

How to read the Draft Waverley Development Control Plan 2012 (Amendment No. 6)

The Draft Waverley Development Control Plan 2012 (Amendment No.6) (Draft WDCP2012) was reported to the Strategic Planning and Development Committee on 5 June 2018. The report is available at Council's website.

The Draft WDCP2012 documents contain Track Changes to show what substantive and housekeeping changes have been made to the document.

The Track Changes do not show the document restructure that has occurred, to distinguish between proposed substantive changes, and relocation of controls. The Table 1 below provides an overview of the document restructure.

Previous Part Number and Name		New Part Number and Name	
Part A	Preliminary Information	Part A	Preliminary Information
A1	Statutory Information	A1	Statutory Information
A2	Development Application Requirements		(moved to new <i>Waverley Development Application Guide</i>)
A3	Advertising and Notification	A2	Advertising and Notification
Part B	General Provisions	Part B	General Provisions
B1	Waste	B1	Waste
B2	Energy and Water Conservation	B2	Ecologically Sustainable Development
B3	Biodiversity	B3	Landscaping and Biodiversity
B4	Coastal Risk Management	B4	Coastal Risk Management
B5	Tree Preservation	B5	Tree Preservation
B6	Stormwater	B6	Stormwater
B7	Accessibility and Adaptability	B7	Accessibility and Adaptability
B8	Transport	B8	Transport
B9	Heritage	B9	Heritage
B10	Safety	B10	Safety
B11	Public Art	B11	Public Art
		B12	Design Excellence (adapted from E1)
		B13	Subdivision (relocated from C1)
		B14	Excavation (relocated from C1)
		B15	Advertising and Signage (relocated from D2)
		B16	Public Domain (relocated from E1 + E2)
	Annexures		Annexures
Part C	Residential Development	Part C	Residential Development
			General Notes
		C1	Special Character Areas (moved from previous C2)
C1	Dwelling House and Dual Occupancy Development	C2	Low Density Residential Development
		C3	Medium Density Multi Residential Development (previous C2)
C2	Multi-Unit and Multi Dwelling Housing	C4	High Density Multi Residential Development (adapted from previous C2)

Previous Part Number and Name		New Part Number and Name	
Part D	Commercial Development	Part D	Commercial Development
D1	Commercial and Retail Development	D1	Commercial and Retail Development
D2	Advertising and Signage		(moved to part B15)
D3	Footpath Activity and Seating	D2	Outdoor Dining (renamed)
	Annexures		Annexures
Part E	Site Specific Development	Part E	Site Specific Development
E1	Bondi Junction Centre	E1	Bondi Junction Centre
E2	Bondi Beachfront Area	E2	Bondi Beachfront Area
E3	Local Village Centres	E3	Local Village Centres
E4	113 Macpherson Street, Bronte	E4	113 Macpherson Street, Bronte
	Annexures		Annexures
Part F	Development Specific	Part F	Development Specific
F1	Shared Residential Accommodation	F1	Shared Accommodation
F2	Tourist and Visitor Accommodation	F2	Tourist and Visitor Accommodation
F3	Child Care Centres	F3	Child Care Centres
		F4	Places of Public Worship (new)

The table below outlines the proposed changes with references to the document parts and page numbers.

#	Issue	Proposed Outcome	Reference
General Changes to DCP			
1.	General Spelling Errors, Formatting Issues and Grammatical Errors	<ul style="list-style-type: none"> Minor Updates 	Throughout
2.	Creation of new sections in Part B	<ul style="list-style-type: none"> A number of new sections have been created to address information that was previously lacking, or to relocate controls from another part of the DCP to this part to ensure they apply to all development (such as excavation). 	Whole of Part B
3.	Preambles	<ul style="list-style-type: none"> Where possible, convert preambles or introductions into Objectives or Controls so that these have weight. 	Throughout
4.	Restructure of Part C	<ul style="list-style-type: none"> To align with the State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65) and the accompanying Apartment Design Guide (ADG), the residential chapter has been separated into 3 sections that address low, medium, and high density residential development. This also reflects the draft Medium Density Housing Code and Medium Density Design Guide prepared by the Department of Planning, to be finalised in 2018. The previous Part C2 contains descriptions of specific character areas. To avoid duplication, these descriptions have been moved to the beginning of Part C so that they apply to all residential development within the specific character area. 	Whole of Part C
5.	Creation of the Waverley Development Application Guide	<ul style="list-style-type: none"> Relocate Part A2 Development Application Requirements to a new Waverley Development Application Guide, in line with other Council's, and to assist applicants through understanding the Development Application process. Also to allow process/protocol changes to be made faster and more efficiently to keep on top of changing technologies and development requirements. 	Whole of Part A2 / Waverley Development Application Guide
6.	Remove maps and refer to Council's online mapping system	<ul style="list-style-type: none"> Council's online mapping system is easier to maintain and keep updated with data. The DCP will refer to the maps on the online tool instead of recreating them in the DCP to ensure they are kept up to date. 	B3, Previous Figure 1 & 2 B4, Previous Figure 3 & 4 B8, Previous Figure 6 (usually a separate sheet added to each DCP copy)
Waverley Development Application Guide			
7.	Public Art Process	<ul style="list-style-type: none"> Include new provisions relating to the process for murals. Clarify process and provisions for other types of public art, i.e. when a DA is required. Add controls regarding advertising/marketing material within murals to require DA consent as signage. 	DA Requirements Table p18
8.	Places of Public Worship	<ul style="list-style-type: none"> Consider additional lodgement requirements and controls for places of public workshop relating to the preparation of a Plan of Management, hours of operation and car parking. 	DA Requirements Table p21-22

