I498
Waverley	Late Victorian house	44 Wiley Street	Lot 1, DP 449818	Local	I499

## Part 2 Heritage conservation areas

Description	Identification on Heritage Map	Significance
<b>Conservation Areas—General</b>		
Blenheim Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C1” on the Heritage Map	Local
Bondi Beach Conservation Area—General	Shown by a red outline with red hatching and labelled “C2” on the Heritage Map	Local
Botany Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C3” on the Heritage Map	Local
Brighton Boulevard Conservation Area—General (corner of Hastings Parade and Gould Street)	Shown by a red outline with red hatching and labelled “C4” on the Heritage Map	Local
Brown Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C5” on the Heritage Map	Local
Busby Parade Conservation Area—General	Shown by a red outline with red hatching and labelled “C6” on the Heritage Map	Local
Charing Cross Conservation Area—General	Shown by a red outline with red hatching and labelled “C7” on the Heritage Map	Local
Collingwood Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C8” on the Heritage Map	Local
Evans Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C9” on the Heritage Map	Local
Grafton Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C10” on the Heritage Map	Local
Imperial Avenue Conservation Area—General	Shown by a red outline with red hatching and labelled “C11” on the Heritage Map	Local
Mill Hill Conservation Area—General	Shown by a red outline with red hatching and labelled “C12” on the Heritage Map	Local

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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<b>Description</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Palmerston Avenue Conservation Area—General	Shown by a red outline with red hatching and labelled “C13” on the Heritage Map	Local
Queens Park Conservation Area—General	Shown by a red outline with red hatching and labelled “C14” on the Heritage Map	Local
Watkins Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C15” on the Heritage Map	Local
Woodstock Street Conservation Area—General	Shown by a red outline with red hatching and labelled “C16” on the Heritage Map	Local
Yenda Avenue Conservation Area—General	Shown by a red outline with red hatching and labelled “C17” on the Heritage Map	Local
<b>Conservation Areas—Landscape</b>		
Alt Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C18” on the Heritage Map	Local
Arnold Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C19” on the Heritage Map	Local
Avoca Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C20” on the Heritage Map	Local
Ben Buckler (Ray O’Keefe) Reserve Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C21” on the Heritage Map	Local
Birrell Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C22” on the Heritage Map	Local
Blair Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C23” on the Heritage Map	Local
Blenheim Street/Bronte Road Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C24” on the Heritage Map	Local
Bondi Beach and Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled “C25” on the Heritage Map	Local

<b>Description</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Bondi Road (between Paul and Flood Streets) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C26" on the Heritage Map	Local
Brisbane Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C27" on the Heritage Map	Local
Brisbane Street (Nos 18–34) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C28" on the Heritage Map	Local
Bronte Beach and Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C29" on the Heritage Map	Local
Bronte Road Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C30" on the Heritage Map	Local
Caffyn Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C31" on the Heritage Map	Local
Calga Avenue Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C32" on the Heritage Map	Local
Centennial Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C33" on the Heritage Map	State
Chesterfield Parade Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C34" on the Heritage Map	Local
Clemenston Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C35" on the Heritage Map	Local
Clovelly Public School—School Grounds Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C36" on the Heritage Map	Local
Coastal Sandstone Escarpment Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C37" on the Heritage Map	Local
Cuthbert Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C38" on the Heritage Map	Local

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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<b>Description</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Dickson Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C39" on the Heritage Map	Local
Eastern Suburbs Banksia Scrub Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C40" on the Heritage Map	Local
Fingelton Reserve Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C41" on the Heritage Map	Local
Flood Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C42" on the Heritage Map	Local
Francis Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C43" on the Heritage Map	Local
Gaerloch Reserve Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C44" on the Heritage Map	Local
Gardyne Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C45" on the Heritage Map	Local
Grafton Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C46" on the Heritage Map	Local
Hewlett Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C47" on the Heritage Map	Local
Hunter and Marks Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C48" on the Heritage Map	Local
Llandaff Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C49" on the Heritage Map	Local
Macpherson Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C50" on the Heritage Map	Local
Macpherson Street (east end) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C51" on the Heritage Map	Local

