

Randwick Local Environmental Plan 1998

[1998-347]



New South Wales

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Randwick Local Environmental Plan 1998



New South Wales

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Randwick Local Environmental Plan 1998



New South Wales

Part 1 Preliminary

1 Name of plan

This plan is called *Randwick Local Environmental Plan 1998*.

2 Aims

The aims of this plan are:

- (a) to consolidate and review existing planning controls in the City of Randwick, and
- (b) to reduce the number of zones into which land is divided, and
- (c) to create a broad framework of planning controls within which the Council may prepare development control plans to formulate and adopt more detailed policies and guidelines relating to matters of significance for local environmental planning, and
- (d) to ensure that development is carried out in such a way as to allow the economic and efficient provision of public services and amenities, and
- (e) to ensure the conservation of the environmental heritage and aesthetic character of the City, and
- (f) to facilitate and encourage community consultation and participation in the planning process, and
- (g) to promote, protect and enhance the environmental qualities of the City, and
- (h) to recognise the importance of ecological sustainability in the planning and development processes, and
- (i) to recognise the responsibilities of accountability in the planning processes, and
- (j) to enhance individual and community economic well-being and welfare and safeguard the welfare of future generations, and
- (k) to encourage consideration of social consequences when decisions are made in the

implementation of this plan.

Purpose: To establish and specify the aims of this plan.

3 Land to which plan applies

This plan applies to all land situated in the City of Randwick.

Purpose: To identify the land that this plan applies to.

4 Relationship to other environmental planning instruments

(1) This plan repeals:

- (a) the *Randwick Planning Scheme Ordinance*, and
- (b) *Randwick Local Environmental Plan No 71 (Coogee Precinct)*, and
- (c) all other local environmental plans, other environmental planning instruments and deemed environmental planning instruments which, immediately before the appointed day, applied to land to which this plan applies, but to the extent only to which those plans so applied to that land.

(2) Despite subclause (1) (c), the following continue to apply to the land to which this plan applies:

- (a) *State Environmental Planning Policy No 1—Development Standards*,
- (b) *State Environmental Planning Policy No 5—Housing for Older People or People with a Disability*,
- (c) *State Environmental Planning Policy No 8—Surplus Public Land*,
- (d) *State Environmental Planning Policy No 11—Traffic Generating Development*,
- (e) *State Environmental Planning Policy No 19—Bushland in Urban Areas*,
- (f) *State Environmental Planning Policy No 27—Prison Sites*,
- (g) *State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)*,
- (h) *State Environmental Planning Policy No 33—Offensive and Hazardous Development*,
- (i) *State Environmental Planning Policy No 34—Major Employment-Generating Industrial Development*,
- (j) *State Environmental Planning Policy No 38—Olympic Games and Related Projects*,
and

(k) *Sydney Regional Environmental Plan No 7—Multi-Unit Housing: Surplus Government Sites.*

Purpose: To establish the relationship between this plan and other environmental planning instruments, particularly the previous local planning controls and State policies and regional plans.

5 Suspension of certain covenants etc

- (1) For the purpose of enabling development to be carried out in accordance with this plan or with a consent granted under the Act, the operation of any covenant, agreement or similar instrument imposing restrictions on development shall not apply to the development (to the extent necessary to serve that purpose).
- (2) Nothing in subclause (1) affects the rights or interests of any statutory authority under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

Purpose: To nullify the effect of any covenant or similar type of restriction that would purport to restrict or prohibit development that would otherwise be allowable under the provisions of this plan.

6 Consent authority

The Council is the consent authority for the purposes of this plan.

Purpose: To nominate the Council as the authority for the granting of consents required by this plan.

7 Savings

- (1) Any development application lodged but not finally determined prior to the appointed day will continue to be assessed and determined under the provisions of the environmental planning instruments that were in force immediately before the commencement of this plan.
- (2) However, when determining an application to which this clause applies, the Council must have regard to the provisions of this plan as if it had been exhibited under the Act but had not been made.

Purpose: To provide protection for development applications lodged prior to the gazettal of this plan and establish that those applications are to be assessed and determined under the planning controls that applied at the time of lodgement of the application. Subclause (2) requires the provisions of this plan to still be considered (in the same way as if it were a draft plan) in the determination of applications to which the savings provision applies.

Part 2 Zones

8 Zones

The Table below specifies the zones that apply in the City of Randwick and how those zones are shown on the map.

Table

Zone No 2A (Residential A Zone)—coloured light pink
Zone No 2B (Residential B Zone)—coloured medium pink
Zone No 2C (Residential C Zone)—coloured dark pink
Zone No 3A (General Business Zone)—coloured light blue
Zone No 3B (Local Business Zone)—coloured dark blue
Zone No 4A (Industrial Zone)—coloured light purple
Zone No 4B (Port Botany Zone)—coloured dark purple
Zone No 5 (Special Uses Zone)—coloured yellow
Zone No 6A (Open Space Zone)—coloured dark green
Zone No 6B (Private Open Space Zone)—coloured light green
Zone No 8 (National Parks Zone)—uncoloured and edged dark green

Purpose: To specify the zones that apply to land under the provisions of this plan and how they are shown on the map.

9 Objectives

The Council may grant consent to the carrying out of development on land to which this plan applies only after it has considered the extent to which the proposed development is consistent with the general aims of this plan and the specific objectives of the zone within which the development is proposed.

Purpose: To require the general aims of this plan and the specific objectives of each zone to be taken into account in the assessment and determination of development applications.

10 Zone No 2A (Residential A Zone)

- (1) The objectives of Zone No 2A are:
- (a) to maintain the character of established residential areas, and
 - (b) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors, and
 - (c) to enable redevelopment for low density housing forms, including dwelling houses, dual occupancy, semi-detached housing, and the like, where such development does not compromise the amenity of surrounding residential areas and is compatible with the dominant character of existing development, and
 - (d) to allow people to carry out a range of activities from their homes, where such

activities are not likely to adversely affect the environment of the locality.

(2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Public utility undertakings;
Group homes;	Recreation.

(3) Development for the purpose of the following requires development consent:

Attached dual occupancy;	Educational establishments;
Bed and breakfast accommodation;	Health consulting rooms;
Boarding houses;	Home activities;
Child care centres;	Outdoor advertising;
Communication facilities;	Places of worship;
Community facilities;	Public transport;
Dwelling houses;	Recreation facilities;
	Roads.

(4) Any development not included in subclause (2) or (3) is prohibited.

11 Zone No 2B (Residential B Zone)

(1) The objectives of Zone No 2B are:

- (a) to allow a variety of housing types within residential areas, and
- (b) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors, and
- (c) to enable residential development in a variety of medium density housing forms where such development does not compromise the amenity of surrounding residential areas and is compatible with the dominant character of existing development in the area, and
- (d) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality.

(2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Public utility undertakings;
Group homes;	Recreation.

(3) Development for the purpose of the following requires development consent:

Bed and breakfast accommodation;	Home activities;
Boarding houses;	Multi-unit housing;
Child care centres;	Outdoor advertising;
Communication facilities;	Places of worship;
Community facilities;	Public transport;
Dwelling houses;	Recreation facilities;
Educational establishments;	Roads;
Health consulting rooms;	Serviced apartments.

(4) Any development not included in subclause (2) or (3) is prohibited.

12 Zone No 2C (Residential C Zone)

(1) The objectives of Zone No 2C are:

- (a) to allow a variety of housing types within residential areas, and
- (b) to allow a range of community facilities to be provided to serve the needs of residents, workers and visitors, and
- (c) to enable residential development in a variety of medium density housing forms where such development does not compromise the amenity of surrounding residential areas, and
- (d) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality.

(2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Public utility undertakings;
Group homes;	Recreation.

(3) Development for the purpose of the following requires development consent:

Bed and breakfast accommodation;	Hospitals;
Boarding houses;	Motels;
Car parks;	Multi-unit housing;
Child care centres;	Outdoor advertising;
Communication facilities;	Places of worship;
Community facilities;	Public transport;
Dwelling houses;	Recreation facilities;
Educational establishments;	Roads;
Health consulting rooms;	Serviced apartments.
Home activities;	

(4) Any development not included in subclause (2) or (3) is prohibited.

13 Zone No 3A (General Business Zone)

(1) The objectives of Zone No 3A are:

- (a) to maintain the viability of existing business centres, and
 - (b) to facilitate development of land, in places identified by the Council as suitable to be used as business centres, for commercial, retail, residential and community purposes:
 - (i) by introducing appropriate floor space ratio controls, and
 - (ii) by encouraging economically viable retail cores which are centrally located and in close proximity to public transport, and
 - (iii) by enhancing employment opportunities and servicing the needs of the local and regional community, and
 - (iv) by encouraging and facilitating the use of public transport, and
 - (v) by providing and enhancing pedestrian and public open space areas for shoppers and workers, and
 - (vi) by maintaining and improving the environmental and aesthetic qualities of the City of Randwick,
 - (c) to minimise the impact of development on adjoining and nearby residential zones.
- (2) Development for the purpose of the following does not require development consent:
- | | |
|------------------------------|-------------|
| Bushfire hazard reduction; | |
| Public utility undertakings; | Recreation. |
- (3) Any development not included in subclause (2) or (4) requires development consent.
- (4) Development for the purpose of the following is prohibited:
- | | |
|-----------------------------------|-----------------------------------|
| Animal establishments; | Offensive industries; |
| Bulk stores; | Offensive storage establishments; |
| Caravan parks; | Panel beating workshops; |
| Container depots; | Potentially hazardous industries; |
| Generating works; | Potentially offensive industries; |
| Hazardous industries; | Transport depots; |
| Hazardous storage establishments; | Warehouses; |
| Heliports; | Waste transfer stations. |
| Industries; | |

14 Zone No 3B (Local Business Zone)

- (1) The objectives of Zone No 3B are:
- (a) to provide opportunities for local retail and business development in the City of Randwick, and

- (b) to provide opportunities for associated development such as car parking, service industries and the like, and
 - (c) to provide opportunities for residential accommodation in local business centres where it does not interfere with the primary business function of the zone, and
 - (d) to minimise the impact of development on adjoining and nearby residential zones.
- (2) Development for the purpose of the following does not require development consent:
- | | |
|------------------------------|-------------|
| Bushfire hazard reduction; | Recreation. |
| Public utility undertakings; | |
- (3) Any development not included in subclause (2) or (4) requires development consent.
- (4) Development for the purpose of the following is prohibited:
- | | |
|---|--|
| Amusement centres; | Light industries; |
| Animal establishments; | Multi-unit housing (other than dwellings attached to buildings involved in other uses which are permissible in this zone); |
| Automotive uses; | Offensive industries; |
| Brothels; | Offensive storage establishments; |
| Bulk stores; | Panel beating workshops; |
| Caravan parks; | Plant and equipment hire; |
| Container depots; | Potentially hazardous industries; |
| Dwellings (other than those attached to buildings involved in other uses which are permissible in this zone); | Potentially offensive industries; |
| Generating works; | Restricted premises; |
| Hazardous industries; | Serviced apartments; |
| Hazardous storage establishments; | Transport depots; |
| Helicopter landing sites; | Warehouses; |
| Heliports; | Waste transfer stations. |
| Industries; | |

