

PLANNING PROPOSAL TO AMEND WAVERLEY LEP 2012
SECTION 117 DIRECTIONS COMPLIANCE

Relevant Sec 117 Directions and their implication for this Planning Proposal are:

1. Employment and Resources	
1.1 Business and Industrial Zones • Give effect to the objectives of the direction. • Retain existing business and industrial zones. • Not reduce potential floor space area in business and industrial zones. • Must be consistent with DoPI strategy.	• The Waverley LGA does not contain any Industrial Zones. • While there is a potential loss of commercial floorspace resulting from the boundary change between the B3 Commercial Core zone and B4 Mixed Use zone and the rezoning of 91 Ebley Street from B4 Mixed Use to R3 Medium Density Residential, the Planning Proposal is justifiably inconsistent with this direction for the following reasons: - o The change is of minor significance; - o The objectives of the direction are still satisfied as: ▪ The proposal will facilitate development (including commercial development) to occur sooner rather than later. Commercial development has stagnated in the Bondi Junction centre in recent years as there is little interest in constructing a purely commercial building. However, interest has been expressed for mixed use developments as evidenced by the receipt of a separate planning proposal for 344-350 Oxford St. ▪ Employment lands are still being protected. This Planning Proposal does not reduce the overall amount of land zoned for business purposes. However it does alter the boundary between the B3 Commercial Core zone and B4 Mixed Use zone in Bondi Junction. While residential development will be permissible, it will

	encourage development to occur sooner and the potential loss of commercial floorspace will not impact on Council's ability to meet its employment targets. ▪ The viability of the Bondi Junction centre will be supported through the encouragement of development to occur sooner rather than later and the introduction of more residents supporting the local economy. - o The matters in this Planning Proposal that are inconsistent with this direction resulted from a study conducted by City Plan Pty Ltd on behalf of Council and funded by the DoPI. - o The Planning Proposal is still consistent with the Metropolitan Strategy and East Region Draft Subregional Strategy as employment targets can still be met; the achievement of residential targets will be improved; the centres typology which was adopted in the preparation of the principal Waverley LEP 2012 will be maintained; the viability and vitality of the Bondi Junction centre will be supported through the encouragement of development and use of public infrastructure particularly the Bondi Junction Bus/Rail Interchange will encouraged.
1.2 Rural Zones	• Not applicable. There are no existing or proposed rural zones in the LEP.
1.3 Mining, Petroleum Production and Extractive Industries	• The draft LEP does not affect any deposits.
1.4 Oyster Aquaculture	• Not applicable. The draft LEP does not change any land uses that would affect priority oyster aquaculture areas.
1.5 Rural Lands	• Not applicable. SEPP (Rural Lands) 2008 does not apply to Waverley

2. Environment and Heritage	
2.1 Environment Protection Zone • Shall include provisions that facilitate the protection and conservation of environmentally sensitive areas.	• Council's comprehensive LEP 2012 introduced provisions relating to Terrestrial Biodiversity which apply to land identified on the Terrestrial Biodiversity Map and identified three sites as having high conservation value which were zoned E2 Environmental Conservation accordingly. • This Planning Proposal does not affect any of these sites.
2.2 Coastal Protection	• Two items in the Planning Proposal are in close proximity to the boundary of the Coastal Zone. Item B1 – North Bondi RSL Sub Branch Club site proposes to make this existing use permissible on the site and item C1 – Bondi Beach Conservation Area 180 Campbell pde proposes to amend the boundary of the conservation area to include an additional property. Both are of minor significance and will have no impact on the Coastal Zone.
2.3 Heritage Conservation • Facilitate the conservation of heritage items, both Aboriginal and European.	• Schedule 5 and the Heritage Maps in WLEP 2012 were developed following a comprehensive heritage study involving community consultation over a number of years. In addition, a study of Aboriginal Heritage was also conducted the results of which were also included. Following completion of the comprehensive LEP, a number of anomalies were noted in the heritage schedule (Schedule 5) and Heritage Maps. This Planning Proposal makes several amendments to the heritage schedule and maps in order to rectify those anomalies and improve the integrity of the heritage listings.
2.4 Recreation Vehicle Areas	• This Planning Proposal does not enable the development of any land for the purpose of a recreation vehicle area.

3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones • Broaden the choice of housing types. • Make more efficient use of infrastructure. • Be of good design. • Not reduce the permissible residential density of any land	• During the preparation of Council's comprehensive LEP, Council capitalised on opportunities to increase development potential in the Bondi Junction Centre for both residential and employment purposes in order to take advantage of the significant transport infrastructure available through the bus rail interchange. Other than the Commercial Core zone, development in Bondi Junction is and will continue to be of a mixed use high rise form adding a further dimension to the available choice of housing types in the Waverley Local Government Area. • The amendment contained in Part 2 Section A of this Planning Proposal adjusts the boundary between the B4 Mixed Use Development zone and the B3 Commercial Core zone in Bondi Junction. This adjustment will unlock the development potential of the subject sites facilitating the development of both residential dwellings and commercial floorspace. • The amendments contained in Part 2 Sections B and C of this Planning Proposal are either minor zoning and land use amendments or operational amendments relating to the clarification of heritage listings to improve the operation of the principal plan and have no impact on the supply or choice of housing.
3.2 Caravan Parks and Manufactured Home Estates	• There are no existing caravan parks in the local government area or any existing provisions permitting caravan parks.
3.3 Home Occupations • Allow home occupations in Dwelling Houses without the	• Council's comprehensive LEP made Home Occupations permissible in all residential and business zones (except for the B3 Commercial Core zone) without the need for development consent.