<b>Description</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Manning Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C52" on the Heritage Map	Local
Newland Street (between Birrell Street and Queens Park Road) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C53" on the Heritage Map	Local
Oceanview Avenue (east of Military Road) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C54" on the Heritage Map	Local
Queens Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C55" on the Heritage Map	Local
Rawson Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C56" on the Heritage Map	Local
Remnant Bushland Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C57" on the Heritage Map	Local
Simpson Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C58" on the Heritage Map	Local
South Bronte Headland Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C59" on the Heritage Map	Local
South Head Cemetery Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C60" on the Heritage Map	Local
Tamarama Beach, Park and Marine Drive Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C61" on the Heritage Map	Local
Tamarama Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C62" on the Heritage Map	Local
Thomas Hogan Reserve and Bird Sanctuary (Formerly Glen-Roona Reserve) Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C63" on the Heritage Map	Local
Varna Reserve Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C64" on the Heritage Map	Local

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Schedule 5 Environmental heritage

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Description	Identification on Heritage Map	Significance
Warners Avenue Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C65" on the Heritage Map	Local
Waverley Cemetery Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C66" on the Heritage Map	Local
Waverley Park Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C67" on the Heritage Map	Local
Wiley Street Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C68" on the Heritage Map	Local
William Reserve, North Bondi Golf Course Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C69" on the Heritage Map	Local
York Road Landscape Conservation Area	Shown by a green outline with green hatching and labelled "C70" on the Heritage Map	Local

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### Part 3 Archaeological Sites

Locality	Item name	Address	Property description	Significance	Item no
Bondi	Murriverie Quarry	Bondi Golf Course	Lots 1 and 2, DP 916095; Lot 7056, DP 93856	Local	A522
Bondi	Rock engraving	Mackenzie's Point	AHIMS# 45-6-0750	Local	AH554
Bondi	Murriverie Road	Murriverie Road		Local	A523
Bondi	Shelter with midden	South Bondi Cave	AHIMS# 45-6-2060	Local	AH557
Bondi Beach	Open campsite and burial(s)	Bondi Beach	AHIMS# 45-6-2169	Local	AH558
Bondi Beach	Natural drain	Hunter Park	Lots 25 and 713-715, DP 752011	Local	A524
Bondi Beach	Lookout	Marks Park	Lots 23 and 24, DP 752011; Lot 7025, DP 93864	Local	A525



## Waverley Local Environmental Plan 2012

## Environmental heritage

## Schedule 5

Locality	Item name	Address	Property description	Significance	Item no
Bondi Beach	Bondi Baths	Notts Avenue	Lot 1556, DP 822245	Local	A526
Bondi Junction	Early industrial archaeological potential	47–49 Oxford Street	Lot 1, DP 626974	Local	A527
Bondi Junction	Ben Eden	6 Paul Street	Lot 6, DP 839076; CP SP 48053	Local	A528
Bondi Junction	Gregory Memorial Fountain	Waverley Park, Cricket Oval	Lot 31, DP 1087364	Local	A531
Bondi Junction	Waverley Reservoir No 1	Waverley Park	Lot 1, DP 84615; Lot 1, DP 547312	State	A529
Bondi Junction	Waverley Reservoir No 2	Waverley Park	Lot 1, DP 84615; Lot 1, DP 547312	State	A530
Dover Heights	Shelter with Potential Archaeological Deposit	Dover Heights PAD	AHIMS# 45-6-2895	Local	AH559
Dover Heights	CSIRO Astronomical Instrument Base	Rodney Reserve	Lot 1, DP 846863; Lot 1, DP 450337	Local	A532
North Bondi	Ben Buckler battery site	Ben Buckler	Lot 1629/75011	State	A535
North Bondi	Rock engraving	Ben Buckler	AHIMS# 45-6-0720	Local	AH553
North Bondi	Rock engraving	Bondi Golf Links	AHIMS# 45-6-0719	Local	AH552
North Bondi	Item	144 Brighton Boulevarde	Lot 24, Section 7, DP 786	Local	A533
North Bondi	Rock engraving	Hugh Bamford Reserve	AHIMS# 45-6-0718	Local	AH551
North Bondi	Rock-Cut Stairway	Military Road (leading to Bamford Reserve)		Local	A534
North Bondi	Quarry	56 Military Road	Lot 4, DP 11755; CP SP 5954	Local	A536
North Bondi	SOOS Bakery	445 Old South Head Road	Lot 1, DP 857668	Local	A538

