

Note: Terms used in this Plan are defined in Waverley LEP 2012 and the Act and override any identical definition in this dictionary. The definitions below refer to terms that are not defined by either the LEP or the Act.

A

A-Board (or sandwich board) - means a two sided structure generally located on the footpath outside a shop or arcade to advertise a particular shop or product.

Accessible Housing - Housing that is designed and built to accommodate the needs of occupants with mobility impairment (Australian Standard 1428: Design for Access and Mobility Services).

Active Frontage - Street frontages where there is an active visual engagement between those in the street and those of the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed landuse help to provide active frontages.

Active Solar Energy Systems - Systems which combine the sun's energy with local climatic conditions to achieve thermal comfort inside buildings with the use of mechanical devices.

Adaptable housing - Dwellings designed in accordance with the requirements under Australian Standard AS4299 – 1995 Adaptable Housing.

Adjoining Land - Land which abuts an application site or is separated from it only by a pathway, driveway, laneway, roadway or similar thoroughfare.

Advertised Development - Development, other than designated development, that is identified as advertised development by the regulations, an environmental planning instrument or a development control plan.

Affected Person - A person, organisation, company or the like who owns or occupies land that adjoins an application site; who, in the opinion of the authorised Council officer, may be detrimentally affected by the use of an application site or the erection of a building or carrying out of works on an application site; or who occupies a building (including but not limited to a boarding house or an individual unit within a residential flat building) that is the subject of a development application.

Alteration and Addition - Any alteration or addition requiring a development application.

Applicant - The person(s) making a development application to Council.

Application Site - The land to which the development application applies.

Attic – Refer to the term “Attic” as defined in the dictionary within Waverley Local Environmental Plan 2012.

Australian Standard – The structural, technical and building requirements prepared by the Standards Australia Committee and approved by Council of Australian Standards.

Authorised Council Officer(s) - The Council officer(s) who are responsible for the processing, assessment or determination of an application.

Awning - A roof like structure that protrudes from the wall of a building, either over a window or doorway.

Awning Fascia Sign - A painted or adhered sign positioned on the fascia or return end of an awning.

Average Recurrence Interval (ARI) - the average time interval (in years or fraction of years) between recurrences of a rainfall event of a given intensity and duration.

B

Base Flows - Flows that occur during dry weather conditions.

Biodiversity - The variety of life: the different plants, animals and microorganisms, the genes they contain and the ecosystems of which they form. Biodiversity is vital in supporting human life. It provides many benefits, including our food, clean air and water and fertile soils.

Blackwater - Wastewater generated from toilets.

Body Corporate - An owner's corporation constituted under Section 11 of the *Strata Schemes Management Act 1996*.

Bulk - The combination of volume, size and shape of a building.

C

Café (See **Restaurant**)

Canopy - means an overhanging protection or shelter usually found over a window or door.

Carport - An open sided roof structure with no door or walls and used for car-parking purposes only.

Collection Point - The usual (or agreed) point on the footpath/roadway, or on-site, where garbage and recyclables are loaded onto vehicles.

Compost Bin - A container to hold organic and biodegradable waste while it is being converted into soil conditioner, compost or humus by a biological decay process.

Consulting Arborist - An Australian Qualification Framework Level V arborist (AQF5) or equivalent

Consent Authority - Waverley Council unless otherwise stipulated in accordance with this Plan.

Conservation Area - means an area of land of heritage significance:

- a) shown on the Waverley Local Environmental Plan 2012 Heritage Map as a heritage conservation area, and

b) the location and nature of which is described in Waverley Local Environmental Plan 2012 Schedule 5, and includes any heritage items situated on or within that area.

Contributory Item - items that make an important and significant contribution to the character of a heritage conservation area. This not only includes buildings, but natural features such as topography, vegetation, and views as well.

Council - Waverley Council

Critical Habitat - An area or areas of land comprising the habitat of an endangered species, population or ecological community

D

Damage (to a tree) - Injury to a tree or vegetation and includes:

- pruning, lopping and topping
- poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone
- cutting, tearing, breaking or snapping of braches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism
- ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches
- damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
- underscrubbing, or clearing understorey plants.

Dead tree - Any tree that is no longer capable of performing any one of the following processes:

- photosynthesis
- take up of water through the root system
- hold moisture in its cells; or
- produce new shoots

Deep Soil Zone - site area that is not built on, or underneath, thereby leaving an area of deep soil for deep-rooted vegetation, native vegetation and natural drainage. The zone must have a minimum dimension of 2 by 2 metres and should be positioned to enable the retention of existing mature and / or significant trees.