15 Zone No 4A (Industrial Zone)

- (1) The objectives of Zone No 4A are:
- (a) to accommodate both traditional and modern forms of industrial, warehousing and like development outside areas used or zoned for residential or business purposes and so encourage economic and employment growth, and
 - (b) to ensure industrial development creates areas which are pleasant to work in, safe and efficient in terms of transportation, land utilisation and service distribution, and
 - (c) to encourage development of, and accommodate innovation in, industries, and
 - (d) to enhance and improve the physical environment of the City of Randwick by minimising disturbances caused by air pollutants, water pollutants, noise

pollutants and other pollutants, and

- (e) to enable limited retailing of bulky goods where, in the opinion of the Council, this is unlikely to detract from the role and function of land zoned for business purposes, and
- (f) to enable development for the purpose of retailing only where it is associated with, and ancillary to, manufacturing use of the same land or where it serves the daily convenience needs of the local workforce, and
- (g) to enable development for the purpose of commercial offices only where it is associated with, and ancillary to, an industrial, warehousing or like use of the same land or where it serves the daily convenience needs of the local workforce, and
- (h) to enable development for the purpose of community facilities, such as child care facilities, either in association with (or independently of) other permitted development so as to serve the needs of the workforce of the area.

- (2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Recreation.
Public utility undertakings;	

- (3) Any development not included in subclause (2) or (4) requires development consent.

- (4) Development for the purpose of the following is prohibited:

Backpacker accommodation;	Hazardous storage establishments;
Bed and breakfast accommodation;	Heliports;
Boarding houses;	Hospitals;
Business premises;	Medical centres;
Caravan parks;	Multi-unit housing;
Dwellings;	Offensive industries;
Educational establishments;	Offensive storage establishments;
Generating works;	Serviced apartments;
Group homes;	Waste transfer stations, where the throughput
Hazardous industries;	of material exceeds 30,000 tonnes per year.

16 Zone No 4B (Port Botany Zone)

- (1) The objectives of Zone No 4B are:

- (a) to facilitate the development and operation of Port Botany as a major cargo handling and distribution centre, and
- (b) to allow a range of activities which complement the continued and effective operation of the port, and

- (c) to encourage development of, and accommodate innovation in, the sources of economic growth, and
 - (d) to enhance and improve the physical environment by minimising disturbances caused by air pollutants, water pollutants, noise pollutants and other pollutants, and
 - (e) to enable development for the purposes of retailing or commercial offices only where it is associated with, and ancillary to, port related activities or where it serves the daily convenience needs of the local workforce.
- (2) Development for the purpose of the following does not require development consent:
- | | |
|----------------------------|------------------------------|
| Bushfire hazard reduction; | Public utility undertakings. |
|----------------------------|------------------------------|
- (3) Development for the purpose of the following requires development consent:
- | | |
|---------------------------|-----------------------------------|
| Bulk stores; | Potentially hazardous industries; |
| Communication facilities; | Potentially offensive industries; |
| Container depots; | Roads; |
| Generating works; | Transport depots; |
| Outdoor advertising; | Warehouses. |
| Port facilities; | |
- (4) Any development not included in subclause (2) or (3) is prohibited.

17 Zone No 5 (Special Uses Zone)

- (1) The objectives of Zone No 5 are:
- (a) to accommodate development by public authorities on publicly owned land, and
 - (b) to accommodate development for educational, religious, public transport or similar purposes on both publicly and privately owned land, and
 - (c) to allow appropriate community uses, and
 - (d) to enable associated and ancillary development, and
 - (e) to identify and protect land intended to be acquired for special uses, and
 - (f) to allow for the redevelopment of land no longer required for a special use.
- (2) Development for the purpose of the following does not require development consent:
- | | |
|------------------------------|-------------|
| Bushfire hazard reduction; | Recreation; |
| Public utility undertakings; | Roads. |
- (3) Development for the purpose of the following requires development consent:

- | | |
|----------------------------------|---------------------------|
| Animal establishments; | Group homes; |
| Bed and breakfast accommodation; | Health consulting rooms; |
| Boarding houses; | Helicopter landing sites; |
| Car parks; | Home activities; |
| Cemeteries; | Hospitals; |
| Child care centres; | Multi-unit housing; |
| Clubs; | Outdoor advertising; |
| Communication facilities; | Penitentiaries; |
| Community facilities; | Places of worship; |
| Dwellings; | Plant nurseries; |
| Dwelling houses; | Public transport; |
| Educational establishments; | Recreation facilities. |

(4) Any development not included in subclause (2) or (3) is prohibited.

18 Zone No 6A (Open Space Zone)

- (1) The objectives of Zone No 6A are:
- (a) to identify publicly owned land used or capable of being used for public recreational purposes, and
 - (b) to allow development that promotes, or is related to, the use and enjoyment of open space, and
 - (c) to identify and protect land intended to be acquired for public open space.
- (2) Development for the purpose of the following does not require development consent:
- | | |
|--|---|
| Works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction; | Public utility undertakings;
Recreation. |
|--|---|

- (3) Development for the purpose of the following requires development consent:
- | | |
|--|---------------------------|
| Buildings ordinarily incidental or ancillary to landscaping, gardening or bushfire hazard reduction; | Community facilities; |
| Car parks; | Helicopter landing sites; |
| Child care centres; | Outdoor advertising; |
| Clubs; | Public transport; |
| Communication facilities; | Recreation facilities; |
| | Restaurants; |
| | Roads. |

(4) Any development not included in subclause (2) or (3) is prohibited.

19 Zone No 6B (Private Open Space Zone)

- (1) The objective of Zone No 6B is to enable private recreation facilities to be provided on privately owned land.

(2) Development for the purpose of the following does not require development consent:

Works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction;	Public utility undertakings; Recreation.
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(3) Development for the purpose of the following requires development consent:

Buildings ordinarily incidental or ancillary to landscaping, gardening or bushfire hazard reduction;	Community facilities;
Car parks;	Helicopter landing sites;
Child care centres;	Outdoor advertising;
Clubs;	Public transport;
Communication facilities;	Recreation facilities;
	Restaurants;
	Roads.

(4) Any development not included in subclause (2) or (3) is prohibited.

20 Zone No 8 (National Parks Zone)

(1) The objectives of Zone No 8 are:

- (a) to identify land dedicated or reserved under the [National Parks and Wildlife Act 1974](#), and
- (b) to allow for the management and appropriate use of that land.

(2) Development for the purpose of the following does not require development consent:

Any building, work, place or land use authorised by or under the [National Parks and Wildlife Act 1974](#), including any incidental or ancillary building, work, place or land use.

(3) Any development not included in subclause (2) is prohibited.

Part 3 Special provisions

21 Subdivision

Despite the provisions of clauses 10, 11, 12, 16, 17, 18, 19 and 20, land to which this plan applies may be subdivided, but only with development consent.

22 Services

The Council may grant consent to the carrying out of development on any land only where it is satisfied that, when relevant to the proposed development, adequate facilities for the supply of water and for the removal or disposal of sewage and drainage are available to that land.

Purpose: To ensure that adequate provision is made for the supply of water, and for sewage and drainage services.

23 Notification procedures for development applications

- (1) An application for consent to carry out development that requires the consent of the Council because of this plan must be notified in accordance with the requirements set out in this clause unless:
 - (a) the development is, in the opinion of the Council, of a minor or ancillary nature and is not likely to result in any adverse impact on adjoining or nearby land, or
 - (b) the development involves weatherproofing or other works required in an emergency.
- (2) On receipt of an application to which this clause applies, the Council must, in writing, notify:
 - (a) persons who appear from the Council's records to own land which adjoins that portion of the land that is the subject of the application, and
 - (b) persons who appear from the Council's records to own land that the Council has reasonable cause to believe may be detrimentally affected by the proposed development, and
 - (c) persons (if any) who appear from the Council's records not to be the owners but to be the occupiers of land referred to in paragraph (a) or (b), and
 - (d) any public authority that, in the opinion of the Council, should be notified of the application.
- (3) Where the Council's records show that there are joint owners or joint occupiers of land, a notice under subclause (2) (a), (b) or (c) need only be sent to one of the joint owners or joint occupiers.
- (4) A notice under this clause must contain the following information:
 - (a) a description of the land on which the development is proposed to occur,
 - (b) a description of the proposed development,
 - (c) the name of the applicant and of the consent authority,
 - (d) a statement that the development application referred to in the notice (including any other supporting documentation accompanying the application) is available for inspection,
 - (e) details of where and when the application may be inspected,
 - (f) a statement that any person may inspect the application and make a submission to the Council, in writing, about the application and that any submission which objects to the application must include the reasons for the objection.

- (5) The notice must be issued prior to the commencement of the inspection period referred to in the notice.
- (6) This clause does not apply to an application for consent for designated development or to development referred to in clause 26.

Purpose: To establish procedures for and encourage community participation in the development assessment processes.

24 Development requiring advertising and site notice

- (1) An application for consent to carry out:
 - (a) development within Zone No 2A, 2B or 2C for the purpose of dual occupancy or multi-unit housing involving the construction of additional dwellings, or
 - (b) development within Zone No 2A, 2B or 2C for the purpose of boarding houses, educational establishments, hospitals, motels, places of worship and serviced apartments, or
 - (b1) development within Zone No 3A or 3B for the purpose of multi-unit housing or serviced apartments involving the construction of additional dwellings, or
 - (c) any development within Zone No 4A, 4B, 5, 6A or 6B, except where that development is, in the opinion of the Council, of a minor or ancillary nature and not likely to result in any adverse impact on adjoining or nearby land, or
 - (d) development within any zone for the purpose of amusement centres, brothels, clubs, hotels or restricted premises, or
 - (e) development involving the demolition, damaging or defacing of a building or work that is a heritage item or that is situated in a conservation area, except where partial demolition only is proposed and, in the opinion of the Council, the partial demolition will be of a minor nature and will not adversely affect the significance of the item or the conservation area, or
 - (f) development involving the use of a building or land referred to in clause 47 that, but for that clause, would be prohibited under this plan,must be advertised in accordance with this clause.
- (2) When an application referred to in this clause is made, the Council is required to:
 - (a) publish a notice in a newspaper circulating at least once weekly in the area of the City of Randwick, and
 - (b) erect a notice on the site the subject of the application.
- (3) A notice under this clause must contain the following information:

- (a) a description of the land on which the development is proposed to occur,
 - (b) a description of the proposed development,
 - (c) the name of the applicant and of the consent authority,
 - (d) a statement that the development application referred to in the notice (including any other supporting documentation accompanying the application) is available for inspection,
 - (e) details of where and when the application may be inspected,
 - (f) a statement that any person may inspect the application and make a submission to the Council, in writing, about the application and that any submission which objects to the application must include the reasons for the objection.
- (4) For the purposes of subclause (3) (e) the minimum period for an application to be available for inspection is 14 days.
- (5) A notice under this clause must be published or erected on the site prior to the inspection period referred to in the notice.
- (6) This clause does not apply to an application for consent for designated development or to development referred to in clause 26.