**2012 No 540**

## Waverley Local Environmental Plan 2012

## Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Bondi	Sewerage stack	Water Reserve		Local	A539
North Bondi	Aboriginal rock carvings (Murriverie)	Williams Reserve/Bondi Golf Course	Lots 1 and 2, DP 916095; Lot 7056, DP 93856	Local	A537
North Bondi	European rock carvings	Williams Reserve/Bondi Golf Course	Lots 1 and 2, DP 916095; Lot 7056, DP 93856	Local	A540
Queens Park	Stone houses	85–87 Birrell Street	Lot 1, DP 510389; Lot 1, DP 105423; Lot 1, DP 955429	Local	A541
Queens Park	Stone houses	1 Blenheim Street	Lot 4950, DP 1108997	Local	A542
Queens Park	Item	9–11 and 13 Blenheim Street	Lots 1 and 2, DP 234217; Lot 4, DP 4134	Local	A543
Queens Park	Cottages	23–31 Isabella Street	Lot 2, DP 74551; Lot 2, DP 151184; Lots A and B, DP 444461; Lot B, DP 335841	Local	A544
Queens Park	Shelter(s) with Archaeological Deposit	Queens Park PAD(s)	AHIMS# 45-6-2896	Local	AH560
Queens Park	Shelter with art	Queens Park Reserve	AHIMS# 45-6-0675	Local	AH550
Queens Park	Pre-School Learning Centre, stone house	11 Victoria Street	Lot A, DP 947094	State	A545
Tamarama	Aboriginal carvings	Marks Park (south of Mackenzie's Point)	Lots 23 and 24, DP 752011; Lot 7025, DP 93864	Local	A546
Tamarama	Shelter with midden	Tamarama Beach Cave	AHIMS# 45-6-1947	Local	AH556
Tamarama	Site of Wonderland and Aquarium	Tamarama Gully		Local	A547
Vaucluse	Rock engraving	Diamond Bay	AHIMS# 45-6-1515	Local	AH555

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<b>Locality</b>	<b>Item name</b>	<b>Address</b>	<b>Property description</b>	<b>Significance</b>	<b>Item no</b>
Waverley	Glenrock Terrace	4–22 High Street	Lot 1, DP 437066; Lots 2–5 and 7, DP 108166; Lots 6 and 9, DP 818; Lot 8, DP 168137; Lot 2, DP 437773	Local	A549
Waverley	Wooden cottages	3–4 Judges Lane	Lot A, DP 343469; Lot B, DP 85020	Local	A548

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## Dictionary

(Clause 1.4)

**Aboriginal object** means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

**Aboriginal place of heritage significance** means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

**Note.** The term may include (but is not limited to) places that are declared under section 84 of the *National Parks and Wildlife Act 1974* to be Aboriginal places for the purposes of that Act.

**acid sulfate soils** means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

**Acid Sulfate Soils Manual** means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

**Acid Sulfate Soils Map** means the Waverley Local Environmental Plan 2012 Acid Sulfate Soils Map.

**Active Street Frontages Map** means the Waverley Local Environmental Plan 2012 Active Street Frontages Map.

**advertisement** has the same meaning as in the Act.

**Note.** The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

**advertising structure** has the same meaning as in the Act.

**Note.** The term is defined as a structure used or to be used principally for the display of an advertisement.

Advertising structures are a type of **signage**—see the definition of that term in this Dictionary.

**affordable housing** has the same meaning as in the Act.

**Note.** The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

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**agricultural produce industry** means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

**Note.** Agricultural produce industries are a type of **rural industry**—see the definition of that term in this Dictionary.

**agriculture** means any of the following:

- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

**Note.** Part 6 of the *Plantations and Reafforestation Act 1999* provides that exempt farm forestry within the meaning of that Act is not subject to the *Environmental Planning and Assessment Act 1979*.

**air transport facility** means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

**airport** means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

**Note.** Airports are a type of **air transport facility**—see the definition of that term in this Dictionary.

**airstrip** means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

**amusement centre** means a building or place (not being part of a pub or registered club) used principally for playing:

- (a) billiards, pool or other like games, or
- (b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

**animal boarding or training establishment** means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

**aquaculture** has the same meaning as in the *Fisheries Management Act 1994*.

**Note.** Aquaculture is a type of **agriculture**—see the definition of that term in this Dictionary.

**archaeological site** means a place that contains one or more relics.

**attached dwelling** means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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(c) none of the dwellings is located above any part of another dwelling.

**Note.** Attached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**attic** means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

**backpackers' accommodation** means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

**Note.** Backpackers' accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**basement** means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

**bed and breakfast accommodation** means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

**Note.** See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**bee keeping** means a building or place used for the keeping and breeding of bees for commercial purposes.