Destroy - Any activity leading to the immediate or contributes to the death, disfigurement or mutilation of a tree

Designated Development - Development as specified under section 77A of the *Environmental Planning and Assessment Act 1979* to be development that is declared to be designated by an environmental planning instrument or regulation.

Desired Future Character - the character of a development that complies with the aspirations expressed within the objectives and provisions of the Waverley LEP and DCP 2012 and any other relevant plans adopted by Council.

Detention - The holding of stormwater for short time periods aimed at reducing high flows. This reduces the peak flow of runoff, not the volume.

Detention Basin - A storage area used to temporarily store stormwater flows during a storm event to reduce peak flow. No water is permanently stored in a Detention Basin but is released to the stormwater system following the peak flow event.

Development - The use of land, and the subdivision of land, and the erection of a building, and the carrying out of a work, and the demolition of a building or work, and any other act, matter or thing referred to in Section 26 of the EP&AA 1979 that is controlled by an environmental planning instrument but does not include any development of a class or description prescribed by the Regulations 2000 for the purposes of this definition.

Development Application - An application for consent under Section 4 of the EP&AA 1979, to carry out development but does not include an application for a complying development certificate.

Dormer - A construction containing a vertical window framed into and projecting through a sloping roof.

E

External Wall Height - "Wall height" is the vertical distance as measured from the ground level (existing or as determined by Council) to the highest point of an external wall. The highest point of an external wall is taken to be any of the following:

- the underside of the eaves of a pitched roof;
- the highest point of a parapet that forms part of an external wall;
- the highest point of the wall where it joins the roof structure for skillion or butterfly type roofs.

For the purposes of "wall height" an external wall does not include dormer windows, roof gable ends, clerestory windows, recessed/setback glazed walls designed to obtain internal light, or the like.

F

Fascia Sign - A sign painted or positioned on the fascia or return end of the awning.

Fill - Depositing soil, rock or other similar extractive material obtained from the same or another site, but does not include the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land or a waste disposal landfill operation.

Fin Sign - An advertising structure attached to a flat roofed building or structure (such as a service station driveway canopy), generally positioned at right angles to street frontage.

Flush Wall Sign - A sign attached to or painted onto the wall of a building.

Food Waste - Any food waste such as vegetables, cereals, bones, meats and fish and fatty and oily sludges such as de-watered grease trap wastes.

G

Garage - An enclosed structure with a roof, garage door and walls used for carparking purposes only.

Garbage - is any solid or inert materials generated by development and land-use activities (including domestic activities) that are discarded, rejected, unwanted, surplus or abandoned, that remains after the separation of compostable, re-useable and recyclable materials.

Garbage Chute - is a duct in which deposited material descends from one level to another within the building, due to gravity.

Green Roof - is a roof that is designed to promote the growth of various forms of vegetation and includes a vegetated layer, growing medium, drainage layer and a waterproof membrane. The roof is either partially or completely covered by vegetation, and is a non-trafficable space that is only accessed for maintenance purposes.

Green wall / Vertical garden - Green wall means walls that are either free-standing or part of a building that is partially or completely covered with vegetation. There are two main types of green wall, including:

- green façades, that are made up of climbing plants either growing directly on a wall or on specially designed supporting structures. The plant's shoot system grows up the side of the building while being rooted in the ground; and
- living walls, with modular panels are affixed to the wall and geo-textiles, irrigation and a growing medium combine to support a dense network of plants.

Green Waste - A vegetative material, such as grass, plants, leaves, branches, shrub and tree loppings.

Grey Water - Wastewater generated from hand basins, showers, laundries and kitchens.

Gross Leasable Area - The sum of the areas at each floor of a building, where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage areas.

Groundwater - Water contained within the voids and spaces in rocks or soils.

H

Habitable Room - A room in a dwelling used for domestic day to day activities that excludes a bathroom, laundry, water closet, food storage pantry, walk in wardrobe, corridor, hallway and other like spaces not occupied for extended periods of time.

Habitat Corridors - are areas where vegetation provides sufficient habitat features to allow wildlife to move from one area of habitat to another. The vegetation may include remnant bushland, native plantings, weeds and gardens.

Habitat tree - Any tree that is a nest or hollow-bearing tree which is suitable for nesting birds, arboreal marsupials (possums), micro-bats or which support the growth of locally indigenous epiphytic plants such as orchids

Hardstand area - An open paved, concrete or grassed space designed to allow for car parking.