need for development consent.	This Planning Proposal does not change any provision relating to Home Occupations.
3.4 Integrating Land Use and Transportation - Give effect to Improving Transport Choice – DUAP 2001 Guidelines. - Give effect to The Right Place for Business & Services – DUAP 2001 Policy.	- In terms of the amendments contained in Part 2 Section A of this Planning Proposal relating to the Bondi Junction centre, the proposed inclusion of residential uses on the subject land will not alter the role and function of Bondi Junction as a major centre. In fact it will provide a greater diversity and mix of uses to the centre, and will encourage the growth of a night time and weekend economy in addition to the day time trade. The land to be zoned B4 Mixed Use Development is within a walkable catchment of the Bondi Junction Bus/Rail interchange. The increased residential density will satisfy the objectives of the Metropolitan Strategy in providing additional housing choice in proximity to existing centres and public transport nodes. - The amendments contained in Part 2 Sections B and C of this Planning Proposal are either of minor zoning and land use amendments or operational amendments relating to the clarification of heritage listings to improve the operation of the principal plan and have no impact on transportation.
3.5 Development near Licensed Aerodromes	Not applicable. No land in Waverley is in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	Not applicable. There are no Shooting Ranges in the Waverley Local Government Area.

4. Hazard and Risk	
4.1 Acid Sulphate Soils - Consider the Acid Sulphate Soils Guidelines. - Regulate works in Acid Sulphate Soil areas consistent with the ASS Model LEP. - Not intensify land use on land identified as having a probability of ASS unless a study is carried out assessing the appropriateness of the change of land use.	Council's comprehensive LEP made provisions for Acid Sulphate Soils. This Planning Proposal does not change any provision relating to Acid Sulphate Soils.
4.2 Mine Subsidence and Unstable Land	Not applicable. No land in the draft LEP is located within a mine subsidence district nor identified as unstable land.
4.3 Flood Prone Land - Be consistent with NSW Flood Prone Land Policy and Floodplain Development Manual 2005. - Not permit a significant increase in the development of land in the flood planning areas. - Not impose flood related development controls above the residential flood planning level for residential development.	This Planning Proposal does not apply to any land that is within a flood planning area and does not change any provision relating to Flood Planning.
4.4 Planning for Bushfire Protection	Not applicable. Council is not required to prepare a bushfire prone land map.
5. Regional Planning	

5.1 Implementation of Regional Strategies • Must be consistent with the Regional Strategy.	• Not applicable. Waverley is not within any of the listed regions.
5.2 Sydney Drinking Water Catchment	• Not applicable. Waverley is not identified as an applicable Council.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	• Not applicable. Waverley is not identified as an applicable Council.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	• Not applicable. Waverley is not identified as an applicable Council.
5.5 Development in the vicinity Ellalong, Paxton and Millfield	• Direction has been revoked.
5.6 Sydney to Canberra Corridor	• Direction has been revoked.
5.7 Central Coast	• Direction has been revoked.
5.8 Second Sydney Airport: Badgerys Creek	• Not applicable. Waverley is not identified as an applicable Council.
6. Local Plan Making	
6.1 Approval and Referral Requirement • Minimise the inclusion of provisions that require concurrence etc. • Not identify development as designated development without the approval of the Director General.	• This Planning Proposal does not contain any referral requirements nor identify any development as designated development.

6.2 Reserving Land for Public Purposes • Not alter or create reservations without the approval of the relevant acquisition authority. • Comply with a request from a Minister or public authority to reserve land etc.	• This Planning Proposal does not alter or create any reservations.
6.3 Site Specific Provisions • Discourage the creation of site specific provisions that allow a particular development to occur.	• The Planning Proposal contains no site specific provisions that allow a particular development to occur other than those included in Schedule 1 - Additional Permitted Uses which are intended to allow Office premises to be carried out on residential zoned land at 91 Ebley St Bondi Junction and Registered Clubs (North Bondi Returned Services Club only) on land at 118-120 Ramsgate Avenue Bondi Beach.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan for Sydney 2036 • Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036	The objectives and actions contained in the Metropolitan Plan for Sydney 2036 and East Subregion Draft Subregional Strategy (ESDSS) were comprehensively addressed during the preparation of WLEP 2012. All of the objectives and actions contained within those plans were complied with. The amendments contained in Part 2 Sections B and C of this Planning Proposal are considered to be a follow-on of the original comprehensive LEP. They are either minor zoning and land use amendments or operational amendments relating to the clarification of heritage listings to improve the operation of the principal plan. These are equally consistent with all objectives and actions contained in the Sydney Metropolitan Strategy and ESDSS. The amendments contained in Part 2 Section A of this Planning Proposal relating to the Bondi Junction centre will result in a minor shift in potential floorspace from commercial to residential as a result of the change in zoning from B3 Commercial core to B4 Mixed Use. The residential and employment

	targets required by the ESDSS, however can still be met. In addition, the proposed inclusion of residential uses on the subject site will not alter the role and function of Bondi Junction as a major centre. In fact it will provide a greater diversity and mix of uses to the centre, and will encourage the growth of a night time and weekend economy in addition to the day time trade. The land to be zoned B4 Mixed Use Development is within a walkable catchment of the Bondi Junction Bus/Rail interchange. The increased residential density will satisfy the objectives of the Metropolitan Plan in providing additional housing choice in proximity to existing centres and public transport nodes. In addition, the B4 zoning will still deliver employment outcomes as the ground floor and lower levels of any development will be used for commercial activities.