**Note.** Bee keeping is a type of **extensive agriculture**—see the definition of that term in this Dictionary.

**biodiversity** means biological diversity.

**biological diversity** has the same meaning as in the *Threatened Species Conservation Act 1995*.

**Note.** The term is defined as follows:

**biological diversity** means the diversity of life and is made up of the following 3 components:

- (a) genetic diversity—the variety of genes (or units of heredity) in any population,
- (b) species diversity—the variety of species,
- (c) ecosystem diversity—the variety of communities or ecosystems.

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***biosolids treatment facility*** means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

**Note.** Biosolids treatment facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

***boarding house*** means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

**Note.** Boarding houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

***boat building and repair facility*** means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

***boat launching ramp*** means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

***boat shed*** means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

***brothel*** has the same meaning as in the Act.

**Note.** This definition is relevant to the definitions of **home occupation (sex services)** and **sex services premises** in this Dictionary.

***building*** has the same meaning as in the Act.

**Note.** The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

***building height*** (or ***height of building***) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

***building identification sign*** means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

**Note.** Building identification signs are a type of **signage**—see the definition of that term in this Dictionary.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**building line** or **setback** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

- (a) a building wall, or
- (b) the outside face of any balcony, deck or the like, or
- (c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

**bulky goods premises** means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

**Note.** Bulky goods premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**bush fire hazard reduction work** has the same meaning as in the *Rural Fires Act 1997*.

**Note.** The term is defined as follows:

**bush fire hazard reduction work** means:

- (a) the establishment or maintenance of fire breaks on land, and
- (b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

**bush fire prone land** has the same meaning as in the Act.

**Note.** The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 146 (2) of the Act.

**bush fire risk management plan** means a plan prepared under Division 4 of Part 3 of the *Rural Fires Act 1997* for the purpose referred to in section 54 of that Act.

**business identification sign** means a sign:

- (a) that indicates:
  - (i) the name of the person or business, and
  - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and



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- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

**Note.** Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.

**business premises** means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

**Note.** Business premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

**camping ground** means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

**canal estate development** means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either:

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:
- (i) dwellings that are permitted on rural land, and
  - (ii) dwellings that are used for caretaker or staff purposes, or
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

**car park** means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

**caravan park** means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**catchment action plan** has the same meaning as in the *Catchment Management Authorities Act 2003*.

**Note.** The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the *Catchment Management Authorities Act 2003*.

**cellar door premises** means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

**Note.** Cellar door premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**cemetery** means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

**charter and tourism boating facility** means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

**child care centre** means a building or place used for the supervision and care of children that:

- (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and
- (b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
  - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
  - (ii) private tutoring, or
- (i) a school, or

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- (j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

**classified road** has the same meaning as in the *Roads Act 1993*.

**Note.** The term is defined as follows:

**classified road** means any of the following:

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(See *Roads Act 1993* for meanings of these terms.)

**clearing native vegetation** has the same meaning as in the *Native Vegetation Act 2003*.

**Note.** The term is defined as follows:

**clearing native vegetation** means any one or more of the following:

- (a) cutting down, felling, thinning, logging or removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

(See Division 3 of Part 3 of the *Native Vegetation Act 2003* for the exclusion of routine agricultural management and other farming activities from constituting the clearing of native vegetation if the landholder can establish that any clearing was carried out for the purpose of those activities.)

**coastal foreshore** means land with frontage to a beach, estuary, coastal lake, headland, cliff or rock platform.

**coastal hazard** has the same meaning as in the *Coastal Protection Act 1979*.

**coastal lake** means a body of water specified in Schedule 1 to *State Environmental Planning Policy No 71—Coastal Protection*.

**coastal protection works** has the same meaning as in the *Coastal Protection Act 1979*.

**coastal waters of the State**—see section 58 of the *Interpretation Act 1987*.

**coastal zone** has the same meaning as in the *Coastal Protection Act 1979*.

**Note.** The term is defined as follows:

**coastal zone** means:

- (a) the area within the coastal waters of the State as defined in Part 10 of the *Interpretation Act 1987* (including any land within those waters), and

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Dictionary

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- (b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and
- (c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

The coastal zone consists of the area between the western boundary of the coastal zone shown on the maps outlining the coastal zone and the outermost boundary of the coastal waters of the State. The coastal waters of the State extend, generally, to 3 nautical miles from the coastline of the State.

**commercial premises** means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

**community facility** means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**community land** has the same meaning as in the *Local Government Act 1993*.