Hazardous Material - Potentially hazardous or toxic material(s) that contribute to the toxicity of residual waste. They include but are not limited to, asbestos, used batteries, waste oils, paints, solvents, cleaning and pool chemicals, pesticides, poisons and sharps such as syringes.

Hazardous Substances - A substance that:

- is listed in the *List of Designated Hazardous Substances*, (as listed on www.ascc.gov.au) or
- fits the criteria set out in the 'Approved Criteria for Classifying Hazardous Substances', as published by the National Occupational Health and Safety Commission.

Height of a tree - means the distance measure vertically between the horizontal plane of the lowest point of the base of the tree, which is immediately above ground, and the horizontal plane of the uppermost point of the tree.

I

Impervious (non porous) - A surface that does not allow water to infiltrate into the ground, including roofs, roads, pavements, hard surfaced sports courts, any "sealed" areas and permanent water bodies such as swimming pools.

Indigenous plant species - Those species which are believed to have been present in the Waverley Council area prior to 1788. It includes those plants which originate from remnant vegetation via natural processes and does not include planted native plants or plants originating from plantings.

Infill - A new building, either in a heritage conservation area or an existing urban area.

Infiltration - is the downward movement of water from the surface to the subsoil.

Injury - Damage to a tree and includes:

- lopping and topping
- poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone
- cutting, tearing, breaking or snapping of braches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism
- ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches

- damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
- underscrubbing, unless carried out by hand tools such as brushcutters and the like

Integrated Development - Development that in addition to Council consent, requires a number of permits, licences and other approvals from public authorities as well as approval under the *Environmental Planning and Assessment Act 1979*.

Interallotment Drainage - Common stormwater drainage system that serves one or more private properties.

L

Landscaped Area - A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area

Laneway Development - A building which fronts a rear lane.

Liquid Waste - A non-hazardous liquid waste generated by commercial premises that is supposed to drain to the sewer or be collected for treatment by a liquid waste contractor (inc. grease trap waste).

Local Native Plants - Those plants that have been propagated from local seed stocks from Sydney's Eastern suburbs, not specifically from the Waverley area, and not from outside the Sydney Basin

Lop or Lopping - Cutting branches or stems between branch unions or internodes with the final cut leaving a stub

Low Flows - Flows generated from rainfall events less than the 1 in 5 year ARI storm event including frequent events.

M

Minor Alterations - Any internal alterations and additions or external additions which does not increase the area of the existing building envelope.

Minor Stormwater System - A stormwater conveyance system comprising the land formation, pits and pipes, gutters, swales, grated trenches and other stormwater conveyance devices that are used to convey or retain stormwater in storm events up to the 20 year average recurrence interval storm event.

Mobile Garbage Bin - A bin on wheels with a lid ('wheely' bin) supplied by Council.

Mixed Use Development - A building with one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

Multi Unit Housing - A building containing three or more attached dwellings on one lot of land, but does not include an attached dwelling or multi dwelling housing.

N

Natural Ground Level - The existing ground level on the site prior to variation by way of excavation or filling, or that level accepted or determined by Council.

Neighbouring Land - Any land, which in the opinion of the Authorised Council Officer, may be detrimentally affected by a development application (and may include properties in a neighbouring LGA).

Non – Habitable Room - Spaces not occupied frequently or for extended periods.

North Point - The orientation of a dwelling or part thereof. A reference to 'north' is a reference to true solar north and not magnetic or compass north.

Noxious weed - A plant declared noxious under the *Noxious Weeds Act 1993*.

O

On-site Detention - Detention of water on-site (refer to **Detention**).

On-site Retention - Retention of water on-site (refer to **Retention**).

Open Space - An area external to a building (including an area of land, terrace, balcony or deck) and includes hard paved areas, areas containing swimming pools as well as landscaped area.

Operational hours - The hours when a commercial premises is utilised by staff for pre-works and clean up of the premises but is not open to the public for trade.

Organic Waste - A biodegradable, compostable wastes of plant and animal origin, such as garden refuse and food wastes capable of being converted into soil conditioners, compost or humus by a biological decay process.

Origin - refers to the location of plant material, where seed or cuttings were sourced to produce the plants. These may be:

- Indigenous – plant material from specimens growing in Waverley remnant vegetation or bushland (preferred)
- Local Native – plant material from Eastern Suburbs, Australia (next preference)
- Native – plant material from other region in Australia (Coastal NSW preferred)

Outbuilding - An unattached building or structure that includes a bird aviary, cubby house and other play equipment, cabana, garden shed and greenhouse and the like.