Purpose: To promote community awareness of development proposals and establish minimum requirements for procedures to be followed in advertising applications in the local press.

25 Consideration of submissions

In assessing and determining an application for consent to carry out development, the Council must take into consideration any submissions received in respect of that application.

Purpose: To ensure that submissions made are given proper consideration in the assessment and determination of applications.

25A Aerial subscriber connections to telecommunications distribution lines

Clause 5B of [*State Environmental Planning Policy No 4—Development Without Consent*](#) applies to development on land to which this plan applies in the same way as it applies to development on land to which that Policy applies and, in the application of that clause, a reference to an item of the environmental heritage is taken to be a reference to a heritage item or heritage conservation area.

26 Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in Table A of *Development Control Plan—Exempt and Complying Development*, as adopted by the Council on 1 February 2000 is **exempt development**, despite any other provision

of this plan.

- (2) Development listed as complying development in Table B of *Development Control Plan—Exempt and Complying Development*, as adopted by the Council on 1 February 2000 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on the land which it is proposed, and
 - (b) it is not an existing use as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Development Control Plan—Exempt and Complying Development*, as adopted by the Council on 1 February 2000.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Development Control Plan—Exempt and Complying Development*, adopted by Council, as in force when the certificate is issued.

Purpose: To provide for Exempt and Complying Development.

27 Aircraft noise

- (1) The Council may grant consent to the development of land affected by aircraft noise (as advised by the Federal Airports Corporation) only where it has taken into account the guidelines contained in Australian Standard AS 2021—*Aircraft noise intrusion—Building siting and construction (Third Edition 1994)*.
- (2) Despite subclause (1), the Council may not grant consent to the development on land within any zone which is within the 25 ANEF contour (as advised by the Federal Airports Corporation) which will result in an increase in the number of dwellings on that land.

Purpose: To ensure that due consideration is given to the impact of aircraft noise in the assessment and determination of development applications and to restrict development of land affected by high levels of aircraft noise.

28 Tree preservation orders

- (1) The Council may, by resolution, make a tree preservation order.
- (2) A tree preservation order may prohibit the ringbarking, cutting down, topping, lopping, removal, injuring or destroying of trees without the consent of the Council.
- (3) A tree preservation order comes into force on the day a notice stating that the order has been made is first published in a newspaper circulating at least once weekly in the City of Randwick.

- (4) A tree preservation order, and the notice referred to in subclause (3), must specify the types or sizes of trees, or identify the locations of the trees, that are covered by the order and may apply to the whole or any part of the City of Randwick.
- (5) Where a tree preservation order is in force, a person must not, on land to which it applies, ringbark, cut down, top, lop, remove, injure or destroy any tree covered by the order without the consent of the Council.
- (6) Subclause (5) does not apply where it can be demonstrated to the satisfaction of the Council that the tree is dying, dead or has become dangerous or where the tree is dealt with in accordance with a permit granted by the Council.
- (7) Before granting a consent or permit referred to in subclause (5) or (6), the Council must make an assessment of the importance of the tree or trees concerned in relation to:
 - (a) soil stability and prevention of land degradation, and
 - (b) scenic or environmental amenity, and
 - (c) vegetation systems and natural wildlife habitats.
- (8) This clause does not apply to work carried out under section 48 of the *Electricity Supply Act 1995*.

Purpose: To establish procedures for the proper management of trees in order to minimise the unnecessary loss of significant tree resources.

29 Foreshore scenic protection area

- (1) The foreshore scenic protection area is shown on the map.
- (2) The consent of the Council is required to erect a building within the foreshore scenic protection area which exceeds 5 metres in height measured vertically from any point on ground level to the highest point of the building.
- (3) The Council may only grant consent referred to in subclause (2) after it has considered the probable aesthetic appearance of the proposed building in relation to the foreshore.
- (4) Subclause (2) does not apply to development which, in the opinion of the Council, is of a minor nature and will not adversely affect the amenity or the character of the locality.

Purpose: To identify visually prominent residential areas along the coast and establish consent requirements for development in these areas to protect and enhance their visual qualities.

30 Minimum allotment sizes

- (1) The minimum allotment size for allotments resulting from the subdivision of land,

other than for the purpose of public utility undertakings or roads, within Zone No 2A is 450 square metres and each allotment must have a frontage of at least 12 metres.

- (1A) The minimum allotment size for allotments resulting from the subdivision of land, other than for the purpose of public utility undertakings or roads, within Zone No 2B or 2C is 325 square metres and each allotment must have a frontage of at least 9 metres. This requirement does not apply to development for the purposes of multi-unit housing.
- (2) The minimum frontage requirements specified in subclauses (1) and (1A) do not apply to battleaxe allotments and the area of any access corridor to a battleaxe allotment is not to be included in the calculation of the area of the allotment.
- (3) The minimum size for an allotment that may be subdivided (whether or not by a strata plan) to create separate allotments for the dwellings comprising an attached dual occupancy within Zone No 2A is 900 square metres.
- (4) The minimum allotment size for the erection of a dwelling house or for an attached dual occupancy within Zone No 2A is 450 square metres and each allotment must have a frontage of at least 12 metres.
- (5) This clause does not prohibit the erection of a dwelling house within Zone No 2A, 2B or 2C on an allotment of land that existed as a separate allotment on the appointed day.

Purpose: To establish minimum requirements for the subdivision of land within residential zones in order to protect and enhance local amenity.

31 Landscaped area

- (1) Development, otherwise than for the purpose of a dwelling house, within Zone No 2A must provide a minimum of 40% of the total site area as landscaped area.
- (2) Development, otherwise than for the purpose of a dwelling house, within Zone No 2B or 2C must provide a minimum of 50% of the total site area as landscaped area.
- (3) Landscaped areas over podiums or excavated basement areas must not exceed 50% of the landscaped area requirements specified in subclauses (1) and (2).

Purpose: To establish minimum requirements for the provision of landscaping to soften the visual impact of development, assist in the reduction of urban runoff and provide adequate areas of open space for recreational purposes.

32 Floor space ratios

- (1) The maximum floor space ratios for buildings, other than buildings erected for the purpose of a dwelling house, within Zones Nos 2A, 2B and 2C is 0.5:1, 0.65:1 and 0.9:1, respectively.

- (2) Despite subclause (1), the maximum floor space ratio for buildings, other than buildings erected for the purpose of a dwelling house, within Zone No 2C is 0.65:1 where the site area is less than 700 square metres.
- (3) The maximum floor space ratios for buildings within Zones Nos 3A and 3B are shown by distinctive shading on the map.
- (4) The maximum floor space ratio for buildings within Zone No 4A or 4B is 1:1.
- (5) The maximum floor space ratio for buildings within Zone No 5 to be used for the purpose of boarding houses, dwellings, group homes or multi-unit housing (or any two or more of them) is 0.5:1.
- (6) The area of the access corridor for a battleaxe allotment is not to be included in the calculation of the floor space ratio of any building on the allotment.

Purpose: To establish reasonable upper limits for development in residential, business, industrial and special uses zones through a limit on the amount of floor space that can be provided. This will help to reduce the potential for adverse impact on nearby and adjoining development while still providing for reasonable levels of development and redevelopment.

33 Building heights

- (1) The maximum height for a building, other than a dwelling house, within Zone No 2A or 2B is 9.5 metres measured vertically from any point on ground level.
- (2) The maximum height for a building, other than a dwelling house, within Zone No 2C is 12 metres measured vertically from any point on ground level.
- (3) The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2A or 2B is 7 metres measured vertically from any point on ground level.
- (4) The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2C is 10 metres measured vertically from any point on ground level.
- (5) The maximum height for buildings within Zone No 3A or 3B are shown by distinctive shading on the map.
- (6) For the purposes of this clause, chimneys, vents and other service installations may exceed the specified height limits, but only where the Council is satisfied that it will not adversely affect the amenity of adjoining or nearby land.

Purpose: To set upper limits for the height of buildings in residential and business zones that are consistent with the redevelopment potential of land in those zones given other development restrictions, such as floor space and landscaping, and have regard for the amenity of surrounding areas.

34 Boarding houses

- (1) This clause applies to a building or place that is used for the purpose of a boarding

house and includes any vacant building or part of a building that, when last used or occupied, was used or occupied as a boarding house.

- (2) The consent of the Council is required to change the use of or demolish a building or place to which this clause applies to another use not being a boarding house.
- (3) When determining an application required by this clause, the Council may grant its consent only where it has made an assessment of and considered the implications of:
 - (a) the need to retain the particular type of housing in relation to any identified needs of the local area, and
 - (b) the accumulated impact that the loss of the building or place for use as a boarding house will have on the supply of that type of housing in the local area, and
 - (c) any building and fire safety requirements, and
 - (d) the financial viability of the continued use of the building or place as a boarding house, and
 - (e) any alternative arrangements for the accommodation of any displaced persons.

Purpose: To make provision for the assessment of the cumulative loss of boarding house accommodation.

35 Business premises in residential zones

Despite clauses 10, 11 and 12, the Council may grant consent to the development of land within Zone No 2A, 2B or 2C for the purpose of business premises, but only if the Council is satisfied that the proposed use:

- (a) is to be situated in a building, or part of a building, that was originally designed or constructed (or both) for use as business premises, and
- (b) the total floor space to be used as business premises does not exceed 50 square metres.

Purpose: To provide for the establishment and continued operation of small scale business development in residential zones.

36 Additional development in industrial zones

- (1) Despite clauses 15 and 16, the Council may grant consent to the carrying out of development on land within Zone No 4A or 4B for the purpose of business premises, but only if it is satisfied that:
 - (a) the proposed development is of a type appropriate for an industrial zone and, where the proposed development may otherwise have been carried out within a business centre in the locality, suitable land for the development is not available in that business centre, or

- (b) the proposed development is intended to serve the daily needs of the workforce of the industrial area.
- (2) The Council may grant consent to the carrying out of development on land within Zone No 4A for the purpose of a panel beating workshop, but only if:
 - (a) the land in question does not adjoin land within a residential zone, and
 - (b) it is satisfied that appropriate arrangements are made to store on the site of the proposed development, and either within a building or within a suitably screened area, all vehicles awaiting or undergoing repair, awaiting collection or otherwise involved with the proposed workshop.
- (3) Despite clause 15, the Council must not grant consent to the development of land within Zone No 4A for the purpose of a container depot or transport depot on land shown by distinctive shading on the map.
- (4) The Council may grant consent to the development of land within Zone No 4A or 4B only where it has considered the *Port Botany Landuse Safety Study 1996*, prepared by the Department of Urban Affairs and Planning, a copy of which is deposited in the office of the Council.