**correctional centre** means:

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the *Crimes (Administration of Sentences) Act 1999*, including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5 (1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

**Council** means the Waverley Council.

**crematorium** means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

**Crown reserve** means:

- (a) a reserve within the meaning of Part 5 of the *Crown Lands Act 1989*, or
- (b) a common within the meaning of the *Commons Management Act 1989*, or
- (c) lands within the meaning of the *Trustees of Schools of Arts Enabling Act 1902*,

but does not include land that forms any part of a reserve under Part 5 of the *Crown Lands Act 1989* provided for accommodation.

**curtilage**, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage

conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

**dairy (pasture-based)** means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

**Note.** Dairies (pasture-based) are a type of **extensive agriculture**—see the definition of that term in this Dictionary.

**dairy (restricted)** means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

**Note.** Dairies (restricted) are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

**demolish**, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

**depot** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

**drainage** means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

**dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached).

**Note.** Dual occupancies are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

**Note.** Dual occupancies (attached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

**dual occupancy (detached)** means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

**Note.** Dual occupancies (detached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

**dwelling** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

**dwelling house** means a building containing only one dwelling.

**Note.** Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**earthworks** means excavation or filling.

**ecologically sustainable development** has the same meaning as in the Act.

**eco-tourist facility** means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

**Note.** See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**educational establishment** means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

**electricity generating works** means a building or place used for the purpose of making or generating electricity.

**emergency services facility** means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

**emergency services organisation** means any of the following:

- (a) Ambulance Service of New South Wales,
- (b) Fire and Rescue NSW,
- (c) NSW Rural Fire Service,
- (d) NSW Police Force,
- (e) State Emergency Service,
- (f) New South Wales Volunteer Rescue Association Incorporated,
- (g) New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*,
- (h) an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

**entertainment facility** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

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**environmental facility** means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

**environmental protection works** means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

**estuary** has the same meaning as in the *Water Management Act 2000*.

**Note.** The term is defined as follows:

**estuary** means:

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

**excavation** means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

**exhibition home** means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

**exhibition village** means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

**extensive agriculture** means any of the following:

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock for commercial purposes,
- (c) bee keeping,
- (d) a dairy (pasture-based).

**Note.** Extensive agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

**extractive industry** means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

**Note.** Extractive industries are not a type of *industry*—see the definition of that term in this Dictionary.

**extractive material** means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

**farm building** means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

**farm stay accommodation** means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

**Note.** See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**feedlot** means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, fed (wholly or substantially) on prepared and manufactured feed, for the purpose of meat production or fibre products, but does not include a poultry farm, dairy or piggery.

**Note.** Feedlots are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

**fill** means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

**filming** means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include:

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.



**fish** has the same meaning as in the *Fisheries Management Act 1994*.

**Note.** The term is defined as follows:

**Definition of “fish”**

- (1) **Fish** means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).
- (2) **Fish** includes:
  - (a) oysters and other aquatic molluscs, and
  - (b) crustaceans, and
  - (c) echinoderms, and
  - (d) beachworms and other aquatic polychaetes.
- (3) **Fish** also includes any part of a fish.
- (4) However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act 1994*.

**flood mitigation work** means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

**Flood Planning Map** means the Waverley Local Environmental Plan 2012 Flood Planning Map.

**floor space ratio**—see clause 4.5.

**Floor Space Ratio Map** means the Waverley Local Environmental Plan 2012 Floor Space Ratio Map.

**food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub.

**Note.** Food and drink premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**forestry** has the same meaning as **forestry operations** in the *Forestry and National Park Estate Act 1998*.

**Note.** The term is defined as follows:

**forestry operations** means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Dictionary

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- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or
- (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

**freight transport facility** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

**function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

**funeral home** means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

**Note.** Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

**garden centre** means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

**Note.** Garden centres are a type of **retail premises**—see the definition of that term in this Dictionary.

**general industry** means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

**Note.** General industries are a type of **industry**—see the definition of that term in this Dictionary.

**gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and

- (e) any basement:
  - (i) storage, and
  - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
  - (i) terraces and balconies with outer walls less than 1.4 metres high, and
  - (j) voids above a floor at the level of a storey or storey above.