Overland Flow Path - The path that stormwater may take if the piped or channelled stormwater system becomes blocked or its capacity exceeded. Overland flow paths provide a fail safe system to ensure that stormwater is not likely to cause flood damage.

Owner - The person or persons who appear on Council's computer rates records to be the owner of the land at the date of notification; in the case of land that is the subject of a strata scheme under the *Strata Schemes (Freehold Development) Act 1973*, or a leasehold strata scheme under the *Strata Schemes (Leasehold Development) Act 1986*, the body corporate and each strata unit owner in the case of land that is a community, precinct or neighbourhood parcel within the meaning of the *Community Land Development Act 1989*, the Association for the parcel and each individual owner within the scheme.

P

Painted Sign - A sign painted directly onto an awning fascia and a glass shopfront.

Parapet - A wall-like barrier at the edge of a roof, or other structure.

Parking Space - Any garage, carport or carspace or court available for use by a vehicle.

Passive Solar Energy Systems - Systems which combine the sun's energy with local climate characteristics, to achieve thermal comfort inside buildings without the use of mechanical devices.

Peak Flows - The maximum instantaneous outflow from a catchment during a storm event.

Permeable Paving - Paving materials that allow infiltration into the soil.

Permissible Site Discharge - The maximum discharge from the site during a 1 in 5 year ARI storm event under pre-development (existing) site conditions.

Pervious - A surface that permits water to infiltrate into the ground.

Photovoltaic panels - A method of generating electrical power by converting solar radiation into direct current electricity.

Pitched Roof - A roof having a minimum pitch greater than 10 degrees and a maximum of 35 degrees taken from the horizontal base.

Pole Sign - A sign having an area no greater than 3.4m², erected on a pole or pylon independent of any building or other structure. A pole sign is generally used in place of a building whose setback from the street alignment renders it unsuitable for advertising display purposes.

Porous - A surface that does allow water to infiltrate into the ground.

Potable Water - Water that may be consumed.

Predominant building line - The predominant setback of the adjoining properties on the same side of the road as the subject site.

Refer to the definition of building line or setback stated in the dictionary of the Waverley Local Environmental Plan 2012.

Private Open Space - Component of open space that is used for private outdoor purposes ancillary to the use of the building and generally relates to rear and side yards and private decks, balconies and courtyards.

Projecting Wall Sign - A sign that is attached to a wall of the building (other than the transom of a doorway or display window).

Prune or pruning - Activities as specified in *Australian Standards AS 4373 – Pruning of Amenity Trees*:

- crown maintenance pruning involving general pruning or thinning
- deadwooding: the removal of dead wood from a tree
- selective pruning: the removal of identified branches that are causing a specific problem
- formative pruning: selective removal of specific branches to enhance form and improve structure or to directionally shape a young tree
- reduction pruning: reducing the size of the crown of the tree in either height or spread. The ends of branches are removed to internal lateral branches or stems
- crown lifting: the removal of lower branches to specified clearances
- remedial pruning: removing damaged, diseased or lopped branches back to undamaged or healthy tissue
- line clearance: pruning to maintain clearances around overhead services which should involve formative pruning, reduction pruning or remedial pruning

Public Building - A building or premises that the public or a section of the public is entitled or allowed to enter or use.

Public Domain - All land and facilities open for public use, including open space, streets, lanes, pedestrian thoroughfares, parks and public buildings.

R

Recognised Habitat - means an area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community and includes any biotic or abiotic component.

Remnant tree - A native indigenous tree that remains in the landscape after removal of the majority or all of the native indigenous vegetation in the locality

Remnant vegetation - or bushland, is taken to be the original (pre 1788) native vegetation which has survived to this day. It includes both undisturbed and disturbed remnant vegetation. It also includes remnant vegetation which has colonised disturbed areas, where there was no vegetation for a period. The native plants species that grow within these remnants are referred to as indigenous. Remnant vegetation does not include native species that have been planted or introduced to the area.

Remove - To cut down, take away or transplant a tree from its place of origin

Resource Recovery - To re-use or recycle materials.

Restaurant - A building or place, the principal purpose of which is the provision of food or beverages to people for consumption on the premises, whether or not takeaway meals and beverages or entertainment are also provided.

Restricted Premises - means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

Retention - The storing of a form of water for beneficial use. Can apply to all forms of water including rainwater, stormwater and recycled water. May occur by storing water in a tank or by infiltration.

Re-use - Re-using a product for the same or different purposes without further manufacture, to prolong the original product lifetime.

S

Seedbank - Seeds (especially from remnant vegetation) that has accumulated in the soil, and has the potential to regenerate.

