



New South Wales

Waverley Local Environmental Plan 2012 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**PETER MONKS, DIRECTOR OF PLANNING, ENVIRONMENT & REGULATORY
SERVICES**

WAVERLEY COUNCIL

As delegate for the local plan-making authority

Waverley Local Environmental Plan 2012 (Amendment No 18)

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1 Name of Plan

This Plan is *Waverley Local Environmental Plan 2012 (Amendment No 18)*.

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 all 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 local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Waverley Local Environmental Plan 2012

[1] Land Use Table

Insert the following at the end of item 1 of the matter relating to Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone B1 Neighbourhood Centre, respectively—

- To maximise public transport patronage and encourage walking and cycling.

[2] Clause 4.4 Floor space ratio

Omit “, scale, streetscape and” from clause 4.4(1)(c). Insert instead “and scale of the”.

[3] Clause 4.4(1)(d)

Omit “minimise the adverse impacts on the amenity of”.

[4] Clause 6.7 Solar access to public spaces in Bondi Junction

Insert “, being Lot 6, Section A, DP 145” after “Boot Factory)” in clause 6.7(2)(d).

[5] Schedule 2 Exempt development

Insert in appropriate order—

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area.
- (4) Must not contain material that—
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, *street art* means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities. See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

Temporary events on public land and public roads and associated temporary structures

- (1) Must take place on land owned by the Council or for which the Council has care, control and management (including Crown land) or a public road for which the Council is the roads authority under the *Roads Act 1993*.
- (2) Must not involve demolition.
- (3) Must not involve overnight accommodation on bushfire prone land.
- (4) Must not be conducted for more than 52 days (whether or not consecutive) in any period of 12 months.

- (5) In this clause, *event* means any event (including, without limitation, a market, exhibition, ceremony, meeting, concert, sporting event or fete) that would, but for this clause, require development consent.

Note. The proposed event may involve activities that require approvals under the *Local Government Act 1993* and other legislation. Such activities include the closure of public roads, the erection of temporary structures and activities on public land.

[6] Schedule 5 Environmental heritage

Omit the matter relating to item I128 from Part 1.

[7] Schedule 5, Part 1, item I307

Omit “Lots 22 and 23, Section 2, DP 2806”. Insert instead “Lot 1, DP 1251903”.

[8] Schedule 5, Part 1, item I354

Omit “18 Yanko Avenue”. Insert instead “20 Yanko Avenue”.

[9] Schedule 5, Part 1, item I354

Omit “DP 73900”. Insert instead “DP 72600”.

[10] Schedule 5, Part 1, item I376

Omit “Lots 58–62”. Insert instead “Lots 60–62”.

[11] Schedule 5, Part 1

Insert in appropriate order—

Vaucluse	South Head Cemetery	Old South Head Road	Lots 113 and 501, DP 752011; Lot 7006, DP 1023201	State	I522
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