**ground level (existing)** means the existing level of a site at any point.

**ground level (finished)** means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

**ground level (mean)** means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

**group home** means a permanent group home or a transitional group home.

**Note.** Group homes are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**group home (permanent) or permanent group home** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

**Note.** Permanent group homes are a type of **group home**—see the definition of that term in this Dictionary.

**group home (transitional) or transitional group home** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

**Note.** Transitional group homes are a type of **group home**—see the definition of that term in this Dictionary.

**hardware and building supplies** means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

**Note.** Hardware and building supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

**hazardous industry** means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), pose a significant risk in the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

**Note.** Hazardous industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

**hazardous storage establishment** means a building or place that is used for the storage of goods, materials or products and that would, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), pose a significant risk in the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

**Note.** Hazardous storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

**headland** includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

**health care professional** means any person registered under an Act for the purpose of providing health care.

**health consulting rooms** means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

**Note.** Health consulting rooms are a type of **health services facility**—see the definition of that term in this Dictionary.

**health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration

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to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

**heavy industrial storage establishment** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following:

- (a) a hazardous storage establishment,
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

**heavy industry** means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

**Note.** Heavy industries are a type of **industry**—see the definition of that term in this Dictionary.

**Height of Buildings Map** means the Waverley Local Environmental Plan 2012 Height of Buildings Map.

**helipad** means a place not open to the public used for the taking off and landing of helicopters.

**heliport** means a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes:

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

**Note.** Heliports are a type of **air transport facility**—see the definition of that term in this Dictionary.

**heritage conservation area** means an area of land of heritage significance:

- (a) shown on the Heritage Map as a heritage conservation area, and
- (b) the location and nature of which is described in Schedule 5,

and includes any heritage items situated on or within that area.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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***heritage conservation management plan*** means a document prepared in accordance with guidelines prepared by the Division of the Government Service responsible to the Minister administering the *Heritage Act 1977* that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

***heritage impact statement*** means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

***heritage item*** means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

**Note.** An inventory of heritage items is also available at the office of the Council.

***heritage management document*** means:

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or
- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

***Heritage Map*** means the Waverley Local Environmental Plan 2012 Heritage Map.

***heritage significance*** means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

***high technology industry*** means a building or place predominantly used to carry out an industrial activity that involves any of the following:

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),
- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,
- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,

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- (h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

**Note.** High technology industries are a type of *light industry*—see the definition of that term in this Dictionary.

**highway service centre** means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

**home-based child care** means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- (a) the service is licensed within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*,
- (b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

**home business** means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

**Note.** See clause 5.4 for controls relating to the floor area used for a home business.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**home industry** means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

**Note.** See clause 5.4 for controls relating to the floor area used for a home industry.

Home industries are a type of **light industry**—see the definition of that term in this Dictionary.

**home occupation** means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

**home occupation (sex services)** means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.



**horticulture** means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

**Note.** Horticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

**hospital** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

**Note.** Hospitals are a type of **health services facility**—see the definition of that term in this Dictionary.

**hostel** means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

**Note.** Hostels are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**hotel or motel accommodation** means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

**Note.** Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**industrial activity** means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

**industrial retail outlet** means a building or place that:

- (a) is used in conjunction with an industry or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

**Note.** See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

**industrial training facility** means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

**industry** means any of the following:

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include:

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

**information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

**intensive livestock agriculture** means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies (restricted),
- (b) feedlots,

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- (c) piggeries,
  - (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

**Note.** Intensive livestock agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

**intensive plant agriculture** means any of the following:

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

**Note.** Intensive plant agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

**jetty** means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

**kiosk** means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

**Note.** See clause 5.4 for controls relating to the gross floor area of a kiosk.

Kiosks are a type of **retail premises**—see the definition of that term in this Dictionary.

**Land Application Map** means the Waverley Local Environmental Plan 2012 Land Application Map.

**Land Reservation Acquisition Map** means the Waverley Local Environmental Plan 2012 Land Reservation Acquisition Map.

**Land Zoning Map** means the Waverley Local Environmental Plan 2012 Land Zoning Map.

**landscaped area** means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

**landscaping material supplies** means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

**Note.** Landscaping material supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

**light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

**Note.** Light industries are a type of **industry**—see the definition of that term in this Dictionary.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**liquid fuel depot** means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

**Note.** Liquid fuel depots are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

**livestock processing industry** means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

**Note.** Livestock processing industries are a type of **rural industry**—see the definition of that term in this Dictionary.

**Lot Size Map** means the Waverley Local Environmental Plan 2012 Lot Size Map.

**maintenance**, in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

**marina** means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities:

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,
- (b) any facility for providing fuelling, sewage pump-out or other services for boats,
- (c) any facility for launching or landing boats, such as slipways or hoists,
- (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,
- (e) any berthing or mooring facilities.