#	Issue	Proposed Outcome	Reference
9.	Adaptable Housing Certificate	<ul style="list-style-type: none"> Update requirement in table as this should be a condition of consent, remove requirement at DA for report from consultant (request from DA Team). Add requirement instead to identify adaptable units on floorplans, and demonstrate the layout of adaptable dwelling before and after changes. 	DA Requirements Table p20
10.	Landscaping and Open Space	<ul style="list-style-type: none"> Add requirement to submit a landscape plan with development applications. Do not require the plan to be prepared by a landscape architect to minimise costs for small developments, however information regarding trees to be planted is required. 	DA Requirements Table p13-14
11.	Geotech Report	<ul style="list-style-type: none"> Change geotechnical requirements from referring to gradient, and instead relate to the wording of Clause 6.2 of LEP 	DA Requirements Table p20-21
12.	Arborists Report	<ul style="list-style-type: none"> Update report requirements based on input from Council's Tree Technical Officer. 	DA Requirements Table p19-20
13.	Energy Assessment Report Requirements	<ul style="list-style-type: none"> Require this report as a condition of consent, and not a requirement at DA stage. At DA stage, a demonstration of how the target will be achieved is required, and a commitment to retain the same sustainability consultant throughout the process. This is a practicality issue –DA Team feedback is that applicants are happy to deliver the outcomes upon construction, however having the report at DA stage is proving to be onerous. 	DA Requirements Table p21
14.	Green Travel Plan	<ul style="list-style-type: none"> Introduce a new requirement for the lodgement of Green Travel Plans for larger sites to encourage active travel where possible 	DA Requirements Table p23
PART A – PRELIMINARY INFORMATION			
A1 Statutory Information			
15.	Update Savings Provision	<ul style="list-style-type: none"> Update the savings provision to provide clarity about the application of different amendments to development applications, modifications and S82A review applications. The existing savings provision has created issues in recent court cases. 	A1, p2
A2 Advertising and Notification			
16.	Rename Part from A3 to A2	<ul style="list-style-type: none"> To reflect creation of the Waverley Development Application Guide. 	New A2, p4-9
PART B – GENERAL PROVISIONS			
B1 Waste			
17.	New General Objectives and Controls	<ul style="list-style-type: none"> Referencing the Waverley Sustainable Waste Strategy 2015-2020 and other relevant policies. 	B1 Intro, p10
18.	Demolition / Construction Waste	<ul style="list-style-type: none"> Update in accordance with EPA requirements that have changed. 	B1.1, p10
19.	Promote Innovative Waste Solutions in Larger Buildings	<ul style="list-style-type: none"> Encourage developers to obtain expert advice for optimal waste solutions for each large development (20+ dwellings). 	B1.3, p13
20.	Dual Chute System	<ul style="list-style-type: none"> Comingled recycling for large multi-unit developments. Add control to design two waste chutes into building – one for general waste and one for recycling. Revised by Waste Team prior to Council report 5 June 2018. 	B1.3, p13
21.	Update Generation Rates	<ul style="list-style-type: none"> In accordance with other Council policy that is concurrently being updated. 	Annexure B1-2, p137, Annexure B1-3, p138-139