Purpose: To establish criteria for the assessment of applications for certain types of development in industrial zones, particularly having regard to the impact of those activities on nearby residential areas.

37 Development in the Port Botany industrial area

The Council may grant consent to the development of land within Zone No 4B only if it is satisfied that the proposed development is, by virtue of the nature of the activity or activities involved, suited to being in close proximity to Port Botany and will not adversely affect the continued operation of the port.

Purpose: To reinforce the importance of the role and function of the land within Zone No 4B to the continued operation of Port Botany as a major shipping and cargo handling facility.

37A Development in Special Uses Zone

The Council may grant consent to the development of land within Zone No 5 only if it is satisfied that the proposed development is compatible with the character of the locality and will not adversely affect the amenity of nearby and adjoining development.

Purpose: To ensure that consideration is given to the impact of development proposals within the Special Uses Zone on other development and uses in the locality. This clause should reduce the potential for adverse impact on nearby development and on the amenity and character of the locality.

38 Development in open space zones

- (1) (Repealed)
- (2) When determining an application for consent to carry out development on land within

Zone No 6A or 6B, the Council must consider:

- (a) the need for the proposed development on that land, and
- (b) whether the proposed development promotes or is related to the use and enjoyment of open space, and
- (c) the impact of the proposed development on the existing or likely future use and character of the land, and
- (d) the need to retain the land for its existing or likely future use.

(2A) Despite clause 18, the Council may grant consent to the development of land within Zone No 6A for purposes (including business premises) permitted by a plan of management adopted by the Council and prepared in accordance with the requirements of the [Local Government Act 1993](#) for the land in question, provided it is satisfied that the proposed development is suited to a location in that zone.

(2B) Despite clause 19, the Council may grant consent to the development of land within Zone No 6B for the purpose of business premises, but only if it is satisfied that the proposed development is, having regard to the requirements of subclause (2), suited to a location in that zone.

(3) The owner of any land within Zone No 6A, not being Crown land or land owned by the Council, may, by notice in writing, require the Council to acquire the land.

(4) On receipt of a notice referred to in subclause (3), the Council must acquire the land, unless the land is required to be dedicated for public open space.

(5) Any land within Zone No 6A which is not under the ownership of the Crown or the Council may (with the consent of the Council) be used for any purpose which is permissible (either with or without development consent) on land adjoining the land in question, prior to that land being acquired by the Council.

(6) The Council may grant consent as referred to in subclause (5) only after it has considered:

- (a) the effects of the proposed development on the costs of acquisition, and
- (b) the imminence of acquisition, and
- (c) the costs associated with the reinstatement of the land for the purpose for which it is zoned.

(7) Nothing in this plan requires the Centennial Park and Moore Park Trust (or any person authorised by the Trust) to obtain the consent of the Council to carry out development on Trust lands (within the meaning of the [Centennial Park and Moore Park Trust Act 1983](#)) for the purpose of anything authorised by section 9 (1) of that Act.

Purpose: To establish criteria for the assessment of applications for development in open space zones and provide for greater flexibility in the development of open space areas for recreation and leisure activities especially where there is an adopted plan of management. This clause also sets out the procedures to be followed for the acquisition of land for open space purposes.

39 Unzoned land

- (1) A person may, with the consent of the Council, carry out development on land shown unzoned on the map for the purpose of anything which is permissible on land adjoining that land.
- (2) Despite subclause (1), the consent of the Council is not required for development of unzoned land for the purpose of a public utility undertaking.

Purpose: To establish consent requirements for the development of land shown as unzoned on the map and to link those requirements to the land uses permissible in adjoining zones.

40 Excavation and filling of land

- (1) A person may excavate or fill any land to which this plan applies only with the consent of the Council.
- (2) When considering an application for consent required by subclause (1), the Council must have particular regard to:
 - (a) the likely disruption of, or detrimental effect on, existing drainage patterns and soil stability in the locality, and
 - (b) the effect of the proposed works on the likely future use or redevelopment of the land.
- (3) Subclause (1) does not apply to any excavation or filling of land associated with minor landscaping, where it is ancillary to development referred to in Schedule 1 or where it is ancillary to development for which consent has been granted.

Purpose: To introduce a requirement to obtain consent for the excavation or filling of land so that proper consideration can be given to the potential implications of the proposal, particularly in relation to drainage and soil stability issues.

40A Master plans

- (1) Despite any other provisions of this plan, consent may be granted to a development application made in respect of a site area consisting of more than 4,000 square metres of land only if:
 - (a) a master plan for the development of that land has been adopted in accordance with this clause, and
 - (b) the consent authority is satisfied that the development is not inconsistent with the provisions of that master plan.

- (2) The consent authority may waive the requirement for a master plan, but only if it is satisfied:
 - (a) that the proposed development is of a minor nature only or is ancillary to the current use of the land, or
 - (b) that adequate guidelines and controls applying to the land are already in place.
- (3) A master plan is a document (consisting of written information, maps and diagrams) that makes more detailed provisions relating to development of the land for which a master plan is required than this plan. A master plan:
 - (a) outlines long-term proposals for development of the entire site for which the master plan is required, and
 - (b) explains how those proposals address the range of matters outlined in subclause (5).

The proposals must conform to the requirements for development of the site made by this plan and any other environmental planning instrument.

- (4) A master plan may be prepared by, or on behalf of, the owner of the land concerned following consultation with the Council.
- (5) A master plan is to address, illustrate and explain, where appropriate, proposals covering the following range of matters (but is not limited to them):
 - (a) design principles drawn from an analysis of the site and its context,
 - (b) phasing of development,
 - (c) distribution of land uses, including public open space and environmental protection areas,
 - (d) subdivision pattern,
 - (e) building envelopes and built form controls,
 - (f) heritage conservation, including both Aboriginal and European heritage,
 - (g) infrastructure provision,
 - (h) remediation of the site,
 - (i) pedestrian, cycle and road access and circulation network, with particular regard to public transport servicing,
 - (j) parking provision,
 - (k) provision of public facilities,

- (l) impact on, and improvements to, the public domain,
 - (m) provision of open space, its function and landscaping,
 - (n) identification and conservation of native flora and fauna habitat on the site, including any threatened species, populations or ecological communities, and
 - (o) the principles of ecologically sustainable development.
- (6) Immediately after receiving a draft master plan, the Council must advertise it in a newspaper circulating in the locality and exhibit it at the Council's offices for not less than 14 days, for public comment. The Council must take into account any written submissions made about the content of the master plan during the exhibition period.
- (7) After considering a draft master plan, the Council:
- (a) may adopt the master plan without variation, or
 - (b) may adopt the master plan with such variations as it considers appropriate, or
 - (c) may reject the draft master plan.
- (8) If a draft master plan for a site area:
- (a) has not been adopted by the Council within 60 days after it was received by the Council, or
 - (b) has been rejected by the Council,
- then subclause (1) does not apply to the site area, but when a consent authority assesses a development application for the site area, it must have regard to the range of matters set out in subclause (5).
- (9) When a master plan is adopted, the Council must place a notice to that effect in a newspaper circulating in the locality.
- (10) A master plan may be amended or replaced by a subsequent master plan.
- (11) A master plan has effect for 5 years from the date on which it is adopted by the Council or for such other period as the Council may determine and specify in the master plan at the time of its adoption.
- (12) A copy of each adopted master plan must be available for inspection at the Council's offices during ordinary office hours.

Purpose: To establish practices and procedures for redevelopment of sites in excess of 4,000 square metres by introducing requirements for the preparation of master plans to guide their development.

41 Temporary use of land

Despite any other provisions of this plan, the Council may grant consent to development on land within any zone for any temporary purpose for a maximum period of 28 days, whether consecutive or not, in any one calendar year, but only where the Council is satisfied that:

- (a) the temporary purpose is necessary and reasonable for the economic use of the land pending its subsequent development in accordance with this plan, and
- (b) the temporary purpose will not prejudice the subsequent carrying out of development on the land in accordance with this plan, and
- (c) appropriate arrangements are made for the removal of the use and any associated structures at the end of the period specified in the development consent.

Purpose: To make provision for the use of land on a temporary basis, where that use does not necessarily comply with the existing zoning of the land.

41A Interim use of land

- (1) Despite any other provisions of this plan, the Council may grant consent to development on land within any zone for an interim period of up to 5 years, but only where the Council is satisfied that:
 - (a) the interim use is necessary and reasonable for the economic use of the land pending its subsequent development in accordance with this plan, and
 - (b) the interim use will not prejudice the eventual development of the land in accordance with the objectives of this plan, and
 - (c) the use will not adversely affect residential amenity and permissible development in accordance with this plan on other sites in the locality, and
 - (d) appropriate arrangements have been made for the reinstatement of the site so that it may be used in accordance with the objectives of this plan.
- (2) Before granting consent for development as allowed by this clause, the Council must be satisfied that the development will cease within such time as is permitted by the Council.

Purpose: To make provision for the interim use or development of land pending development in accordance with the existing zoning.

42 Development of land for certain additional purposes

Despite the provisions of this plan, a person may, with the consent of the Council, carry out development on land described in Column 1 of Schedule 2 that is specified in Column 2 of that Schedule, subject to any conditions that may be specified in Column 3 of that Schedule.

Purpose: To make provision for additional uses of land in certain specified circumstances, where those uses are not permissible under the existing zoning of the land.

42A Classification and reclassification of public land as operational

The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the [Local Government Act 1993](#).

Part 4 Heritage provisions

Purpose: To establish special provisions relating to heritage and conservation matters. Buildings and places listed as heritage items are identified in Schedule 3. Heritage conservation areas are shown on the map supporting this plan.

43 Protection of heritage items, heritage conservation areas and relics

- (1) The following development may be carried out only with the consent of the Council:
 - (a) demolishing, defacing, damaging or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area, or
 - (b) altering a heritage item or a building, work or relic within a heritage conservation area by making structural changes to its exterior, or
 - (c) altering a heritage item or a building, work or relic within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance, or
 - (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic, or
 - (e) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.
- (2) When determining a development application required by this clause, the Council must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area, including an assessment of:
 - (a) the pitch and form of the roof, if any, and
 - (b) the style, size, proportion and position of the openings for windows or doors, if any, and
 - (c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.
- (3) The Council may grant consent to a development application required by this clause only after it has considered a report that assesses the impact of the proposal on the

heritage significance of the heritage item and its setting, or of the heritage conservation area.