**market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**Note.** Markets are a type of **retail premises**—see the definition of that term in this Dictionary.

**mean high water mark** means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

**medical centre** means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are

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principally provided by health care professionals. It may include the ancillary provision of other health services.

**Note.** Medical centres are a type of **health services facility**—see the definition of that term in this Dictionary.

**mezzanine** means an intermediate floor within a room.

**mine** means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

**mine subsidence district** means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

**mining** means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

**Note.** Mining is not a type of **industry**—see the definition of that term in this Dictionary.

**mixed use development** means a building or place comprising 2 or more different land uses.

**mooring** means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

**mooring pen** means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

**mortuary** means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

**moveable dwelling** has the same meaning as in the *Local Government Act 1993*.

**Note.** The term is defined as follows:

**moveable dwelling** means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act 1993*) for the purposes of this definition.

**multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

**Note.** Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

**native fauna** means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**native flora** means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the *Fisheries Management Act 1994*.

**native vegetation** has the same meaning as in the *Native Vegetation Act 2003*.

**Note.** The term is defined as follows:

**Meaning of “native vegetation”**

- (1) **Native vegetation** means any of the following types of indigenous vegetation:
  - (a) trees (including any sapling or shrub, or any scrub),
  - (b) understorey plants,
  - (c) groundcover (being any type of herbaceous vegetation),
  - (d) plants occurring in a wetland.
- (2) Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.
- (3) **Native vegetation** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

**navigable waterway** means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

**neighbourhood shop** means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

**Note.** See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of **shop**—see the definition of that term in this Dictionary.

**nominated State heritage item** means a heritage item that:

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

**non-potable water** means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

**NSW Coastal Policy** means the publication titled *NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast*, published by the Government.

**offensive industry** means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that

would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

**Note.** Offensive industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

**offensive storage establishment** means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

**Note.** Offensive storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

**office premises** means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

**Note.** Office premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

**open cut mining** means mining carried out on, and by excavating, the earth's surface, but does not include underground mining.

**operational land** has the same meaning as in the *Local Government Act 1993*.

**parking space** means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

**passenger transport facility** means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

**place of public worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

**plant nursery** means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

**Note.** Plant nurseries are a type of **retail premises**—see the definition of that term in this Dictionary.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

---

**port facilities** means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

**potable water** means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

**private open space** means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

**property vegetation plan** has the same meaning as in the *Native Vegetation Act 2003*.

**Note.** The term is defined as follows:

**property vegetation plan** means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*.

**pub** means licensed premises under the *Liquor Act 2007* the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

**Note.** Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary.

**public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

**public authority** has the same meaning as in the Act.

**public land** has the same meaning as in the *Local Government Act 1993*.

**Note.** The term is defined as follows:

**public land** means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or



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(d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or

(e) a regional park under the *National Parks and Wildlife Act 1974*.

**public reserve** has the same meaning as in the *Local Government Act 1993*.

**public utility undertaking** means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

**rainwater tank** means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

**recreation area** means a place used for outdoor recreation that is normally open to the public, and includes:

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

**recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

**recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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**Reduced Level (RL)** means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971.

**registered club** means a club that holds a club licence under the *Liquor Act 2007*.

**relic** has the same meaning as in the *Heritage Act 1977*.

**Note.** The term is defined as follows:

**relic** means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

**research station** means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

**residential accommodation** means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

**residential care facility** means accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and

- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

**Note.** Residential care facilities are a type of **seniors housing**—see the definition of that term in this Dictionary.

**residential flat building** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

**Note.** Residential flat buildings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**resource recovery facility** means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

**Note.** Resource recovery facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

**respite day care centre** means a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre.

**restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, takeaway meals and drinks or entertainment are also provided.

**Note.** Restaurants or cafes are a type of **food and drink premises**—see the definition of that term in this Dictionary.

**restricted premises** means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

**restriction facilities** means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Dictionary

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- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**Note.** Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

**road** means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road.

**roadside stall** means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

**Note.** See clause 5.4 for controls relating to the gross floor area of roadside stalls.

Roadside stalls are a type of **retail premises**—see the definition of that term in this Dictionary.

**rural industry** means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

**Note.** Rural industries are not a type of **industry**—see the definition of that term in this Dictionary.

**rural supplies** means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

**Note.** Rural supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

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**rural worker's dwelling** means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

**Note.** Rural workers' dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**sawmill or log processing works** means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

**Note.** Sawmill or log processing works are a type of **rural industry**—see the definition of that term in this Dictionary.

