

Summary of amendments in Draft WDCP 2022

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.	Outdated policy references	<ul style="list-style-type: none"> Updated references to strategies and policies. 	Throughout
PART A – PRELIMINARY INFORMATION			
A1 Statutory Information			
3.	Housekeeping	<ul style="list-style-type: none"> Updated the list of other plans, standards and codes to reflect recently adopted Council strategies and policies. 	1.4
PART B – GENERAL PROVISIONS			
B1 Waste			
4.	Waste storage, collection and presentation needs to be improved to align with Council's established long-term environmental targets for Council and Community, covering the sustainable management of waste and materials.	<ul style="list-style-type: none"> Updated objectives and controls. 	1.1, 1.2, 1.4
5.	Preferred alternatives to on-site collection need to be detailed, responding to issues relating to off-site waste collection obstructing vehicle and pedestrian access routes and disrupting the visual quality of the streetscape.	<ul style="list-style-type: none"> Introduction of a wheel-in and wheel-out waste collection section for when on-site collection is not possible. 	1.4.2.3
B2 Ecologically Sustainable Development			
6.	Need to align with Council's established long-term environmental targets for Council and Community, covering greenhouse emissions, transport, climate resilience, urban ecology, and water management.	<ul style="list-style-type: none"> Updated objectives and controls seeking to strengthen passive design, thermal comfort, and energy and water consumption provisions. Require new buildings to have electrics in place so that gas can easily be removed in the future for heating and cooking. Introduction of a new NABERS commitment agreement section requiring certain development to sign a NABERS Commitment Energy and Water Agreement, committing to designing, building and commissioning the building to achieve a specific NABERS (national rating tool for the environmental performance of a building) energy rating. 	B2 preamble, 2.1, 2.2, 2.3, 2.5 2.3 2.6

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7.	New to promote human health through a reduction in polluting fuels and increased ventilation requirements.	<ul style="list-style-type: none"> Introduction of a new indoor air quality section not permitting the use of solid fuel and natural gas for heating and space cooking in all developments. This does not apply to water heating. 	2.4
B3 Landscaping, Biodiversity and Vegetation Preservation			
8.	There is confusion and repetition between B3 and B5	<ul style="list-style-type: none"> B5 has been integrated into B3, removing the need for a separate B5 chapter 	
9.	Mature trees below 5m are being removed as exempt development despite their valuable contribution to the amenity and character of the LGA	<ul style="list-style-type: none"> Change to trigger for a Vegetation Clearing Permit from trees of 5m in height and 5m in spread, to 3m in height and 3m in spread. 	3.1.2
10.	Protect the established leafy local character of portions of the LGA and the quality of the natural environment.	<ul style="list-style-type: none"> Introduction of a new tree canopy section including a new requirement to plant replacement trees where development removes an existing tree of 3m or more in height, with the replacement plantings being of the same or greater canopy size when mature than the canopy proposed to be removed. Clarity around when on-site replacements are not possible, that 3 off-site trees are required. 	3.2.4 3.1.2, 3.2.4
11.	It has been found that landscape designers often use inflated numbers of native groundcovers (often just the one species of native groundcover) to meet the 3.3 Biodiversity chapter requirements, thus missing the intention of the control – to develop functional habitat.	<ul style="list-style-type: none"> Updates to ensure that proposed plantings are selected from a species list, and don't include cultivars or hybrids. 	3.3.1
12.	The existing Habitat Corridor Map is confusing, limited and not aligned with nearby corridors.	<ul style="list-style-type: none"> There is an increase in properties marked on the Biodiversity Habitat Corridor Map, filling in 'gaps' in the previous map which was limited in scope and time and to reflect on effective corridor width – which points to widths of around 2 km to be optimally effective. <p>The corridor mapping now affects entire properties – whereas the previous one included partial properties along the edges of some corridors – which was confusing.</p> <p>An additional link along Blair St – from the Bondi Golf Course to the Rose Bay Golf Course - has been included, and the coastal section has been widened to truly reflect the needs of fauna traversing the East Coast Vegetation Corridor – a critical pathway for migratory and local fauna to move from the north of Sydney to the South and vice versa.</p> <p>The map better connects to Biodiversity Habitat Corridors in Woollahra LGA and on to Sydney Harbour and its foreshore and Centennial Park to the west – see and National Parks to the north</p>	3.3.2 and Map