Purpose: To establish consent requirements for development involving a heritage item or land within a heritage conservation area. Also, to establish criteria for the assessment and determination of development applications arising from those consent requirements.

44 Development of potential archaeological sites

- (1) The Council may grant consent to the carrying out of development on a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only where:
 - (a) it has considered an assessment (prepared in accordance with any guidelines for the time being notified to it by the Director-General of Nationals Parks and Wildlife) of how the proposed development would affect the conservation of the site and any relic reasonably likely to be located at the site, and
 - (b) it has notified the Director-General of its intention to do so and taken into consideration any comments received from the Director-General within 28 days after the notice was sent, and
 - (c) it is satisfied that any necessary consent or permission under the [National Parks and Wildlife Act 1974](#) has been granted.
- (2) The Council may grant consent to the carrying out of development on a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only where:
 - (a) it has considered an assessment (prepared in accordance with any guidelines for the time being notified to it by the Heritage Council) of how the proposed development would affect the conservation of the site and any relic reasonably likely to be located at the site, and
 - (b) it has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent, and
 - (c) it is satisfied that any necessary excavation permit required by the [Heritage Act 1977](#) has been granted.

Purpose: To establish the consent requirements for development involving potential archaeological sites. Also, to establish criteria for the assessment and determination of development applications arising from those consent requirements.

45 Heritage Council notification

Before granting development consent for the demolishing, defacing or damaging of a heritage item, the Council must notify the Heritage Council of its intention to do so and

take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

Purpose: To provide for the involvement of the Heritage Council in the assessment and determination of applications involving the demolition, defacing or damaging of a heritage item.

46 Development in the vicinity of heritage items, heritage conservation areas and potential archaeological sites

When determining an application for consent to carry out development on land in the vicinity of a heritage item, a heritage conservation area or a potential archaeological site, the Council must take into consideration the likely effect of the proposed development on the heritage significance of the heritage item, heritage conservation area or potential archaeological site and on its setting.

Purpose: To widen the consideration of heritage issues to development of land in the vicinity of heritage items, heritage conservation areas and potential archaeological sites.

47 Conservation incentives

- (1) Despite any other provision in this plan, the Council may, in respect of a heritage item, grant consent to development for any purpose, but only where it is satisfied that:
 - (a) the proposed use would not adversely affect the amenity of the locality in which the item is situated or the heritage significance of the item, and
 - (b) the conservation of the heritage item depends on the granting of the consent.
- (2) When considering an application for consent to erect a building on land on which a heritage item is located, the Council may, for the purpose of determining the floor space ratio, and whether the proposed development will meet the landscaped area and parking requirements, exclude the gross floor area of the heritage item from its calculation of the floor space ratio of the proposed development, but only where the Council is satisfied that the conservation of the heritage item depends on it making the exclusion and the amenity of the locality in which the item is located will not be adversely affected.

Purpose: To introduce incentives to encourage the conservation of heritage items.

48 Conservation plans

The Council may decline to grant an application for consent referred to in clause 43, 44 or 47, unless the Council has considered a conservation plan to enable the Council to fully assess the implications of the proposed development on the significance of the heritage item, heritage conservation area or potential archaeological site.

Purpose: To enable the Council to defer granting consent until it has considered a conservation plan where it is concerned over the possible implications of proposed development on the heritage significance of a heritage item, heritage conservation area or a potential archaeological site.

Part 5 Interpretation

49 Definitions

In this plan:

alter, in relation to a heritage item, means:

- (a) make structural changes to the outside of the heritage item, or
- (b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, other than changes ensuing from the maintenance of the existing detail, fabric, finish or appearance of the outside of the item.

amusement centre means a building or place used for playing:

- (a) billiards, pool or similar games, or
- (b) electrically or mechanically operated amusement devices such as pinball machines and the like, but only if more than 5 such machines are installed in the building or place.

animal establishment means a building or place used for the breeding, boarding, training or keeping of, or for caring for, animals whether or not for a commercial purpose, but does not include a veterinary establishment or a building or place used (in conjunction with a dwelling) for the keeping of pets.

appointed day means the day on which this plan was published in the Gazette.

attached dual occupancy means a building containing two (but not more than two) dwellings.

automotive use means a use of a building or work or land for fuelling, lubricating, cleaning, caring for, maintaining or repairing motor vehicles or for offering for sale and installing automotive accessories or parts and includes a workshop, a shop for the sale of automotive spare parts, tyres or car batteries, a tyre retreading workshop and any other establishment performing similar functions, but does not include a panel beating workshop (other than a place used for minor panel beating ancillary to a motor showroom) or a service station.

backpacker accommodation means a building or place used for providing temporary accommodation for tourists whose principal place of residence is elsewhere and where communal kitchen and laundry facilities may be provided, but which is not licensed to sell liquor within the meaning of the [Liquor Act 1982](#).

bed and breakfast accommodation means a building which provides temporary accommodation for not more than 5 persons and where the owner of the building is a permanent resident.

boarding house means a building or place:

- (a) where permanent accommodation facilities are provided to the residents of the building or place, and
 - (b) where meal and laundry facilities may be provided, and
 - (c) which is not licensed to sell liquor within the meaning of the [Liquor Act 1982](#),
- but (in Part 2) does not include a building or place elsewhere defined in this clause.

brothel means a building or place used, whether in whole or in part, for prostitution.

bulk store means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or other business premises on the same parcel of land or on adjoining land in the same ownership, but (in Part 2) does not include a building or place elsewhere defined in this clause.

bushfire hazard reduction means a reduction or modification (by controlled burning or mechanical or manual means) of material that constitutes a bushfire hazard.

business premises means a building or place in which there is carried on an occupation, profession or trade which may or may not provide a service or goods directly and regularly to the public, but (in Part 2) does not include a building or place elsewhere defined in this clause.

car park means a building or place (other than a building or place used in conjunction with a dwelling) used for parking vehicles, whether operated for gain or not, and includes any manoeuvring space and access to that building or place.

caravan park means land used as a site for moveable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation.

child care centre means a building or place used for the purpose of supervising or caring for children which:

- (a) caters for more than 5 children who have not reached the compulsory school-age (as defined in the [Education Act 1990](#)), whether or not those children are related to the owner or operator of the building or place, and
- (b) may be used for education, and
- (c) may operate for the purpose of gain,

but does not include a building or place providing residential care for those children.

club means a building or place which is used for social, literary, political, sporting or any other lawful use which is, or intended to be, registered under the [Registered Clubs Act 1976](#), whether or not the building or place is licensed to sell liquor under the [Liquor Act](#)

1982.

communications facility means a building, structure, work or place used primarily for transmitting or receiving signals for the purpose of communication, and includes radio masts, towers, satellite dishes, cables and the like, but does not include any reception device attached to a dwelling for domestic purposes.

community facility means a building or place owned or controlled by a public authority or a charitable or voluntary organisation which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but (in Part 2) does not include a building or place elsewhere defined in this clause.

conservation plan means a document establishing the heritage significance of a heritage item or a heritage conservation area and identifying conservation policies and management practices that are appropriate to enable that significance to be retained.

container depot means a building or place which is used for:

- (a) the unloading or unpacking (or both) of shipping containers for delivery to individual consignees, or
- (b) the consolidation of goods from different consignors into full shipping container loads for despatch, or
- (c) the repair, refitting or storage of shipping containers,

but does not include a building or place used for container handling that is merely ancillary or incidental to the primary use of the building or place.

Council means the Council of the City of Randwick.

demolition, in relation to a heritage item or a building in a heritage conservation area, means the damaging, defacing, destruction, pulling down or removal of the heritage item or building, in whole or in part.

dwelling means a room or number of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate residence.

dwelling house means a building containing one (but not more than one) dwelling.

educational establishment means a building or place used for education (including teaching) and includes:

- (a) a school, and
- (b) a tertiary institution, being a university, TAFE establishment, teachers' college or other tertiary college providing formal education which is constituted by or under an Act, and

- (c) an art gallery, library or museum, not being an art gallery, library or museum in which any items on display are for sale,

whether or not accommodation for staff and students is provided and whether or not used for the purpose of gain.

floor space ratio means the ratio of the total gross floor area of all buildings (existing and any proposed) to the site area.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy, but does not include energy efficiency devices (such as solar panels) attached to buildings where they are intended only for the use of the building to which they are attached.

gross floor area means the sum of the areas of each level of a building where the area of each level is taken to be the area within the outer face of the external enclosing walls, excluding:

- (a) columns, fin walls, shading devices, awnings, balconies and any other elements, projections or works outside the general lines of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms, and air-conditioning ducts, and
- (c) associated car parking and any internal vehicular or pedestrian access to that parking, and
- (d) space for the loading and unloading of goods.

ground level means the level of a site that existed at the appointed day.

group home means a dwelling used to provide a household environment for disabled or socially disadvantaged persons, whether or not ongoing care and support services are provided there.

hazardous industry means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

hazardous storage establishment means an establishment where goods, materials or products are stored which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality),

would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

health consulting room means a room or a number of rooms forming either the whole or part of, attached to, or within the curtilage of, a dwelling house used by not more than 3 practitioners providing health care services (including dental and optical services) to members of the public.

helicopter landing site means a place, not open to the public, used for the taking off and landing of helicopters, whether or not facilities for the parking, storage, refuelling or repair of helicopters is also provided.

heliport means a place open to the public used for the taking off and landing of helicopters, whether or not it includes a terminal building or facilities for the parking, storage or repair of helicopters.

heritage conservation area means land shown by distinctive edging on the map and includes buildings, works, relics, trees and places situated on or within that land.

heritage item means a building, work, relic, tree or place listed in Schedule 3.

heritage significance means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

home activity means any business, profession or industry carried on in a building or room or a number of rooms forming part of, attached to, or within the curtilage of, a dwelling, where:

- (a) only goods made or produced, or services offered, as a result of the activity or pursuit are displayed, sold or provided, and
- (b) the primary use of the dwelling is for residential purposes, and
- (c) the activity or pursuit does not:
 - (i) interfere with the amenity of the locality by reason of the emission of excessive noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
 - (ii) involve exposure to view from any public place of any matter, or
 - (iii) require the provision of any essential service main of a greater capacity than that available in the locality, or
 - (iv) generate traffic out of keeping with the surrounding area, and

(d) the activity is carried out by the permanent residents of the dwelling,

but (in Part 2) does not include any land use elsewhere defined in this clause.

hospital means a building or place used for providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) to people and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use,

but (in Part 2) does not include a building or place elsewhere defined in this clause.

hotel means a building or place specified in a hotelier's licence granted under the [Liquor Act 1982](#).

industry means the manufacturing, assembling, altering, repairing, renovating, storing, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for a commercial purpose, but (in Part 2) does not include any land use elsewhere defined in this clause.