#	Issue	Proposed Outcome	Reference
22.	Skip Bins	<ul style="list-style-type: none"> To address issues arising with skip bins being used as regular dumping bins for private waste disposal. Construction waste is often dumped in private red bins. Review controls in line with best practice policy. 	B1.1, p11
23.	Ongoing Management	<ul style="list-style-type: none"> Add control to ensure development addresses controls in Parts B1.3-16 to ensure reduction of waste in ongoing management of developments, such as reducing litter, excess waste, illegal dumping, etc. 	B1.2, p12
24.	Waste Storage	<ul style="list-style-type: none"> Bulky waste – change controls to be based upon number of units, not simply a fixed amount of space. Location of waste storage areas and adequate storage for different development types (i.e. in mixed use developments). 	B1.3, p6
25.	Waste Collection and Storage	<ul style="list-style-type: none"> Amend to preference on-site collection. 	B1, p10 B1.4, p17
26.	Visual presentation of bin storage areas	<ul style="list-style-type: none"> Review controls to improve the conditions by which waste storage areas are presented to the street. 	B1.3, p13-14
B2 Ecologically Sustainable Development			
27.	Rename Section	<ul style="list-style-type: none"> Rename from B2 Energy and Water Conservation to B2 Ecologically Sustainable Development to encourage all aspects of ESD to be included in the design and development of buildings 	B2, p20
28.	Objectives for Chapter	<ul style="list-style-type: none"> Add general objectives to encourage all development to go beyond the minimum BASIX requirements, without mandating it. Generally strengthen the objectives and controls. 	B2, p21
29.	Energy Assessment Report	<ul style="list-style-type: none"> As outlined in Waverley Development Application Guide section. 	B2.5, p28
30.	Green Roofs and Walls	<ul style="list-style-type: none"> Move section to B3 Landscaping and Biodiversity as this is the key function of Green Roofs and Walls. 	[moved to B3.1, p32]
B3 Landscaping and Biodiversity			
31.	Rename section 'Landscape and Biodiversity'	<ul style="list-style-type: none"> Condense all controls relating to landscaping, tree canopy, etc. into this section – ease of use for applicants. 	B3, p30
32.	Biodiversity Corridor Map	<ul style="list-style-type: none"> SSROC have provided us with a revised corridor map – update in DCP. 	Previous Figures 1 + 2, now refer to online mapping
33.	Green Roofs and Walls	<ul style="list-style-type: none"> Section moved from B2. Differentiate between a green roof (inaccessible) and landscape on structure (accessible) Change requirements of green roofs/walls to comprise plants from the Annexures B2-1, i.e. plants selected by Council for improved ecological and environmental performance Only apply control when views are affected. If views are not affected, allow shrubs and trees to increase biodiversity impacts. 	B3.1.2 and B3.1.3, p32
34.	Habitat Corridors	<ul style="list-style-type: none"> Applicants are planting many small native plants but larger plants are often not native. Change controls to encourage planting of natives to ensure habitat corridors are continued. 	B3.2.2, p35
35.	Biodiversity Conservation Reforms	<ul style="list-style-type: none"> State Government has passed new legislation that requires updating references in B3 and B5 to clarify the regulation of 	B3.2.3, p35

#	Issue	Proposed Outcome	Reference
		clearing. Update controls to reflect this. New legislation includes: <i>Biodiversity Conservation Act 2017, Vegetation SEPP 2017</i>	
B4 Coastal Risk Management			
36.	Refer to Online Mapping Tools	<ul style="list-style-type: none"> Refer applicants to Council's online mapping system to enable the maps to stay updated. 	B4, p36
B5 Tree Preservation			
37.	Requirements	<ul style="list-style-type: none"> Require Arborist Report to be submitted for new development that has any potential impact on existing trees. 	B5.1, p40 B5.2, p42
38.	Biodiversity Conservation Reforms	<ul style="list-style-type: none"> State Government has passed new legislation that requires updating references in B3 and B5 to clarify the regulation of clearing. Update controls to reflect this. New legislation includes: <i>Biodiversity Conservation Act 2017, Vegetation SEPP 2017.</i> 	B5, p39
B6 Stormwater			
39.	Housekeeping	<ul style="list-style-type: none"> Ensure that references to technical manual are up to date and adequate. 	B6, p44-47
B7 Accessibility and Adaptability			
40.	Universal Housing Design Guidelines	<ul style="list-style-type: none"> Increase requirements for all dwellings (where reasonable) to achieve Livable housing design. 	B7.3, p51
41.	Performance of Adaptable Housing Controls	<ul style="list-style-type: none"> Require more dwellings to be adaptable in line with other Councils. Proposed to increase the number of apartments captured, but reduce the standards from Class A to Class C. This is in line with other neighbouring Councils and current best practice. 	B7.2, p50
B8 Transport			
42.	Preamble	<ul style="list-style-type: none"> Turn strategies into enforceable objectives or controls. 	B8 Intro, p53
43.	Streetscape	<ul style="list-style-type: none"> Controls concerning the design of vehicle crossings, driveways, entries, etc. have been moved to this section to emphasise the priority of pedestrians in the urban environment in line with Waverley's People, Movement + Places, adopted 12 December 2017. 	B8.1, p55
44.	Car Parking Generation Rates	<ul style="list-style-type: none"> Incorporate independent consultant's review as part of Waverley's People, Movement and Places (PMP), and in house evidence collected. This evidence shows that current car parking rates do not reflect best practice or evidence. A key recommendation of the PMP is to review the DCP. At its meeting on 12/12/17, Council adopted Waverley's People, Movement and Places. The recommendation in the minutes is that Council: <ul style="list-style-type: none"> Adopts 'Waverley's People, Movement and Places: a study of where we go and how we get there – Final Summary 2017' attached to this report. Implementation relating to the WDCP 2012 is to reinstate a zero minimum + reduced maximum parking rates in line with the RMS <i>Guide to Traffic Generating Development</i>. 	B8.2, p56