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		and west, Randwick LGA, Malabar Headland National Park and Kamay Botany Bay National Park to the south.	
B5 Vegetation Preservation			
13.	There is confusion and repetition between B3 and B5	<ul style="list-style-type: none"> B5 has been integrated into B3, removing the need for a separate B5 chapter. 	-
B5 Stormwater			
14.	Council's Water Management Technical Manual and Waverley LGA Flood Study 2021 are not referenced	<ul style="list-style-type: none"> Reference to Council's Water Management Technical Manual and the Waverley LGA Flood Study 2021 is added. 	B5 preamble
15.	Seepage is occurring	<ul style="list-style-type: none"> Addition of a new objective under 5.1 to protect existing natural groundwater flows and downstream properties from seepage. 	5.1
B8 Transport			
16.	Inconsistency in accessible car parking controls	<ul style="list-style-type: none"> Require adaptable residential units to provide 1 accessible car parking space per unit. Clarify the minimum accessible car parking requirement for non-adaptable residential units. 	7.2.2
17.	Unclear definition of significant trees and loss of mature trees	<ul style="list-style-type: none"> Clarify the definition of significant trees. Replace "and" with "or", so mature trees are protected as well. 	7.1
18.	Safety and local character concerns for pedestrians with car parking located within the front building setbacks	<ul style="list-style-type: none"> Require parking areas to not be located within the front building setbacks for new development. 	7.2
19.	EV charging requirements need to be strengthened to reflect future demand	<ul style="list-style-type: none"> EV charging requirements strengthened. 	7.8
B9 Safety			
20.	Mature plantings are trying to be removed on sightline security grounds.	<ul style="list-style-type: none"> Remove the control that considers sightlines for security reasons. 	9.1
B12 Subdivision			
21.	Applicants are not naming properties in accordance with the NSW addressing manual.	<ul style="list-style-type: none"> New objectives and controls requiring street numbering of new properties to be in accordance with the <i>NSW Address Policy and User Manual 2021</i>. 	B12
B13 Excavation			
22.	Applicants are locating basements in a location that encroaches into the side setback of apartment buildings.	<ul style="list-style-type: none"> New control stating "Excavation will need to be setback greater where required to comply with Part C3, 3.3.2 Side and Rear Setbacks control (d)." 	B13
23.	Underground structures that are not tanked are subject to expensive and avoidable on-going pumps for the life of the building.	<ul style="list-style-type: none"> New control requiring the tanking of underground structures to avoid the need for a pump. 	B13

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#	Issue	Proposed Outcome	Reference
B15 Public Domain			
24.	Public domain works can contribute to heat island or localised flooding impacts.	<ul style="list-style-type: none"> New objective and controls added to ensure that environmental and natural hazards are mitigated. 	15.1
25.	The streetscape needs to be upgraded in terms of accessibility, security and nighttime movement and activation.	<ul style="list-style-type: none"> New control and controls requiring new residential flat building and shop top housing development to upgrade the streetscape in accordance with the Waverley Public Domain Technical Manual, and provide underground utility connections and upgraded street lighting. 	15.1
B16 Inter-War Buildings			
26.	Requires updating in response to the Inter-War Flat Building Heritage Design Guidelines.	<ul style="list-style-type: none"> New objectives and controls included to encourage the sympathetic development of Inter-War buildings. 	B16
Annexures			
27.	Annexure B1-2 and B1-3 are outdated in relation to waste, B3-1 is outdated in terms of plantings and B3-2 is new in response to preferred replacement plantings.	<ul style="list-style-type: none"> Annexures B1-2, B1-3, B3-1 and B3-2 updated. 	Annexures
PART C – RESIDENTIAL DEVELOPMENT			
C1 Special Character Areas			
28.	More appropriate in the site-specific chapter.	<ul style="list-style-type: none"> Section moved to Part E4. 	-
C2 Low Density Residential Development			
29.	Confusion around how to calculate building height versus external wall height.	<ul style="list-style-type: none"> Figures updated with a clarification note explaining that where an existing basement is on site, that the building height is measured from the bottom of the existing basement whereas the wall height considers only the external portion. 	2.1
30.	Confusion around how to consider front, rear and side setbacks.	<ul style="list-style-type: none"> Clarity that the predominant building line considers the three adjacent neighbours on either side and that where there is no predominant setback that amenity and compliance with other controls are considered. Side setback table adjusted to show differences per storey rather than height. 	2.2.1, 2.2.2
31.	Inconsistency in wording used for car parking design requirement	<ul style="list-style-type: none"> Replace “car park access” with “access to car parking and car parking structures are to be provided from secondary streets or lanes where possible” 	2.8.1
32.	Inconsistency in wording used for car parking design requirement	<ul style="list-style-type: none"> Replace “a rear land” with “secondary streets or lanes”. 	2.8.3
33.	Need to improve the climate resilience and landscaped quality of the site	<ul style="list-style-type: none"> Increase of minimum landscaped area from 15% to 20%. New requirement to provide a minimum of 50% of the landscaped area as deep soil. 	2.9
34.	Swimming pools and spa pools can consume a lot of energy.	<ul style="list-style-type: none"> Requirements for swimming pool pumps to be at least 7 stars under the Australian Government’s Minimum Energy Performance Standard. New acceptable swimming pool heating systems listed. 	2.10