landscaped area means the part of a site area which is used, or capable of being used, for outdoor recreation or garden areas (such as lawns, gardens, unroofed swimming pools, barbecue areas, footpaths and the like) and includes any landscaped podium area. It does not include areas used for driveways, parking, balconies or elevated terrace or rooftop gardens or for garbage or recycling material storage or sorting.

light industry means an industry in which the processes carried on, the transportation involved, or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood, but (in Part 2) does not include any land use (other than industry) elsewhere defined in this clause.

maintenance means the continuous protective care of the fabric of a heritage item and its setting or a heritage conservation area.

medical centre means a building or place used for providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) where overnight accommodation for patients is not provided.

motel means a building providing short-term accommodation for travellers or tourists, but (in Part 2) does not include a building elsewhere defined in this clause.

multi-unit housing means two or more dwellings, whether or not attached.

offensive industry means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land in the locality.

outdoor advertising means the use of a building or place for the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure.

panel beating workshop means a building or place used for the purpose of carrying out repairs to motor vehicles and agricultural machinery, where the work involved includes:

- (a) body building, or
- (b) panel beating (which may or may not involve dismantling), or
- (c) spray painting.

place of worship means a building or place used for religious worship, whether or not the building or place is also used for counselling, social events, instruction or religious training by a congregation or religious group.

plant nursery means a building or place used for both the growing and selling, whether by retail or wholesale, of plants, whether or not landscape supplies (including earth products) and other landscape and horticultural products are also sold there.

plant and equipment hire means a building or place where plant and equipment are stored and displayed and are available for hire or lease to persons for temporary use, but does not include premises used for hiring home entertainment equipment, such as stereo sound systems, televisions, video cassette recorders, video tapes and the like.

port facilities means facilities, including buildings, structures and activities, for the loading and unloading of cargo from ships.

potential archaeological site means a site identified in Schedule 4 or shown by distinctive shading on the map, and includes a site known to the Council to have

archaeological potential even if it is not so identified and shown.

potentially hazardous industry means a development for the purposes of an industry which, if the development were to operate without employing any measure (including isolation from existing or likely future development on other land) to reduce or minimise its impact on the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment,

and includes a hazardous industry and use of a hazardous storage establishment.

potentially offensive industry means development for the purposes of an industry which, if the development were to operate without employing any measure (including isolation from existing or likely future development on other land) to reduce or minimise its impact on the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land, and includes an offensive industry and use of an offensive storage establishment.

public transport means the use of a building or place for providing passenger transport facilities to the general public, whether or not those facilities are provided by a public authority.

public utility undertaking means any undertaking carried on by, or by authority of, any public authority, or in pursuance of any Commonwealth or State Act, for the purpose of:

- (a) railway, road or air transport, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of water, hydraulic power, electricity or gas, or
- (d) telecommunication facilities.

recreation means the use of an area or place for:

- (a) a children's playground, or
- (b) recreational or leisure activities which promote the physical, cultural or intellectual welfare of persons within the community,

but (in Part 2) does not include any land use elsewhere defined in this clause.

recreation facility means a building or a work used for a sporting, exercise or leisure activity, and includes golf courses, racecourses, showgrounds, bowling greens, tennis

courts and the like, including any ancillary club building, but (in Part 2) does not include a building or work elsewhere defined in this clause.

relic means any deposit, object or material evidence (including human remains) terrestrial or underwater relating to:

- (a) the use or settlement of the area of the City of Randwick, not being Aboriginal habitation, which is more than 50 years old, or
- (b) Aboriginal habitation of the area of the City of Randwick, whether before and or after its occupation by persons of European extraction.

restaurant means a building or place used for the provision of food or drink (or both), whether or not for consumption on the premises or for takeaway.

restricted premises means a building or place in which are displayed, or available for sale or rental, material (whether literature, video, film or goods and articles) used or intended for use in connection with sexual behaviour and classified or refused classification under the [Classification \(Publications, Films and Computer Games\) Act 1995](#) of the Commonwealth or to which section 578E of the [Crimes Act 1900](#) applies, but does not include a newsagency, pharmacy or video rental store.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products, whether or not the building or place is also used for any one or more of the following purposes:

- (a) the hiring of trailers,
- (b) the retail selling or the installing of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles (other than body building, panel beating or spray painting),
- (e) the retail selling or hiring of small consumer goods.

serviced apartment means a dwelling which is cleaned and otherwise serviced or maintained by the owner or manager of the building or the owner's or manager's agent, and which provides temporary accommodation for people whose principal place of residence is elsewhere.

site area, in relation to development, means the area of land to which an application for consent to carry out development relates, but does not include any part of that land on which the development is not permitted by or under this plan or any other environmental planning instrument.

the Act means the [Environmental Planning and Assessment Act 1979](#).

the map means the series of maps marked “Randwick Local Environmental Plan 1998”, as amended by the maps (or the sheets of maps) marked as follows:

Randwick Local Environmental Plan 1998 (Amendment No 1)

Randwick Local Environmental Plan 1998 (Amendment No 3)

Randwick Local Environmental Plan 1998 (Amendment No 5)

Randwick Local Environmental Plan 1998 (Amendment No 7)

Randwick Local Environmental Plan 1998 (Amendment No 8)

Randwick Local Environmental Plan 1998 (Amendment No 9)

Randwick Local Environmental Plan (Amendment No 11)

transport depot means a building or place used for the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and the parking, servicing, repair or storage of those vehicles, and may include a depot used in connection with a business, industry or shop, but (in Part 2) does not include a building or place elsewhere defined in this clause.

veterinary establishment means a building or place used for the medical or surgical treatment of animals, whether or not animals are kept or boarded on the premises.

warehouse means a building or place principally used for storing, handling or displaying items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale to the public from the building or place.

waste transfer station means a building or place used for collecting, storing, sorting and disposing of waste, second-hand or scrap material, whether or not for resale, or for use for recycling purposes.

Schedule 1 (Repealed)

Schedule 2 Development of land for certain additional purposes

(Clause 42)

Column 1	Column 2	Column 3
Land	Development	Conditions
Nos 1-11 Adams Avenue, Malabar.	Development for the purpose of multi-unit housing.	Involving only buildings that existed at the appointed day. Where no additional floor space is provided.
Lot 3 DP 222550, Franklin Street, Malabar.	Development for the purpose of tourist accommodation.	Where only one tourist accommodation facility is provided.

Land shown on the map titled " <i>Randwick Local Environmental Plan No 70</i> ".	Development for the purpose of an animal establishment, including ancillary or incidental use of so much of the land as is not part of the gross floor area for exhibition, sale, promotion and reception purposes.	The gross floor area of buildings must not exceed 700 square metres.
That part of Lot 2, DP 822283, Wride Street, Maroubra within Zone No 2B.	Development for the purpose of multi-unit housing.	Where no more than 100 dwellings are provided.
Land shown on the map titled " <i>Randwick Local Environmental Plan 1998 (Amendment No 11)</i> ".	Development for the purpose of a stonemason's yard for use in conjunction with the Eastern Suburbs Memorial Park	Nil
Lots A and B, DP 408949, 211 and 213 Anzac Parade, Kensington.	Development for the purpose of a service station and associated car wash facility.	Nil.
Land shown on the map titled " <i>Randwick Local Environmental Plan 1998 (Amendment No 1)</i> ".	Development for the purposes of serviced apartments	Only where attached to buildings used for other purposes which are permissible in the zone. Such functions are to be conducted in accordance with: (a) the sub-lease agreement between the Council and the Wylie's Baths Trust Inc., and (b) the provisions of an Operational Management Plan, which has been submitted to and approved by the Council and which addresses: <ul style="list-style-type: none"> the scale, type and frequency of the functions proposed for the land, and details relating to the provision of parking and traffic management, and provisions establishing environmental parameters proposed to ensure that any adverse impacts from the carrying out of development on the land is minimised.
Wylie's Baths, Lots 1798-9, DP 822244	Development for the purpose of functions within the meaning of the Liquor Act 1982 .	

Land between Beach and Flood Streets, being Lots 19A and 2A, Volume 7836, Folio's 102 and 101, as shown edged heavy black on Sheet 1 of the map marked "*Randwick Local Environmental Plan 1998 (Amendment No 12)*"

Access way

Only where the access way is to provide access to 25 Beach Street and 16 Flood Street, Clovelly

Land within Blenheim Park as shown edged heavy black on Sheet 2 of the map marked "*Randwick Local Environmental Plan 1998 (Amendment No 12)*"

Access way

Only where the access way is to provide access to 10, 12, 14, 16 and 18 Dundas Street, South Coogee

Schedule 3 Heritage items

(Clause 49)

Location	Description	Inventory No
12 Abbey Street, Randwick	Presbyterian Church, c 1889	1
5 Abbotford Street, Kensington	"Parkside", Federation style dwelling, c 1916	2
46 Adina Avenue, La Pouse	Mission Church	3
1 Alfreda Street (also known as 101 Brook Street), Coogee	Inter-war three-storey flats, late 1920s	5
Cnr Alison Road and Church Street, Randwick	St Jude's Well/early stone fountain	6
29 Alison Road, Kensington	"The Legers", Federation style dwelling	7
31 Alison Road, Kensington	Two-storey Federation duplex, c early 1900s	8
Royal Randwick Racecourse, 77 Alison Road, Randwick	Members' Stand (Official Stand), c 1910	9
114 Alison Road, Randwick	"Shahzada", c 1890	10
122 Alison Road, Randwick	"Carlton", c 1890	11
126-130 Alison Road, Randwick	"Verona", "Amphion" and "Donacis", c 1905	12
132 Alison Road, Randwick	"Rothesay" Art Deco flats, c 1940	13
143 Alison Road, Randwick	"Rexmere", Victorian boom style terrace, 1884	432
145-147 Alison Road, Randwick	"Hillcrest", Victorian terrace	433