#	Issue	Proposed Outcome	Reference
45.	Consolidate Table of Parking Rates	<ul style="list-style-type: none"> For ease of use, consolidate Table 2 with parking generation rates. 	B8.2.2, p61
46.	Vehicle Access Points	<ul style="list-style-type: none"> Introduce new controls so that new developments on primary streets in Bondi Junction and other business centres share vehicle access points, to minimise vehicle crossovers. 	B8.2.1, p58
47.	Car Sharing Spaces on Site	<ul style="list-style-type: none"> Introduce new provisions for car sharing spaces (on-site). Similar to Woollahra. Recent DAs have provided this, however we should be encouraging through controls. 	B8.7, p71
48.	Green Travel Plans	<ul style="list-style-type: none"> New requirement for the lodgement of green travel plans for larger sites to encourage active travel where possible. 	8.5, p69 and <i>Waverley Development Application Guide</i>
49.	Electric Car Charging Stations	<ul style="list-style-type: none"> Introduce new provisions relating to the installation of electric vehicle charging infrastructure. Similar to other Councils. This is both within individual developments and in publicly accessible places. 	B8.8, p72
50.	Industrial Uses	<ul style="list-style-type: none"> Waverley has no industrial zones – remove provision for Industrial Loading Zones. 	B8.3, p66
51.	Motorcycle Parking	<ul style="list-style-type: none"> Retain same overall number of controls, however lower the delivery point from 3 spaces per 15 car spaces, to 1 per 5 car spaces. This encourages smaller developments (with less than 15 car spaces) to provide spaces for motorbikes. 	B8.2.5, p63
52.	Bicycle Parking	<ul style="list-style-type: none"> Biking Ausroads have recently updated their policy around best practice provision of cycling facilities. Update our reference to the document. 	B8.2.6, p64
B9 Heritage			
53.	General	<ul style="list-style-type: none"> Ensure that all controls and objectives are worded in the same format. 	B9, throughout chapter, begins p73
54.	Conservation Areas	<ul style="list-style-type: none"> Queens Park Conservation Area has a very long section within this part of the DCP, however the other Heritage Conservation Areas are not accounted for. Retain all objectives and controls that relate to all HCAs and apply to all. Remove parts that are Queens Park HCA specific, and move to Council's website. Update Council's website with HCA inventory sheets. 	B9.4, p96 New controls added to B9.5 – B9.19, p80-102
55.	New Annexure B9-1	<ul style="list-style-type: none"> Move the Queens Park HCA to Annexure B9-1, until all inventory sheets are placed on the website. Whilst DCP is on exhibition the inventory sheets will be uploaded to the website, and the DCP will refer to the website instead. 	Annexure B9-1, p150-155
B10 Safety			
56.	No Changes.		
B11 Public Art			
57.	Murals	<ul style="list-style-type: none"> Make clear the process for murals – i.e. no DA required unless the mural contains advertising or marketing material, in which case it is to apply for consent as a Sign. 	B11.1, p105

