

PLANNING PROPOSAL TO AMEND WAVERLEY LEP 2012 (Amendment 11)
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 <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Not applicable. The Planning Proposal does not relate to any land zoned for business or industrial purposes.
1.2 Rural Zones	<ul style="list-style-type: none"> • Not applicable. There are no existing or proposed rural zones in the LEP.
1.3 Mining, Petroleum Production and Extractive Industries	<ul style="list-style-type: none"> • Not applicable. The Planning Proposal does not affect any deposits.
1.4 Oyster Aquaculture	<ul style="list-style-type: none"> • Not applicable. The Planning Proposal does not change any land uses that would affect priority oyster aquaculture areas.
1.5 Rural Lands	<ul style="list-style-type: none"> • Not applicable. SEPP (Rural Lands) 2008 does not apply to Waverley
2. Environment and Heritage	
2.1 Environment Protection Zone <ul style="list-style-type: none"> • Shall include provisions that facilitate the protection and conservation of environmentally sensitive areas. 	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Not applicable. The Planning Proposal does not apply to any land that is within the Coastal Zone.
2.3 Heritage Conservation <ul style="list-style-type: none"> • Facilitate the conservation of heritage items, both Aboriginal and European. 	<ul style="list-style-type: none"> • 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.

	<ul style="list-style-type: none"> This Planning Proposal does not affect any heritage item or conservation area.
2.4 Recreation Vehicle Areas	<ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> This Planning Proposal is justifiably inconsistent with the direction as it is of minor significance and will not impact the variety or choice of housing in the Local Government Area. While the proposal is to rezone land from R2 Low Density Residential to RE1 Public Recreation, this is only to reflect the historic and current use of the land as a local park.
3.2 Caravan Parks and Manufactured Home Estates	<ul style="list-style-type: none"> There are no existing caravan parks in the local government area or any existing provisions permitting caravan parks.
3.3 Home Occupations <ul style="list-style-type: none"> Allow home occupations in Dwelling Houses without the need for development consent. 	<ul style="list-style-type: none"> 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. This Planning Proposal does not change any provision relating to Home Occupations.
3.4 Integrating Land Use and Transportation <ul style="list-style-type: none"> Give effect to Improving Transport Choice – DUAP 2001 Guidelines. Give effect to The Right Place for Business & Services – DUAP 2001 Policy. 	<ul style="list-style-type: none"> The amendments contained in this Planning Proposal are minor zoning and mapping amendments and have no impact on transportation.
3.5 Development near Licensed Aerodromes	<ul style="list-style-type: none"> Not applicable. No land in Waverley is in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	<ul style="list-style-type: none"> Not applicable. There are no Shooting Ranges in the Waverley Local Government Area.
4. Hazard and Risk	
4.1 Acid Sulphate Soils <ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> This Planning Proposal is of minor significance and will not have any environmental impacts from the use of the land. The Planning Proposal relates to land identified as Class 5 on the Acid Sulphate Soils Map in Waverley LEP 2012. No development is proposed on the land as the purpose of the Planning Proposal is to reflect the historic and current use

probability of ASS unless a study is carried out assessing the appropriateness of the change of land use.	<p>of the land. Should excavation occur to remediate the contaminated portion of the land, this will only be to a depth of 0.5m and involve the disposal of only 37.5m³ of soil and will be undertaken in accordance with the Remediation Action Plan for the site. It is also unlikely to lower the water table on the nearby Class 4 land.</p> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Not applicable. Council is not required to prepare a bushfire prone land map.
5. Regional Planning	
5.1 Implementation of Regional Strategies <ul style="list-style-type: none"> • Must be consistent with the Regional Strategy. 	<ul style="list-style-type: none"> • Not applicable. Waverley is not within any of the listed regions.
5.2 Sydney Drinking Water Catchment	<ul style="list-style-type: none"> • Not applicable. Waverley is not identified as an applicable Council.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<ul style="list-style-type: none"> • Not applicable. Waverley is not identified as an applicable Council.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<ul style="list-style-type: none"> • Not applicable. Waverley is not identified as an applicable Council.
5.5 Development in the vicinity Ellalong, Paxton and Millfield	<ul style="list-style-type: none"> • Direction has been revoked.
5.6 Sydney to Canberra Corridor	<ul style="list-style-type: none"> • Direction has been revoked.
5.7 Central Coast	<ul style="list-style-type: none"> • Direction has been revoked.
5.8 Second Sydney Airport: Badgerys Creek	<ul style="list-style-type: none"> • Not applicable. Waverley is not identified as an applicable Council.
6. Local Plan Making	
6.1 Approval and Referral Requirement	<ul style="list-style-type: none"> • This Planning Proposal does not contain any referral requirements nor

<ul style="list-style-type: none"> • Minimise the inclusion of provisions that require concurrence etc. • Not identify development as designated development without the approval of the Director General. 	<p>identify any development as designated development.</p>
<p>6.2 Reserving Land for Public Purposes</p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • This Planning Proposal will rezone the site from R2 Low Density Residential to RE1 Public Recreation and identify the site on the Land Reservation and Acquisition Map. In accordance with Clause 5.1(2) of Waverley Local Environmental Plan 2012, Waverley Council will be the relevant acquisition authority. Council resolved to undertake this action at its meeting of 17th March 2015.
<p>6.3 Site Specific Provisions</p> <ul style="list-style-type: none"> • Discourage the creation of site specific provisions that allow a particular development to occur. 	<ul style="list-style-type: none"> • The Planning Proposal contains no site specific provisions that allow a particular development to occur.
<p>7. Metropolitan Planning</p>	
<p>7.1 Implementation of the Metropolitan Plan for Sydney 2036</p> <ul style="list-style-type: none"> • Planning proposals shall be consistent with the NSW Government’s Metropolitan Plan for Sydney 2036 	<ul style="list-style-type: none"> • 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 this Planning Proposal are considered to be minor zoning and mapping amendments designed to reflect the historic and current use of the land. The amendment will maintain the status quo and are equally consistent with all objectives and actions contained in the Sydney Metropolitan Strategy and ESDSS.