



New South Wales

# **Waverley Local Environmental Plan 2012 (Amendment No 10)**

under the

**Environmental Planning and Assessment Act 1979**

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**STEPHEN MURRAY**

As delegate for the Greater Sydney Commission

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### **1 Name of Plan**

This Plan is *Waverley Local Environmental Plan 2012 (Amendment No 10)*.

### **2 Commencement**

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

### **3 Land to which Plan applies**

This Plan applies to the land to which *Waverley Local Environmental Plan 2012* applies.

### **4 Maps**

The maps adopted by *Waverley Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

## **Schedule 1      Amendment of Waverley Local Environmental Plan 2012**

### **[1] Land Use Table**

Insert “having regard to building design, operation and activities, transport, traffic generation and the car parking capacity of local roads” after “premises” in the second dot point to item 1 of Zone B1 Neighbourhood Centre.

### **[2] Land Use Table, Zone B1, item 1**

Insert at the end of the item:

- To provide retail facilities and business services for the local community commensurate with the centre’s role in the local retail hierarchy.

### **[3] Clause 4.3 Height of buildings**

Omit “properties,” from clause 4.3 (1) (a).

Insert instead “properties and public spaces and, if appropriate, the sharing of views,”.

### **[4] Clauses 4.3 (1) (d) and 4.4 (1) (c)**

Omit “existing” wherever occurring. Insert instead “desired future”.

### **[5] Clause 5.6 Architectural roof features**

Omit clause 5.6 (1) (d). Insert instead:

- (d) to minimise the external impact of roof features, in particular with respect to solar access and views.

### **[6] Clause 6.9**

Insert after clause 6.8:

#### **6.9 Design excellence**

- (1) The objective of this clause is to deliver the highest standard of sustainable architectural and urban design.
- (2) This clause applies to development that:
  - (a) is on land shown coloured light green on the Key Sites Map, and
  - (b) involves the erection of a new building, or external alterations to an existing building, that has (or, as a result of the development, would have) a building height equal to, or greater than, 15 metres.
- (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) whether the development detrimentally impacts on view corridors,
  - (d) how the development addresses the following matters:

- (i) the suitability of the land for development,
- (ii) existing and proposed uses and use mix,
- (iii) heritage issues and streetscape constraints,
- (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
- (v) bulk, massing and modulation of buildings,
- (vi) street frontage heights,
- (vii) environmental impacts such as overshadowing, wind and reflectivity,
- (viii) the achievement of the principles of ecologically sustainable development,
- (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
- (x) the impact on, and any proposed improvements to, the public domain,
- (xi) the quality and integration of landscape design.

**[7] Schedule 5 Environmental heritage**

Omit “16–26” and “Lot 10, DP 878411; SP 57419; Lot 18, Section B, DP 976168” from item I198 in Part 1.

Insert instead “16” and “CP SP 57419”, respectively.

**[8] Schedule 5, Part 1, item I281**

Omit the item.

**[9] Schedule 5, Part 1, item I370**

Omit “32–34” and “Lots 66 and 67”. Insert instead “34” and “Lot 67”, respectively.

**[10] Schedule 5, Part 1, item I455**

Omit “I455”. Insert instead “I456”.

**[11] Schedule 5, Part 1, item I456**

Omit “254”, “Lot 2, DP 740902” and “I456”.

Insert instead “252–254”, “CP SP 95212” and “I455”, respectively.