191 Alison Road, Randwick	“Seabird”, pre 1890	14
193 Alison Road, Randwick	“Glanmire”, c 1896	15
200 Alison Road, Randwick	Stone commercial building, c 1915	16
206A Alison Road, Randwick	<i>see 124 Avoca Street, Randwick</i>	
212 & 214 Alison Road, Randwick	Residential flat building, c 1940s	17
238 Alison Road, Randwick	Freestanding Victorian residence	18
296 Alison Road, Coogee	Bungalow style dwelling, late 1930s	19
370 Alison Road, Coogee	“Ocean View”, Edwardian style mansion, c 1916	20
6 Amiens Ave, Matraville	Soldiers Settlement House, c 1920	21
Cnr Anzac Parade and Alison Road, Kensington	Tay Reserve	22
Anzac Parade, La Perouse	Jessie Stuart Broomfield Fountain, 1941	23
Anzac Parade, La Perouse	<i>see also La Perouse Peninsula</i>	
Prince Henry Hospital, Anzac Parade, Little Bay	Former laundry building, Coast Hospital, c 1881	24
199-201 Anzac Parade, Kensington	Masonic Temple, c 1930	25
424-434 Anzac Parade, Kingsford	“O’Dea’s Corner”, c 1912	26
487 Anzac Parade, Kingsford	Edwardian bungalow, c 1925	27
653 Anzac Parade (cnr Storey Street), Maroubra	“Yarrum”, Edwardian style bungalow, c 1930	28
730 Anzac Parade (cnr Holmes Street), Kingsford	Residential/commercial building, c 1930s	29
817 Anzac Parade, Maroubra	Art Deco style flat building, c late 1930s	30
829 Anzac Parade, (cnr Wise Street), Maroubra	“Corio House”, unusual Edwardian style house, pre 1915	31
892-906 Anzac Parade and 156-164 Maroubra Road, Maroubra	“Dudleys Emporium”, Edwardian style commercial building, pre 1915	32
953 Anzac Parade, Maroubra	Edwardian style house, c 1930s	33
1250 Anzac Parade (Lot 5291 DP 824057), Malabar	Long Bay Gaol complex, begun 1898	34
1250 Anzac Parade (Lot 5291 DP 824057), Malabar	Long Bay Gaol Gatehouses	35
1212 Anzac Parade (cnr Franklin Street), Malabar	“C Levitt”, commercial building, c 1910	36

1234 Anzac Parade, Malabar	Edwardian style brick cottage, c 1930	37
Anzac Parade, La Perouse	La Perouse Museum old Cable Station, two-storey Victorian building, c 1882	38
29 Arcadia Street, Coogee	“Roslyn”, Victorian residence, c 1886	39
39 Arcadia Street, Coogee	“Ballamac”, c 1862	40
Arden Street, Coogee	Sandstone Drinking Fountain, Goldstein Reserve	41
Arden Street, Coogee (Sandstone wall, Coogee Beach)	<i>see Coogee Beach</i>	
26 Arden Street, Clovelly	“St Lukes” Anglican Church, dedicated 1923	42
58–60 Arden Street (cnr Greville Street), Clovelly	St Anthony’s Catholic Church, school and presbytery, c late 1930s	43
109 Arden Street, Coogee	Spanish Mission style flats, c 1940	44
143 Arden Street, Coogee	Spanish Mission style flats, c 1930	45
182 Arden Street (also known as 82 Bream Street), Coogee	“Jovina” Inter-war Art Deco Flats, c 1937	46
184 Arden Street, Coogee	<i>see 131–133 Dolphin Street, Coogee</i>	
212 Arden Street, Coogee (also known as 253 Coogee Bay Road)	Hotel facade—colonial and neo-classical style with verandah	47
286–290 Arden Street, Coogee	Three-storey neo-classical block of flats, c early 1900s	48
291 Arden Street, Coogee	“Tudor Hall”, neo-romanesque style flats, c 1940	49
321 Arden Street, Coogee	Art Deco flats, c 1937	50
340 Arden Street, Coogee	Federation Queen Anne corner house, c 1915	51
18 Austral Street, Malabar	Weatherboard cottage, c 1910	52
20–26 Austral Street, Malabar	Edwardian style cottages, semi-detached pair, c 1930	53
Cnr Avoca Street and Belmore Road, Randwick (Statue of Cpt James Cook)	<i>see Cnr Belmore Road and Avoca Street, Randwick</i>	
Cnr Avoca Street and Frenchmans Road, Randwick	Federation bus shelter	54
Avoca Street, Randwick (near Town Hall)	Post box	55

North-west cnr Avoca Street and Alison Road, Randwick	Jubilee fountain	56
Cnr Avoca Street, Cuthill Street and Belmore Road, Randwick	High Cross Reserve	57
Avoca Street, Randwick (opposite Prince of Wales Hospital)	Post box	58
Avoca Street, Randwick	Prince of Wales Hospital gates and fence	59
44-46 Avoca Street, Randwick	Two-storey semi-detached cottages, c 1910	60
49 Avoca Street, Randwick	"Archina", Federation style two-storey residence	61
49-51 Avoca Street, Randwick	Logistics Support Group complex of timber and iron buildings	62
78 Avoca Street, Randwick	<i>see Cowper Street, Randwick</i>	
87, 89 & 91 Avoca Street, Randwick	Group of Federation style houses, pre 1915	63
90 Avoca Street (cnr Frances Street), Randwick	Randwick Town Hall, c 1882	64
102-108 Avoca Street, Randwick	St Jude's group of buildings, including church, rectory, old borough chambers and hall	65
110-116 Avoca Street, Randwick	"Hetta Building", Edwardian style commercial/residential building	66
115-139 Avoca Street, Randwick	Victorian shopfronts with residences above, c 1880s	67
124 Avoca Street (also known as 206A Alison Road), Randwick	Randwick Post Office, c 1897	68
126-138 Avoca Street, Randwick	Two three-storey Victorian style commercial buildings	69
146-150 Avoca Street, Randwick	"Clovelly", "Ilfracombe", "Torquay", Italianate houses, c 1906	70
147 Avoca Street (cnr Alison Road), Randwick	"Coach and Horses Hotel", c 1859	71
152-154 Avoca Street, Randwick	Two three-storey terraces, c 1885	72
156-158 Avoca Street, Randwick	Two late Victorian terraces, c 1890	73
160-162 Avoca Street, Randwick	"Somerset" and "Glastonbury"	74

193 Avoca Street, Randwick	Our Lady of the Sacred Heart Church, c 1888, and “Ventnor”, sandstone house, c 1870	75
194 Avoca Street (cnr Short Street), Randwick	Late Victorian shop and residence	76
203–209 Avoca Street, Randwick	“Goldring House”, c 1886	77
211–215 Avoca Street, Randwick	“Corana” and “Hygeia”	78
200 Avoca Street, Randwick	Early Georgian stone building, c 1859	79
303 Avoca Street, Randwick	Late Edwardian style building, c 1925	80
311 Avoca Street, Randwick	Edwardian house	81
27–31 Baird Avenue, Matraville	Three bungalows, c 1935	82
6 Balfour Road (cnr Sherwood Street), Kensington	Late Federation house	83
25 Balfour Road, Kensington	Cottage, c 1895	84
31 Balfour Road, Kensington	Cottage, c 1895	85
Bare Island Fort, La Perouse Peninsula	<i>see La Perouse Peninsula</i>	
6 Barrett Place (formerly 107 Frenchmans Road), Randwick	Single-storey cottage, c 1920s	86
6 Barry Street, Clovelly	“Boherbue”, 1930s bungalow	87
16 Barry Street, Clovelly	Federation style house, c 1910	88
18 Barry Street, Clovelly	Federation style house, c 1910	89
45 Beach Street, Coogee	“Cliffbrook”, Edwardian free classical style house, c 1921, sandstone wall and stables	90
69 Beach Street, Coogee	“Warimoo”, c 1940	91
75 Beach Street, Coogee	“San Antonio” Federation house, late 1920s	92
154 Beach Street, Coogee	“The Warwick”, c 1930	93
224 Beauchamp Road, Matraville	Electricity Substation No 25, c 1930	94
Cnr Belmore Road and Avoca Street, Randwick	Statue of Captain James Cook RN	95
35–43 Belmore Road, Randwick	Three-storey Art Deco commercial building	96
48–60 Belmore Road, Randwick	Residential/commercial building, c 1940	97
70–82 Belmore Road, Randwick	Three-storey commercial building	98

84-90 Belmore Road, Randwick	"Koowori Flats", three-storey commercial/ residential building	99
119 Belmore Road, Randwick	"Cooks Lodge", two-storey commercial building, c 1878	100
120-126 Belmore Road, Randwick	Commercial building, c 1920s	101
127-129 Belmore Road, Randwick	Federation commercial building, c 1895	102
128 Belmore Road, Randwick	"Sandgate", mid-Victorian sandstone house, c 1870	103
2-4 Bishops Avenue (cnr Douglas Street), Randwick	Victorian house, c 1885	104
8 Bishops Avenue, Randwick	Two-storey house, c 1895	105
14 Bishops Avenue, Randwick	"Artney", c 1885	106
17 Blenheim Street, Randwick	"Blenheim House", c 1848	107
17 Blenheim Street (rear No 19), Randwick	Old stone building, associated with Blenheim House	108
49-51 Boronia Street, Kensington	Symmetrical semi, c 1930	109
24 Borrodale Road, Kingsford	Edwardian timber cottage	110
1891 Botany Road, Matraville	APM building, c 1902	111
Entrance to Botany Bay	Henry Head Fort	112
139 Botany Street, Randwick	Georgian house, c 1860s	113
71 Boundary Street, Clovelly	Weatherboard cottage, c 1900	114
2a Bradley Street, Randwick	"Redlands" Art Deco flats, c 1940	115
26 Bream Street, Coogee	Weatherboard cottage, c 1900	116
82 Bream Street, Coogee	<i>see 182 Arden Street, Coogee</i>	
3 Bridges Street, Maroubra	Post-war cottage	117
88 Brook Street, Coogee	Victorian Italianate mansion	118
90-100 Brook Street, Coogee	Two-storey Edwardian style semis, c 1915	119
101 Brook Street, Coogee	<i>see 1 Alfreda Street, Coogee</i>	
108 Brook Street, Coogee	Federation flats, c early 1900s	120
113 Brook Street, Coogee	Federation style house, c 1920	121
123 Brook Street, Coogee	St Nicolas Rectory, Federation residence c 1907	122

125 Brook Street (cnr Carr Street), Coogee	St Nicolas Anglican Church, c 1887	123
135 Brook Street (cnr Waltham Street), Coogee	St Brigids Catholic Church, c 1921	124
142a Brook Street, Coogee	Three-storey Art Deco flats, late 1930s	125
152 Brook Street, Coogee	"Brooklyn Flats", c 1930	126
Bundock Street (also known as 0 Bundock Street), Randwick	Randwick Barracks School of Musketry and Officers' Mess/Convention Centre	127
Bunnerong Road (also known as part 51 Military Road), Matraville	Pioneers Park, Botany Cemetery	128
379 Bunnerong Road, Maroubra	Inter-war Ocean Liner style house	129
436-444 Bunnerong Road (cnr Beauchamp Road), Matraville	"Ireson's Building", c 1927	130
465W Bunnerong Road, Matraville	<i>see Lot C DP 18047 Jersey Lane, Matraville</i>	
Burrows Park (Shark Point), Clovelly	<i>see Ocean Street, Clovelly</i>	
Byron Street (also known as 101 Coogee Bay Road), Coogee	Coogee Public School, c 1920 and old stone building	131
25 Byron Street, Coogee	"Byron Lodge", c 1886	132
23 Campbell Street (cnr Warner Avenue), Clovelly	Late Victorian stone cottage, c 1880	133
61 Canberra Street, Randwick	Electricity Substation No 341, c 1930	134
Cantrill Avenue (also known as 10R Cantrill Avenue), Maroubra	Quarry Reserve, c 1916	135
4 Carlton Street (Elsmere Street), Kensington	"T'olle Goes", Federation house, c 1900	136
15 Carr Street (cnr Carr Lane), Coogee	Federation style dwelling, c 1920	137
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61-63 Carrington Road, Randwick	Unusual semi, c 1900	141
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117 Carrington Road, Randwick	Spanish Mission style flats, c 1940	142