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#	Issue	Proposed Outcome	Reference
35.	Shared or common walls are being exposed and not always weatherproofed.	<ul style="list-style-type: none"> New objective and control requiring development to weatherproof newly exposed shared walls. 	2.13, 2.13.6
C3 Other Residential Development			
36.	Confusion around how to calculate building height versus external wall height.	<ul style="list-style-type: none"> Figures updated with a clarification note explaining that where an existing basement is on site, that the building height is measured from the bottom of the existing basement whereas the wall height considers only the external portion. 	3.2
37.	Lack of controls relating to site isolation.	<ul style="list-style-type: none"> Introduction of new controls ensuring the logical development of sites. 	3.1
38.	Residential flat buildings struggle to achieve compliance on narrow sites.	<ul style="list-style-type: none"> New requirement for minimum site widths for residential flat building development. Minimum 15m in R3 zones, and minimum 20m in R4 zones. 	3.1
39.	Infill development in streetscapes characterised by Inter-War Buildings need to be sympathetic to that character.	<ul style="list-style-type: none"> New control added requiring development in such streets to be sympathetic to Inter-War features and consider the Waverley Inter-War Flat Building Heritage Design Guidelines. 	3.5
40.	Inconsistency in the definition of attic and Figure 21	<ul style="list-style-type: none"> Clarify the definition of attic and make the controls consistent with the diagram illustrating pitched roof minimum attic dimensions. Clarify that attic is contained wholly within a roof, except for minor elements such as dormer windows Make the definition of attic consistent with the definition in Waverley LEP 	3.6
PART D – COMMERCIAL DEVELOPMENT			
D1 Commercial and Retail Development			
41.	Given the COVID situation, cafes should be allowed to serve through windows	<ul style="list-style-type: none"> Remove clause (e) that discourages premises to serve through a servery. 	1.2.4
PART E – SITE SPECIFIC DEVELOPMENT			
E1 Bondi Junction Area			
42.	Bondi Junction features different characters.	<ul style="list-style-type: none"> Introduction of new character areas. 	1.21
E3 Local Village Centres			
43.	Section needs to reflect the findings of the adopted Our Liveable Places Centres Strategy.	<ul style="list-style-type: none"> New village centre specific controls for all 19 centres included in the Our Liveable Places Centres Strategy. 	E3
E4 Special Character Areas			
44.	Relocation of C1 Special Character Areas	<ul style="list-style-type: none"> Relocation of existing residential special character areas, with minor housekeeping changes. 	E4
Annexures			
45.	The diagram <i>Four (4) storey rear setback details without rear laneway</i> is in conflict with the Apartment Design Guide.	<ul style="list-style-type: none"> Diagram Four (4) storey rear setback details without rear laneway updated to reflect the Apartment Design Guide with a 6m minimum rear setback. 	E3-3, page 393

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#	Issue	Proposed Outcome	Reference
PART F – DEVELOPMENT SPECIFIC			
F5 Horticulture			
46.	DCP controls need to accompany 'horticulture' as a newly proposed permissible use in the B zones.	<ul style="list-style-type: none">• Introduction of a new section managing the operation of horticulture.	F5
Definitions			
47.	New definitions are needed to provide clarity.	<ul style="list-style-type: none">• New definitions for Gross Floor Area, Imminent Danger, Major Alterations and Additions, and New Development	Definitions