#	Issue	Proposed Outcome	Reference
		<ul style="list-style-type: none"> Murals that are not 'signs' are able to be done without consent, provided they comply with Council's policy 'Public Art in the Private Domain' Include new provisions relating to the process for murals and other applications for public art (as noted in the Waverley Development Assessment Guide). 	
B12 Design Excellence (NEW)			
58.	New Section	<ul style="list-style-type: none"> In response to the new WLEP 2012 Amendment a design excellence policy will be required. To supplement sites that are not covered by LEP, DCP provisions should cover other sites. 	B12, p106-107
59.	Context or Character Study	<ul style="list-style-type: none"> Add requirement in Waverley Development Application Guide for development to submit a context or character study that provides elevations, photographs, and facade articulation studies that demonstrate how the development responds to the current and desired future character of an area. 	<i>Waverley Development Application Guide</i>
B13 Subdivision (NEW)			
60.	New Section	<ul style="list-style-type: none"> DCP currently has no controls relating to subdivision, such as minimum lot size frontages. Controls have been prepared based on neighbouring Councils' controls and industry best practice. Note to consider exempt and complying subdivision provisions and LEP provisions. 	B13, p108
B14 Excavation (NEW)			
61.	Relocated Section	<ul style="list-style-type: none"> Move controls relating to excavation from Part C to Part B so that they apply to all development types and not only residential development. 	B14, p110-111
62.	Sandy Soil/Rock	<ul style="list-style-type: none"> Refer to best practice to ensure provisions are adequate for sandy soil / rock. Requirement to provide Geotechnical report satisfies this. 	B14, p110-111 and <i>Waverley Development Application Guide</i>
B15 Advertising and Signage (Relocated)			
63.	Relocated Section	<ul style="list-style-type: none"> Move controls relating to advertising and signage from Part C to Part B so that they apply to all development types and not only commercial development. 	B15 p112-125
64.	General Housekeeping	<ul style="list-style-type: none"> Consolidate all controls relating to signage into this section. Currently there are controls in Part D and Part E that are duplicate or conflicting. 	B15, p112-125
B16 Public Domain (NEW + Relocated)			
65.	New Section and Relocated Section	<ul style="list-style-type: none"> Relocate controls relating to public domain from Part E1 Bondi Junction and Part E2 Bondi Beach Area to this section so that they apply to all centres. 	B16, whole chapter, p126-135
66.	Application	<ul style="list-style-type: none"> Part D and E refers to this section where required. 	Part D and Part E
67.	Views from Public Places	<ul style="list-style-type: none"> Strengthen controls / draft them to apply to all development, ensuring that views from the public domain are considered 	B16.1, p126

#	Issue	Proposed Outcome	Reference
		throughout the LGA, not only in Bondi Junction. The controls have been modelled off those existing in Part E1.	
68.	Through Site Links	<ul style="list-style-type: none"> In response to the Moreton development (Wellington/Ocean St) by Mirvac. Through site links should require a number of conditions, such as accessible walkways; gates that are pegged open during certain hours, or permanently open; etc. Move existing through site link controls from Part E1 into general provisions to apply to the entire LGA, not only Bondi Junction. Sectional diagram and plan required showing clear line of site from one end to other, or clear pathway for pedestrians. 	B16.3, p130
69.	Prepare controls for encroachments onto public land	<ul style="list-style-type: none"> Prepare controls in line with best practice for the encroachment of minor structures over public land. This is to allow architectural detailing of buildings up to 300mm over the boundary. 	B16.7, p135
Annexures			
70.	Waste	<ul style="list-style-type: none"> Update generation rates in accordance with research undertaken by Council. 	Annexure B1-2, p137
PART C – RESIDENTIAL DEVELOPMENT			
71.	General Restructure	<ul style="list-style-type: none"> SEPP6/ADG changes required to be made. It is proposed to split existing Part C2 into two parts – High Density Residential Development subject to ADG and Medium Density Residential Development not subject to ADG. Relocate character statements from previous C2 to new C1 so that the character areas that exist apply to all residential developments, not simply Medium/High Rise. Accordingly all Part C has different section numbers and names based on the type of residential development. 	C, p155-248
72.	Preambles	<ul style="list-style-type: none"> Preambles often have useful qualifications in them, however these are unable to be reinforced as they are not ‘objectives’ or ‘controls.’ DA Team calls for the preambles to be converted into objectives or controls as appropriate, so that they are enforceable. 	Throughout Part, p155-248
73.	Roof Top Terrace	<ul style="list-style-type: none"> Definition of terrace has caused a recent issue in a court case. Change to roof-top terrace to clarify that the terrace in question is one on a roof-top. 	C, p155-248
C1 Character Areas (Relocated)			
74.	Relocate from Previous Part C2	<ul style="list-style-type: none"> This section has simply been relocated but not altered. 	C1, p156-161
C2 Low Density Residential Development (Revised)			
75.	Visual and Acoustic Privacy	<ul style="list-style-type: none"> Remove term contiguous in control (e)(i) when considering whether roof terraces are appropriate for a particular site and/or development. This continues to arise in court cases. 	C2.5, p173
76.	Side Setbacks	<ul style="list-style-type: none"> Table 1 wording is unclear – reword to clarify control. 	C2.2.2, p168
77.	Front Fences	<ul style="list-style-type: none"> Review front fence controls on busy streets – change to 1.8m on busy roads in accordance with NSW policy. 	C2.4, p170

