



New South Wales

Waverley Local Environmental Plan 2012 (Amendment No 22)

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*.

MALCOLM McDONALD

As delegate for the Minister for Planning and Public Spaces

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1 Name of Plan

This Plan is *Waverley Local Environmental Plan 2012 (Amendment No 22)*.

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 following land in Waverley—

- (a) Lot 3, DP 593710, 97C Birrell Street,
- (b) Lot 1, DP 212655, 119 Birrell Street,
- (c) Lot A, DP 317831, 121 Birrell Street,
- (d) Lot 1, DP 172133, Lot 1, DP 567694, Lot 1, DP 948186, Lot 2, DP 1061588, Lot 3, DP 667555, Lots 1 and 2, DP 1061548, Lot 7, DP 948185 and Lot B, DP 317831, 125 Birrell Street,
- (e) Lot 4, DP 593710, 124–160 Bronte Road,
- (f) Lot 1, DP 166786, 162 Bronte Road,
- (g) Lot 1, DP 1115706, 164 Bronte Road,
- (h) Lot 1, DP 630460, 2 Church Street,
- (i) Lot 2, DP 630460, 4 Church Street,
- (j) Lot 1, DP 167332, 6 Church Street,
- (k) Lots 1, 2 and 3, DP 1098550, 8 Church Street.

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] Clause 6.9 Design excellence

Omit “or light pink” from clause 6.9(2)(a). Insert instead “, light pink or brown”.

[2] Part 6 Additional local provisions

Insert at the end of the Part, with appropriate clause numbering—

Development of the War Memorial Hospital Campus at Edina Estate, Waverley

- (1) The objectives of this clause are—
 - (a) to enable the redevelopment of the War Memorial Hospital Campus at Edina Estate, Waverley in accordance with the provisions of a site-specific development control plan, and
 - (b) to ensure buildings with additional height and floor space ratio are not erected on the land unless—
 - (i) 30% of the land will be a deep soil zone, and
 - (ii) the buildings are designed to minimise the consumption of energy and water.
- (2) This clause applies to land shown coloured brown on the Key Sites Map.
- (3) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the following has been prepared for the land—
 - (a) built form controls, including the maximum number of storeys and minimum setbacks for buildings,
 - (b) measures to ensure development of the land does not negatively impact on the character of surrounding land,
 - (c) pedestrian access, including by links through the site,
 - (d) landscaping of open space.
- (4) A building on land to which this clause applies may have 1 or more of the following—
 - (a) a height of not more than the maximum height shown for the land on the Alternative Height of Buildings Map,
 - (b) a floor space ratio of not more than the maximum floor space ratio shown for the land on the Alternative Floor Space Ratio Map.
- (5) Subclause (4) applies only if the consent authority is satisfied that—
 - (a) at least 30% of the land to which this clause applies will be a deep soil zone, and
 - (b) any building used only for non-residential purposes will be capable of achieving a 4.5 star NABERS rating for water or equivalent, and
 - (c) any part of a building that is used for non-residential purposes will be capable of achieving a 5.5 star NABERS rating for energy or equivalent, and
 - (d) for BASIX affected development—any building used for dwellings will be capable of—
 - (i) exceeding the applicable BASIX target for water by at least 5 points or equivalent, and

- (ii) exceeding the applicable BASIX target for energy by at least 10 points or equivalent, and
 - (iii) achieving a NatHERS rating of 7 stars or equivalent.
- (6) In this clause—
- BASIX target** means a target for water or energy efficiency that is—
- (a) set by the Planning Secretary for the purposes of BASIX certificates issued under the *Environmental Planning and Assessment Regulation 2000*, and
 - (b) in force on the commencement of this clause.
- deep soil zone** means a landscaped area with no building above or below the ground, but does not include an area used or intended to be used for a driveway or parking.
- NABERS rating** means a rating for the water or energy efficiency of a building under the National Australian Built Environment Rating System.
- NatHERS** means the Nationwide House Energy Rating Scheme administered by the Commonwealth Government.

[3] Schedule 1 Additional permitted uses

Insert at the end of the Schedule, with appropriate clause numbering—

Use of certain land at Waverley in Zone SP2 Infrastructure

- (1) This clause applies to—
 - (a) the following land at 125 Birrell Street, Waverley—
 - (i) Lot 1, DP 172133,
 - (ii) Lot 1, DP 567694,
 - (iii) Lot 1, DP 948186,
 - (iv) Lot 2, DP 1061588,
 - (v) Lot 3, DP 667555,
 - (vi) Lots 1 and 2, DP 1061548,
 - (vii) Lot 7, DP 948185, and
 - (b) Lot 4, DP 593710, 124–160 Bronte Road, Waverley.
- (2) Development for the following purposes is permitted—
 - (a) centre-based child care facilities,
 - (b) community facilities,
 - (c) seniors housing.

[4] Dictionary

Insert in alphabetical order—

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

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