



New South Wales

Waverley Local Environmental Plan 2012 (Amendment No 25)

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*.

DANIEL THOMPSON

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 25)*.

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

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

Clause 6.17

Insert after clause 6.16—

6.17 Affordable housing contributions

- (1) This clause applies to development involving the erection of the following—
 - (a) independent living units,
 - (b) multi dwelling housing,
 - (c) residential flat buildings,
 - (d) shop top housing.
- (2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing contribution (a **contribution**) equivalent to 1% of the gross floor area of the residential component of the development.
- (3) A condition imposed under this clause must permit a person to satisfy the contribution by—
 - (a) a monetary contribution paid to the Council, calculated in accordance with the *Waverley Affordable Housing Contributions Scheme 2023* adopted by the Council on 5 March 2024, or
 - (b) a dedication in favour of the Council of land, comprising 1 or more dwellings, with a gross floor area of at least 50m² each.
- (4) This clause does not apply to development—
 - (a) for the purposes of affordable housing, or
 - (b) that will be used as a social housing premises within the meaning of the *Residential Tenancies Act 2010*, or
 - (c) that will be used to provide public housing within the meaning of the *Housing Act 2001*.
- (5) The demolition of a building, or change in the use of land, does not give rise to a claim for a refund of a contribution.