#	Issue	Proposed Outcome	Reference
78.	Laneway Development	<ul style="list-style-type: none"> Issue raised for specific controls regarding dual frontage properties between High Street/Prospect Street. Specific controls for these two streets have not been drafted, however controls guiding the merit based assessment of dual frontage development have been drafted. 	C2.14, p191
79.	Car Parking	<ul style="list-style-type: none"> Delete / reword strategies in introduction as objectives. 	C2.8, p177
80.	Dormer Windows	<ul style="list-style-type: none"> Controls do not translate to a side dormer. Specify that dormer controls are for dormers, and not side/clerestory windows. Response to DA-326/2016/B. 	C2.11, p184
81.	Secondary Dwellings	<ul style="list-style-type: none"> Controls required for secondary dwellings (other than those facing a laneway). Sites under 450sqm, we should determine what built form is appropriate. 	C2.16, p195
82.	Solar Access	<ul style="list-style-type: none"> Re-writing controls relating to solar access – these were changed in Amendment 5 and now are too generous/onerous depending on the circumstances. More clarity is required – return to the intent of the previous controls. 	C2.6, p175
83.	Windows and Style of the Street	<ul style="list-style-type: none"> Contemporary developments should be able to have contemporary window styles, and not match existing building window types. 	C2.3, p169
84.	Excavation	<ul style="list-style-type: none"> Move all controls relating to excavation to Part B14 Excavation. New controls to limit the amount of permissible excavation Excavation to be limited to minimise impact on natural landscape; prevent subterranean spaces with poor amenity being used unlawfully as living spaces; and stop applicants building very large garages as 'storage space' which circumvents the DCP maximum car parking controls. 	B14
85.	Clothes Drying	<ul style="list-style-type: none"> Ensure all dwellings have space to provide outdoor clothes drying facilities. 	C2.9, p182
C3 Medium Density Residential Development (Revised)			
86.	Consistency with SEPP65 / ADG	<ul style="list-style-type: none"> To ensure consistency with SEPP65 / ADG, separate existing Part C2 Multi Unit and Multi Dwelling Housing into 'C3 Medium Density Residential Development' and 'C4 High Density Residential Development'. C3 is development not subject to SEPP65 / ADG. C4 is development subject to SEPP65 / ADG. 	C3, p197-230 C4, p231-248
87.	Attic Sizes	<ul style="list-style-type: none"> Review the application, objectives and controls for attic levels (habitable / non-habitable). Update diagram in DCP. 	C3.7, p209
88.	Terminology	<ul style="list-style-type: none"> Change 'apartments' to 'dwellings' so that development applies to townhouses and the like. This section applies to a number of development types that are not apartment buildings. Currently the DCP refers to 'apartments' whereas these controls should more correctly relate to 'dwellings' to capture all multi-residential housing. 	C3, p197-230
89.	Maximum Building Depth	<ul style="list-style-type: none"> The maximum dwelling depth is 18m – change to building depth in line with ADG. Shouldn't apply to attached or multi-dwelling 	C3.4, p204