Setback - The horizontal distance between a building and a site boundary, measured along a line perpendicular to the site boundary.

Sex Services - means sexual acts or sexual services in exchange for payment.

Sex Services Premises - means a brothel, but does not include home occupation (sex services).

Site - The allotment or group of allotments of land on which a building stands or is proposed to be erected.

Site Analysis - The process of identification and analysis of key features of the site and immediate surroundings to assist in understanding how future dwellings will relate to each other and to their locality.

Soil & Water Management Plan - Strategies and controls for a development or site to prevent pollution of the environment from all pollutants during the construction stage.

Solar Collector - Any building element or appliance specifically designed to capture or collect the sun's rays for the benefit of the occupants including windows to habitable rooms.

State Significant Development - Development defined under Section 76A(7) of the *Environmental Planning and Assessment Act 1979*.

Stormwater - Rainfall that is concentrated after it runs off all urban surfaces such as roofs, pavements, carparks, roads, gardens and vegetated open space and includes water in stormwater pipes and channels.

Street frontage - The street alignment at the front of the lot or building.

Streetscape - The character of a locality (whether it be a street or precinct) defined by the spatial arrangement and visual appearance of built and landscape features when viewed from the street.

T

Temporary Sign - An advertisement of a temporary nature that announces any local level event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event and does not include advertising of a commercial nature except for the name(s) of an event sponsor, being ancillary to the purpose of the advertisement. Temporary signs may consist of advertisements in the form of banners, bunting, posters and the like.

Terrace-Style Dwelling - A dwelling-house that is part of a group of similar dwellings featuring relatively narrow width in relation to depth, attached along their side boundaries and visually similar to other dwellings in the same group, designed as an integral part of that group.

Third Party Advertising - Signs whose advertising content is unrelated to the activity of the building or site on which they are positioned, or to the sale or distribution of merchandise from that building or site.

Top Hamper Sign - A sign attached above a doorway / window of a building, and is below awning height.

Top or topping - The reduction of the height of a tree through lopping.

Trading Hours - The hours of when a commercial premises is open for trade to the public.

Transplant - The removal of a tree that is excavated from its place of origin within the ground and is relocated within the ground of the same property or re-establishment within the ground or a container within another property.

Tree - Any woody perennial plant or any plant resembling a tree greater than 4 metres in height or with a canopy spread greater than 4 metres.

Tree protection zone - A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

U

Under Awning Sign - A sign attached to the underside of an awning.

Useable Open Space - An area of open space that is accessible, relatively flat and clear of obstructions and can be used for active or passive recreation

V

Virgin excavated natural material - Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated from areas that are not contaminated does not contain any sulfidic ores or soils or any other waste.

Vertically Stacked Parking - Where one or more vehicles are raised above a parking space by way of a mechanical or hydraulic lift, allowing more than one vehicle to occupy a surface level parking space.

W

Wastewater - is greywater and blackwater.

Water Sensitive Urban Design - A design approach promoting sustainable management of the total water cycle through the ecologically sensitive design of homes, streets (and their drainage systems) and whole suburbs.

Written Notice - means the written notification letter sent by Council to adjoining and neighbouring land advising of a proposed development.

ABBREVIATIONS

ABGR	Australian Building Greenhouse Rating Scheme
AHD	Australian Height Datum
AS	Australian Standards
BCA	Building Code of Australia
BJC	Bondi Junction Centre
DA	Development Application
DCP	Development Control Plan
DoCS	Department of Childcare Services
DoPE	Department of Planning & Environment
EMR	Electro-Magnetic Radiation
EP&AA 1979	Environmental Planning and Assessment Act 1979
EPI	Environmental Planning Instrument
FSR	Floor Space Ratio
GBCA	Green Building Council of Australia
GFA	Gross Floor Area
GLA	Gross Leasable Area
LEC	Land and Environment Court
LEP	Local Environmental Plan
LGA	Local Government Area
LVC	Local Village Centre
MGB	Mobile Garbage Bin
OSD	On-site Water Detention
OSR	On-site Water Retention
PA	Planning Agreement
PAPD	Public Art in the Private Domain
Regulation 2000	Environmental Planning & Assessment Regulation
RL	Reduced Level
SEE	Statement of Environmental Effects
SWRMP	Site Waste and Recycling Management Plan
TPO	Tree Preservation Order
WAHP	Waverley Affordable Housing Program
WDCP 2012	Waverley Development Control Plan 2012
WLEP 2012	Waverley Local Environmental Plan 2012
WMTM	Water Management Technical Manual