120 Carrington Road, Randwick	Federation arts & crafts style house, c 1920s	143
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23 Chichester Street, Maroubra	Californian bungalow	149
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317 Clovelly Road, Clovelly	“Pohills Corner” Inter-war period commercial/residential building, 1926	161
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12 Cobham Street, Maroubra	Brick bungalow, c 1930s	164
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67 Fern Street, Clovelly	Victorian Italianate style two-storey house, c 1880 (pair to 65)	251
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17 Jennings Street, Matraville	"Alice Villa", bungalow, c 1930s	288
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3 King Street, Randwick	Federation cottage, c 1915	295
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La Perouse Peninsula	Macquarie Watchtower	299
La Perouse Peninsula	La Perouse Memorial	300
La Perouse Peninsula	Tomb of Pere le Receveur	301
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42 Lenthall Street, Kensington	Late Federation style dwelling, c 1915	305
84 Loch Maree Street, Maroubra	Post-war bungalow	306

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139 Maroubra Road, Maroubra	Art Deco style flat building, c 1930s	314
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325 Maroubra Road, Maroubra	Maroubra Fire Station, c 1920s	318
7 McDougall Street, Kensington	Federation style house	319
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12 McLennan Avenue, Randwick	Californian bungalow, c 1930	321
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2–20 Mears Avenue, Randwick	Brighton Terrace, c 1886	324
69 Meeks Street, Kingsford	1950s brick house	325
31 Melody Street, Coogee	Bungalow, c 1930s	326
29 Menin Road (Lot 5239 DP 729855), Matraville	Soldiers Settlement Public School, c 1929	327
9 Middle Street, Kingsford	“Lanor”, Edwardian style house, c 1920	328
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88 Middle Street, Randwick	Old stone cottage, c 1865	331
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51 Military Road (part), Matraville (Pioneers Park, Botany Cemetery)	<i>see Bunnerong Road, Matraville</i>	
55 Milroy Avenue, Kensington	"Marathon", Federation style dwelling, c 1915	337
45 Mirrabooka Crescent, Little Bay	Complex of townhouses, 1980	338
2 Monmouth Street, Randwick	Federation residence, c 1905	339
19 Monmouth Street, Randwick	Bungalow, c 1931	340
18 Moorina Avenue, Matraville	Post-war brick house	341
1a Mount Street (also known as 222-226 Clovelly Road), Coogee	Art Deco flats, c 1940	342
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3 Mulwaree Avenue, Randwick	Spanish Mission flats, c 1940	344
34 Murrabin Avenue, Matraville	Late modern style dwelling	345
39 Napier Street, Malabar	Turn-of-the-century house	346
Neptune Street, Coogee	Wylies Baths, c 1907	347
2 Nolan Avenue, Clovelly	Sandstone Georgian cottage, c 1870	348
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153 Oberon Street, Coogee	Edwardian style bungalow, c 1925	350
245 Oberon Street, Coogee	Electricity Substation No 362, c 1930	351
Ocean Street (also known as 13R Ocean Street), Clovelly	Shark Point, Burrows Park	352
41-45 O'Sullivan Street, Maroubra	Row of semis, c 1940s	353
1-19 Oswald Street, Coogee	Victorian attached houses, c 1880s	354
Oxford Street, Randwick	Superintendent's residence, Centennial Park, c 1888	355

Oxford Street (Lot 1729 DP 45644), Randwick	Reservoir fence and steps Centennial Park	356
7 Pacific Street, Clovelly	Victorian cottage, c 1870	357
11A Park Avenue, Randwick	"The Pines", boom style house, c 1885	358
18 Percival Street, Maroubra	"Palmyra", late Victorian cottage	359
2 Perouse Road, Randwick	Royal Hotel, 1887	360
15-19 Perouse Road, Randwick	Matching pairs of Edwardian cottages and fences	361
84 Perouse Road, Randwick	Grand Edwardian mansion	362
85 Perouse Road, Randwick	Federation house, c 1915	363
98-100 Perouse Road, Randwick	Edwardian style adaptation to irregular blocks, c 1915-1920	364
106 Perouse Road, Randwick	Federation Queen Anne house	365
108 & 110 Perouse Road, Randwick	Federation Queen Anne houses	366
144 Perry Street, Matraville	Matraville Hotel, c 1920s	367
30 Pine Street, Randwick	Transitional style Victorian two-storey house	368
71 Pine Street, Randwick	Edwardian style cottage, c 1900	369
81-83 Pine Street, Randwick	Two-storey Federation semi, c 1905	370
28 Powell Street, Coogee	"Belle", Federation house	371
2 Prince Street (cnr King Street), Randwick	Three-storey 1930s style block of flats	372
2-10 Prince Edward Street, Malabar	Stella Maris Convent and St Andrew's Church, c 1930s	373
3 Quail Street, Coogee	Edwardian cottage, c 1910	374
Quarry Reserve, Maroubra	<i>see Cantrill Avenue, Maroubra</i>	
1 Rae Street, Randwick	Small Gothic church, c 1883	375
3, 5, 7 & 9-11 Rae Street, Randwick	Part of historic streetscape, c 1900	376
11A-23 Rae Street, Randwick	Part of historic residential streetscape, c 1887	377
37 Rae Street (cnr St Marks Road), Randwick	Victorian residence, c 1889	378
90 Rainbow Street, Coogee	Rainbow Street Public School, c 1920s	380
9 Ritchard Avenue, Coogee	1950s style house	381

2 Robey Street, Maroubra	Post-war style residence	382
37 Robey Street, Maroubra	“Elwi Ento”, late modern style dwelling, c 1930s	383
4 Roma Avenue, Kensington	Sacred Heart Monastery and Chapel, c 1895	384
Ross Jones Memorial Pool, Coogee Beach	<i>see Coogee Beach</i>	
43 Sackville Street, Maroubra	Spanish Mission style residence	385
2 St Marks Road, Randwick	<i>see 38 Frenchmans Road, Randwick</i>	
4–10 St Marks Road, Randwick	Federation Queen Anne semi-detached single-storey houses	386
43 St Marks Road, Randwick	“Rathven”, large Italianate house, c 1887	387
48–50, 52–56, 58, 60, 62, 64 & 66 St Marks Road, Randwick	Single-storey and two-storey Italianate residences, part of a large and consistent group, c 1884	388
15 St Pauls Street, Randwick	Victorian terrace	389
17 St Pauls Street, Randwick	Federation single-storey cottage	390
19 St Pauls Street, Randwick	Victorian Italianate boom style two-storey house	391
25–27 St Pauls Street, Randwick	Federation single-storey cottage	392
43 St Pauls Street, Randwick	Ritz Theatre	393
44 St Pauls Street, Randwick	Masonic Temple, classic Revival style, c 1920s	394
32 Shackel Avenue, Randwick	Bungalow style residence, c 1920s	395
22 Shaw Avenue, Kingsford	1930s style bungalow	396
4–8 Silver Street, Randwick	Three late Victorian houses, c 1885	397
18–20 Stanley Street (cnr Avoca Street), Randwick	Former Little Sisters of the Poor Chapel, Novitiate and “Aston Lodge”	398
10–14 Stephen Street (cnr Monmouth Street), Randwick	Pair of late Victorian terraces and Edwardian style corner house	399
1 Sully Street, Randwick	Late version, Spanish Mission style flats, c 1950	400
Tay Reserve, Kensington	<i>see Cnr Anzac Parade and Alison Road, Kensington</i>	
1 The Avenue, Randwick	“Tayar”, Italianate house, c 1900	401

4-6 The Avenue, Randwick	Fire Station, c 1908	402
26-42 The Avenue, Randwick	"Avonmore Terrace", boom style Victorian terraces, c 1888	403
7 Thomas Street, Randwick	Large bungalow	404
1-21 Todman Avenue, Kensington	Row of Art Deco flat buildings	405
50 Todman Avenue, Kensington	Former Administration building for WD & HO Wills, Raleigh Park	406
85 Todman Avenue, Kensington	"Carthona", Edwardian house	407
101-103 Todman Avenue, Kensington	St Martin's Church	408
117-119 Todman Avenue, Kensington	Edwardian style semis	409
161 Todman Avenue, Kensington	"Cooma", Edwardian mansion, c 1894	410
47 Tunstall Avenue, Kensington	Spanish Mission style dwelling, c 1930s	411
8-10 Victoria Street, Randwick	Two-storey semi-detached houses, c 1860	412
66 Victoria Street, Malabar	"Sunnyside", Edwardian cottage	413
3 Villiers Street, Kensington	"Bradford", Edwardian cottage	414
4 Villiers Street, Kensington	"Avalon", bungalow, c 1920s	415
14-16 Villiers Street, Kensington	Edwardian semi, c 1920	416
42 Wallace Street, Kingsford	Late modern style house	417
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7-9 Walsh Avenue, Maroubra	Semi, c 1930s	419
23-25 Walsh Avenue, Maroubra	Post-war semi	420
1A Waltham Street (cnr Asher Street), Coogee	"Maidstone", late Victorian mansion, c 1860	421
5 Wentworth Street, Randwick	"Keletera", symmetrical cottage, c 1920	422
53 Willis Street, Kingsford	Early 1950s mansion	423
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39 Winchester Road, Clovelly	"Peace", early bungalow, c 1920	425
11-13 Wise Street, Maroubra	Edwardian style semi	426
Wylie's Baths, Coogee	<i>see Neptune Street, Coogee</i>	
Yarra Bay (eastern side of Koorringal Avenue)	Phillip Monument	427

Yarra Bay Beach and Reserve (also known as 0 Koorringal Avenue), Phillip Bay	—	428
11 Yarra Road, La Perouse	Our Lady of the Good Counsel Church, c 1940s	429
22 Young Street, Randwick	Weatherboard cottage, c 1870	430
Young Street (cnr Barker Street), Randwick	Newmarket sale ring, big stable and Newmarket house	431
Bunnerong Road, La Perouse	Chinese Market Garden	

Schedule 4 Potential archaeological sites

(Clause 49)

Schedule 5 Classification and reclassification of public land as operational

(Clause 42A)

Clovelly

Clovelly Road	Land between Beach and Flood Streets, being Lots 19A and 2A, Volume 7836, Folio’s 102 and 101, as shown edged heavy black on Sheet 1 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 12)”
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South Coogee

Blenheim Park	Land within Blenheim Park as shown edged heavy black on Sheet 2 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 12)”
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