#	Issue	Proposed Outcome	Reference
		developments.	
90.	Special Character Areas	<ul style="list-style-type: none"> Move to new C1 to apply to all residential chapters. 	C1, p156-161
91.	8m Back of Kitchen Control	<ul style="list-style-type: none"> Remove control as this is covered by the depth of dwelling / ADG. 	C3.17, p244
92.	Figure 23	<ul style="list-style-type: none"> Update to match control. 	C3.6, p208
93.	Shop Top Housing	<ul style="list-style-type: none"> Currently shop top housing (non-SEPP65) does not have relevant controls. This part now applies to Shop-Top Housing. Areas that are zoned to allow shop-top housing also have additional controls in Part E. 	C3
94.	Natural Ventilation	<ul style="list-style-type: none"> Dwellings not affected by SEPP65 – all dwellings are to be naturally cross or stack ventilated. 	C3.20, p227
95.	Clothes Drying	<ul style="list-style-type: none"> Provision for space for all residents to be able to dry clothes naturally outdoors. 	C3.21, p228
96.	Side Setbacks	<ul style="list-style-type: none"> The 3.5 and 4.5m side setbacks have been raised as being overly onerous. The control is constantly being varied through DAs, with consideration given to the context. Recommendation is to a merit based assessment based on the prevailing setbacks in the context. Retain control that Council may require additional setbacks based on amenity or privacy issued. 	C3.3.2, p202
97.	Interwar Flat Buildings	<ul style="list-style-type: none"> Prepare new controls in based upon interwar study and factsheets. 	C3.22, p229
C4 High Density Residential Development (Revised)			
98.	SEPP65 / ADG Changes	<ul style="list-style-type: none"> This section is the previous C2, with everything that is superseded by the ADG removed. Parts that are still relevant or can continue to be enforced are retained. 	C4
99.	Clothes Drying	<ul style="list-style-type: none"> Provision for space for all residents to be able to dry clothes naturally outdoors. 	C4.13, p246
100.	Interwar Flat Buildings	<ul style="list-style-type: none"> Prepare new controls in based upon interwar study and factsheets. 	C4.14, p247
PART D – COMMERCIAL DEVELOPMENT			
101.	Restructuring of this Part	<ul style="list-style-type: none"> Advertising and Signage is proposed to be moved to Part B General Provisions so that it applies to all development types, not simply commercial. This is critical to be able to capture signage on buildings that are for other purposes (recently the Noah's Backpacker case was a mural with advertising, therefore a sign and not an artwork. A backpackers is not covered by Part D of the DCP). 	D, p249-275
D1 Commercial and Retail Development			
102.	General Housekeeping	<ul style="list-style-type: none"> Update references to relevant policies, strategies and standards. Remove replications of other policy. Remove replications of Waverley's standard conditions of consent – relates particularly to noise controls. 	D1, p249

#	Issue	Proposed Outcome	Reference
		<ul style="list-style-type: none"> Simplify controls. 	
103.	Active Street Frontage Controls	<ul style="list-style-type: none"> Prepare additional active street frontage controls to protect the character of business centres. Active Street Frontage Controls are provided in Part B General Provisions. 	B16
D2 Outdoor Dining			
104.	Hours of Operation	<ul style="list-style-type: none"> The hours of operation for the Bronte Beach outdoor dining areas be amended on Sundays from 8am to 7am as they were previously. This is based on community feedback and a Council Minute. 	D2.3.1, p263
PART E – SITE SPECIFIC DEVELOPMENT			
E1 Bondi Junction			
105.	Number of Storeys Control	<ul style="list-style-type: none"> Number of storeys control needs to be corrected in Images and Controls. 	E1.13, 312
106.	Oxford Street Mall	<ul style="list-style-type: none"> Amend Figures 9, 10 and 12 for consistency 	Figure 9, p291 Figure 10, p292 Figure 12, p296
107.	Advertising and Signage	<ul style="list-style-type: none"> Move controls out of E1 to Part B15 Advertising and Signage. 	Previous E1.25, p292-294, B15
108.	Heritage	<ul style="list-style-type: none"> Heritage map updated to ensure consistency with WLEP 2012. 	E1.6, Figure 7 p289
109.	Roller Shutters	<ul style="list-style-type: none"> Remove as this section was duplicated from Part D and applies to all commercial, not just Bondi Junction. These controls are now located in B16 Public Domain. 	Previous E1.24, p290, B16
110.	Through Site Links	<ul style="list-style-type: none"> Ensure through site links and laneway sites correctly identified in West Oxford Street Precinct Plan 	E1.4, Figure 3, p282
111.	Correction of diagrams	<ul style="list-style-type: none"> A number of diagrams have been corrected, as the diagrams did not reflect the controls in the text, or the diagrams were conflicting with other diagrams within the same section. Diagrams altered are: <ul style="list-style-type: none"> Figure 1 – Bondi Junction Centre Figure 2 – Street Hierarchy Figure 3 – Preferred through site links, arcades and squares Figure 4 – Vehicle and service access Figure 6 – Building frontages to express the small lot subdivision pattern Figure 7 – Buildings of historic character Figure 9 – Street frontage in streets with heritage Figure 10 – Location of active frontages Figure 12 – Street alignment Figure 25 – Maximum number of storeys Figure 26 – Views and Vistas 	E1 Figure 1, p276 Figure 2, p280 Figure 3, p282 Figure 4, p283 Figure 6, p287 Figure 7, p289 Figure 9, p291 Figure 10, p292 Figure 12, p296 Figure 25, p313 Figure 26, p315
E2 Bondi Beachfront Area			
112.	Contributory Buildings	<ul style="list-style-type: none"> Remove the Figures that denote contributory buildings in Part E2. The Figures (41, 43, 45, 47) are incorrect, as they label Heritage Items and Contributory Buildings. As a result, the remaining buildings are denoted as non-contributory. A number of these buildings have been subject to DAs or court cases whereby the building is considered to have contributory merit to the 	E2 Figure 41, p350 Figure 43, p354 Figure 45, p358 Figure 47, p362

#	Issue	Proposed Outcome	Reference
		streetscape, however this is denoted as being otherwise in the DCP. As Part E2 is the only part which identifies Contributory and Non-Contributory buildings, these Figures have been removed to ensure that all buildings of a contributory nature are retained. This approach will ensure that applicants are required to demonstrate that a buildings does NOT have contributory value, in order to demolish it.	
E3 Local Village Centres			
113.	Contemporary Design Considerations	<ul style="list-style-type: none"> 87-89 Glenayr Road North Bondi given as example. Development that was out of character was refused a number of times (which gives credit to the existing controls). Controls included to permit contemporary design solutions, as it was the requirement for a pitched roof that was forcing the development to not be in keeping with the character of the area. Add requirement for context study or local centre analysis that includes elevations, photographs, and façade articulation studies that demonstrate how the development responds to the desired future character objectives of the centres. 	E3.2.3, p383 existing controls, and new requirement for Context Study in Waverley Development Application Guide
114.	Active Street Frontage Controls	<ul style="list-style-type: none"> Investigate active street frontage controls to protect the character of local business centres. Parking requirements currently require basement access from the main street, which often requires vehicle access across the main pedestrian street. This causes the following issues: <ul style="list-style-type: none"> compromises the character of the centre; creates safety issues with cars crossing the footpath; creates waste issues with collection either within the building or on the footpath; and removes retail opportunities replacing them with garages, services and the like. This is a serious issue that arose out of a DA in the Rose Bay Neighbourhood Centre. Recommendation to allow development subject to E3 to not be required to provide car parking due to the safety issues of pedestrians, and severe amenity and character impacts. 	E3.2.2, p381 B16.2.1
E4 113 Macpherson Street Bronte			
115.	No changes.		
PART F – DEVELOPMENT SPECIFIC			
F1 Shared Residential Accommodation			
116.	Shared Residential Accommodation	<ul style="list-style-type: none"> Clarify that there are provisions in the ARHSEPP that cannot be used to refuse consent. Requirement to provide a Plan of Management has not been removed, but relocated to the Waverley Development Application Guide. 	F1, p415-416
F2 Tourist and Visitor Accommodation			
117.	Change Name	<ul style="list-style-type: none"> From 'Tourist Accommodation' to 'Tourist and Visitor Accommodation' to align with the land use term. 	F2, p417
118.	Separate Hotels + Motels from Serviced Apartments	<ul style="list-style-type: none"> Differentiate between the controls relating to Hotels/Motels and Serviced Apartments. 	F2.2, p419 F2.3, p420

#	Issue	Proposed Outcome	Reference
119.	Serviced Apartment Waste Requirements	<ul style="list-style-type: none"> All serviced apartments are required to manage their waste according to Section B1 Waste. All serviced apartments are to have appropriate bins for waste and recycling. Waste and recycling generated at this property must be disposed of in appropriate bins at the property. 	F2.3, p421
F3 Child Care Centres			
120.	SEPP (Education and Child Care Facilities)	<ul style="list-style-type: none"> The NSW State Government has released new legislation for child care facilities and educational establishments. A new design guideline accompanies this legislation and overrides the DCP controls. 	F3, p422
F4 Places of Public Worship (NEW)			
121.	Places of Public Worship	<ul style="list-style-type: none"> DCP currently has no controls for aspects such as parking, traffic, Plan of Management for the use and operation of a place of worship. New controls prepared based on review of other Council policy. Issue with security arose out of recent DAs regarding places of public worship. 	F4, p424-429
Definitions			
122.	Multi Residential Development	<ul style="list-style-type: none"> Clarification between the land use type 'multi dwelling housing' (3 or more dwellings each with a ground level entry) and 'multi-unit dwellings/housing' which is intermittently used throughout the DCP, and covers all development with more than one dwelling. Change 'multi-unit dwellings/housing' to 'multi-residential development.' 	Definitions, p436-437