**school** means a government school or non-government school within the meaning of the *Education Act 1990*.

**Note.** Schools are a type of **educational establishment**—see the definition of that term in this Dictionary.

**secondary dwelling** means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

**Note.** See clause 5.4 for controls relating to the total floor area of secondary dwellings.

Secondary dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**self-storage units** means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

**Note.** Self-storage units are a type of **storage premises**—see the definition of that term in this Dictionary.

**semi-detached dwelling** means a dwelling that is on its own lot of land and is attached to only one other dwelling.

**Note.** Semi-detached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**seniors housing** means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

- (e) seniors or people who have a disability, or

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Dictionary

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- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

**Note.** Seniors housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

**service station** means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

**serviced apartment** means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

**Note.** Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**sewage reticulation system** means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

**Note.** Sewage reticulation systems are a type of **sewerage system**—see the definition of that term in this Dictionary.

**sewage treatment plant** means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

**Note.** Sewage treatment plants are a type of **sewerage system**—see the definition of that term in this Dictionary.

**sewerage system** means any of the following:

- (a) biosolids treatment facility,

- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place or place that is a combination of any of the things referred to in paragraphs (a)–(d).

**sex services** means sexual acts or sexual services in exchange for payment.

**sex services premises** means a brothel, but does not include home occupation (sex services).

**shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

**Note.** Shops are a type of **retail premises**—see the definition of that term in this Dictionary.

**shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

**Note.** Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

**signage** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

**site area** means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

**Note.** The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

**site coverage** means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- (a) any basement,
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,
- (d) unenclosed balconies, decks, pergolas and the like.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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***spa pool*** has the same meaning as in the *Swimming Pools Act 1992*.

**Note.** The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

***stock and sale yard*** means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

**Note.** Stock and sale yards are a type of ***rural industry***—see the definition of that term in this Dictionary.

***storage premises*** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

***storey*** means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

***swimming pool*** has the same meaning as in the *Swimming Pools Act 1992*.

**Note.** The term is defined as follows:

***swimming pool*** means an excavation, structure or vessel:

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act.

***take away food and drink premises*** means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

**Note.** Take away food and drink premises are a type of ***food and drink premises***—see the definition of that term in this Dictionary.

***telecommunications facility*** means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.



**telecommunications network** means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

**temporary structure** has the same meaning as in the Act.

**Note.** The term is defined as follows:

**temporary structure** includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

**Terrestrial Biodiversity Map** means the Waverley Local Environmental Plan 2012 Terrestrial Biodiversity Map.

**the Act** means the *Environmental Planning and Assessment Act 1979*.

**timber yard** means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

**Note.** Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.

**tourist and visitor accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

**transport depot** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

**truck depot** means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

**turf farming** means the commercial cultivation of turf for sale and the removal of turf for that purpose.

**Note.** Turf farming is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

## 2012 No 540

Waverley Local Environmental Plan 2012

Dictionary

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***underground mining*** means:

- (a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and
- (b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

***vehicle body repair workshop*** means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

***vehicle repair station*** means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

***vehicle sales or hire premises*** means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

**Note.** Vehicle sales or hire premises are a type of ***retail premises***—see the definition of that term in this Dictionary.

***veterinary hospital*** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

***viticulture*** means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

**Note.** Viticulture is a type of ***intensive plant agriculture***—see the definition of that term in this Dictionary.

***warehouse or distribution centre*** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

***waste disposal facility*** means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

**Note.** Waste disposal facilities are a type of ***waste or resource management facility***—see the definition of that term in this Dictionary.

***waste or resource management facility*** means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,

- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

**waste or resource transfer station** means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

**Note.** Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

**water recreation structure** means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

**water recycling facility** means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

**Note.** Water recycling facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

**water reticulation system** means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

**Note.** Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

**water storage facility** means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

**Note.** Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

**water supply system** means any of the following:

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

**water treatment facility** means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

**Note.** Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

## 2012 No 540

### Waverley Local Environmental Plan 2012

#### Dictionary

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**waterbody** means a waterbody (artificial) or waterbody (natural).

**waterbody (artificial)** or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

**waterbody (natural)** or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

**watercourse** means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

**waterway** means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

**wetland** means:

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

**wharf or boating facilities** means a wharf (or any of the following facilities associated with a wharf or boating) that are not port facilities:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

Waverley Local Environmental Plan 2012

Dictionary

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*wholesale supplies* means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth.