

Woollahra Local Environmental Plan 1995

[1995-121]



New South Wales

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Woollahra Local Environmental Plan 1995



New South Wales

Contents

| | |
|---|----|
| Part 1 Preliminary | 5 |
| 1 Name of plan | 5 |
| 2 The aims and objectives of this plan | 5 |
| 3 Where this plan applies | 10 |
| 4 How this plan relates to other environmental planning instruments | 11 |
| 5 Definitions and interpretation..... | 11 |
| 6 Adoption of the Environmental Planning and Assessment Model Provisions 1980 | 11 |
| 7 Consent authority for development..... | 12 |
| Part 2 Development control tables—general provisions for the development of land | 12 |
| 8 Development control tables..... | 12 |
| Part 3 Additional provisions for the development of land | 25 |
| 9 Subdivision of land | 25 |
| 10 Allotment sizes for dwelling-houses | 25 |
| 10A Objectives of site area and site frontage standards for residential flat buildings..... | 25 |
| 10B Site area and frontage standards | 26 |
| 11AA Objectives of floor space ratio standards | 26 |
| 11 Floor space ratios | 26 |
| 12AA Objectives of maximum building height development standards | 27 |
| 12 Height of buildings | 28 |
| 13 Community use of certain facilities | 28 |

| | |
|---|-----------|
| 14 Acquisition and development of land reserved for roads..... | 29 |
| 15 Acquisition of land reserved for open space | 30 |
| 16 Development of land uncoloured on the land use map | 31 |
| 16A Suspension of certain agreements, covenants and similar instruments | 31 |
| 17 Development for certain additional purposes..... | 31 |
| 18 Excavation of land | 31 |
| 19 Development in the harbour foreshore scenic protection area..... | 32 |
| 20 Provision of public car parking spaces on certain lands in Double Bay | 32 |
| 21 Development at No 9 Cooper Park Road, Bellevue Hill | 33 |
| 21A Development at No 59 William Street, Double Bay | 34 |
| 21B Development on certain land in Rose Bay | 34 |
| 21BA Development of certain land in Rose Bay | 35 |
| 21C Development at part of No 13 Albert Street, Edgecliff | 36 |
| 21D Sir David Martin Reserve and certain adjoining land..... | 36 |
| 21E Development on certain land in Double Bay | 37 |
| 22AA Objectives of foreshore building line standards | 39 |
| 22 Foreshore building lines..... | 40 |
| 23 (Repealed) | 41 |
| 24 Land adjoining public open space | 41 |
| 25 Water, wastewater and stormwater systems..... | 41 |
| 25A Classification and reclassification of public land as operational land | 41 |
| 25B Exempt and complying development..... | 42 |
| 25C Development for the purpose of dual occupancy..... | 42 |
| 25D Development on land identified on Acid Sulfate Soils Planning Map..... | 43 |
| Part 4 Heritage provisions | 46 |
| 26 Heritage items..... | 46 |
| 27 Development in the vicinity of heritage items, heritage item groups, heritage conservation areas, archaeological sites or potential archaeological sites | 46 |
| 28 Heritage conservation areas..... | 47 |
| 29 Building amalgamation within heritage conservation areas..... | 47 |
| 30 Additional uses within heritage conservation areas | 47 |
| 31 Development of known or potential archaeological sites | 48 |
| 32 Heritage conservation incentives | 49 |

| | |
|---|-----------|
| 33 Heritage notifications | 50 |
| 34 Development at Macquarie Lightstation, Vaucluse..... | 50 |
| 35 Development at No 188 Oxford Street, Paddington..... | 50 |
| 36 Development at No 103 Darling Point Road, Darling Point | 51 |
| 36A Inter-war flat buildings | 52 |
| 37 Savings and transitional provisions | 52 |
| 37A Further savings and transitional provisions | 53 |
| Schedule 1 Definitions | 54 |
| Schedule 2 Development for certain additional purposes..... | 67 |
| Schedule 3 Heritage items | 68 |
| Schedule 4 Classification and reclassification of public land as operational land | 96 |
| Schedule 5 Suspension of certain agreements, covenants and similar instruments | 97 |

Woollahra Local Environmental Plan 1995



New South Wales

Part 1 Preliminary

1 Name of plan

This plan is called *Woollahra Local Environmental Plan 1995*.

2 The aims and objectives of this plan

(1) The aims of this plan are:

- (a) to replace all existing local environmental plans and planning schemes which apply to the land to which this plan applies with a single local environmental plan;
- (b) to provide a comprehensive planning instrument that is clear and explicit but which provides flexibility in its application,
- (c) to promote the management, development, conservation and economic use of property within the area of Woollahra,
- (d) to provide for an appropriate balance and distribution of land for commercial, retail, residential and tourist development and for recreation, entertainment and community facilities,
- (e) to ensure that growth within the area of Woollahra occurs in a planned and co-ordinated manner,
- (f) to facilitate the provision of urban infrastructure,
- (g) to conserve the environmental heritage of the area of Woollahra,
- (h) to protect the amenity and natural environment of the area of Woollahra, and
- (i) to provide the framework for more detailed controls to be contained within development control plans.

(2) The objectives of this plan are:

- (a) in relation to residential development:

- (i) to promote the development of land to which this plan applies as a comprehensively planned residential community providing recreational, commercial, retail and community facilities of a type which are appropriate to meet the needs of the population to be accommodated,
 - (ii) to relate population density to the capacity of the existing road network, the availability of parking, the provision of public open space, the capacity of the natural environment to accept change without losing its attributes, the capacity of existing utility networks, the level of service by public transport, and the proximity to the city centre, schools, shops, health services and community facilities,
 - (iii) to zone land in order to create separate areas of residential and non-residential use in the interests of residential amenity, a balanced distribution of services and employment and efficient traffic distribution,
 - (iv) to encourage and facilitate opportunities for diversity in dwelling density, type and tenure in suitable locations throughout the area of Woollahra, and
 - (v) to encourage and promote sustainable development by extending the use of existing and new residential buildings through the provision of fully accessible and adaptable housing requirements and by increasing the number of fully accessible and adaptable houses in the area of Woollahra,
- (b) in relation to retailing and commerce:
- (i) to zone land for retail and commercial purposes, enabling development at scales and intensities which serve local or broader community needs,
 - (ii) to consolidate and improve established centres so that they remain both commercially attractive and viable,
 - (iii) to ensure that new development in the commercial centres does not unduly affect the amenity of adjoining residential areas by virtue of the use, design, bulk and scale of the development and traffic generation,
 - (iv) to allow for a diversity of suitable retail uses within the established centres, and
 - (v) to ensure that consideration is given to providing adequate levels of access when alterations and additions to existing buildings and new developments for commercial or retail uses are proposed,
- (c) in relation to community services and facilities:
- (i) to facilitate the provision and equitable distribution of community services necessary to meet the needs of the population,

- (ii) to provide opportunities for the development of community services and facilities in appropriate areas, and
 - (iii) to allow for contributions towards the provision of community services and facilities,
- (d) in relation to traffic and transport:
- (i) to encourage the development of a balanced transport system, including the provision of safe and convenient facilities for pedestrians, cyclists, public transport users and other road users,
 - (ii) to implement a rational and efficient distribution of vehicular traffic throughout the area of Woollahra by establishing a hierarchy of roads to service various transport functions,
 - (iii) to ensure the adequate provision of car parking and servicing facilities within commercial areas,
 - (iv) to improve the provision of car parking and reduce conflict between resident and visitor demands for car parking space in residential areas,
 - (v) to minimise conflict between pedestrians and vehicles,
 - (vi) to minimise conflict between transport and land use activities,
 - (vii) to minimise the impact, on adjoining residential areas, of traffic and parking generated by commercial areas,
 - (viii) to allow for contributions towards the provision of car parking and traffic management measures necessitated by any new development,
 - (ix) to reserve land for the improvement of traffic flow, and
 - (x) to encourage the provision of adequate access for older people and people with a disability to safe and convenient car parking, footpaths and access to public transport facilities,
- (e) in relation to public and private open space, recreation and tourism:
- (i) to provide for open space which will meet the requirements of the population and which will be developed in sympathy with the existing natural environment of the area of Woollahra,
 - (ii) to protect and promote public access in the inter-tidal zone of the foreshore of Sydney Harbour,
 - (iii) to provide for a diversity of open space types and recreation opportunities,

- (iv) to allow for contributions towards the provision and embellishment of public open space and recreational facilities, and
- (v) to allow for a range of tourist accommodation in the form of hotels and serviced apartments in appropriate locations,
- (f) in relation to the landscape:
 - (i) to protect and enhance the natural landscapes throughout the area of Woollahra,
 - (ii) to promote the retention of trees and the planting of suitable new trees in appropriate locations,
 - (iii) to control or minimise the impact of future development upon natural features such as significant trees or stands of trees, ridgelines or land within view of any waterway,
 - (iv) to protect and enhance the environmental quality of the area of Woollahra through the appropriate management and conservation of the existing pattern of vegetation, and
 - (v) to protect the native flora and fauna,
- (g) in relation to heritage conservation:
 - (i) to identify heritage items and heritage conservation areas and to provide measures for their conservation, protection and enhancement,
 - (ii) to ensure that new development is undertaken in a manner that is sympathetic to and does not detract from the heritage significance of heritage items and their settings and of heritage conservation areas,
 - (iii) to encourage the restoration or reconstruction of buildings or works which are heritage items or buildings and works that contribute to the character of heritage conservation areas,
 - (iv) to enable the adaptation of existing non-residential buildings of heritage significance in a manner which is compatible and sympathetic with the fabric and character of the building or works and the use and fabric of neighbouring lands,
 - (v) to provide for the detailed control of development associated with or in proximity to heritage items and heritage conservation areas,
 - (vi) to require, when considered necessary, the consideration of a statement of heritage significance or a conservation plan before consent is granted for development relating to a heritage item or development within a heritage

conservation area, and

- (vii) to protect sites of archaeological significance,
- (h) in relation to the area's foreshores and the harbour foreshore scenic protection area:
 - (i) to seek the retention of public foreshore lands for public purposes,
 - (ii) to encourage development which, through its form, scale, materials and design is compatible with the natural and environmentally acceptable built landform of the foreshore areas as viewed from the water,
 - (iii) to recognise the residential, recreational, tourist and commercial characteristics of the foreshore area and to co-ordinate development in order to protect the area's scenic and natural attributes,
 - (iv) to consider the impact of development on the views of Sydney Harbour enjoyed by existing residents and promote the practice of view sharing,
 - (v) to protect and, where possible, improve the view of Sydney Harbour and its foreshore areas obtained from public land,
 - (vi) to protect the natural, scenic and cultural attributes of the area's foreshores, including the visually and ecologically significant beaches, inter-tidal rock formations, vegetation, rock faces, shelves and outcrops,
 - (vii) to preserve existing public open spaces along the foreshores and to promote the dedication, acquisition, lease or occupation of additional useable areas so as to provide further public pedestrian access to and along the foreshores in appropriate locations, and
 - (viii) to protect the native flora and fauna,
- (i) in relation to local infrastructure:
 - (i) to provide and maintain local infrastructure to meet the needs of the community whilst having regard to access and installation constraints arising in built up areas,
 - (ii) to encourage the optimum use of existing infrastructure, and
 - (iii) to encourage the provision of efficient utility services,
- (j) in relation to global warming:
 - (i) to promote energy conservation measures,
 - (ii) to promote energy-efficient building development and mass transport

systems, and

- (iii) to ensure that new development takes account of global warming effects,
- (k) in relation to urban design:
- (i) to promote the creation and upkeep of an attractive and comfortable public environment,
 - (ii) to retain and enhance the existing elements of the physical environment of the area of Woollahra that, in the opinion of the Council, contribute to the attractive public environment,
 - (iii) to require that design and siting of new development enhance the attributes of its site and improve the quality of the public environment, and
 - (iv) to ensure that consideration is given to providing adequate levels of access, useability and enjoyment of public facilities and places to all people in the community, including older people and people with a disability,
- (l) in relation to excavation of land:
- (i) to minimise any impact on the amenity of the neighbourhood,
 - (ii) to protect the natural foreshore areas including the visually and ecologically significant beaches, inter-tidal rock formations, vegetation, rock faces, shelves and outcrops,
 - (iii) to protect trees and significant vegetation and the native flora and fauna, and
 - (iv) to avoid potential damage to neighbouring public and private land and buildings which may result from the proposed excavation works, and
- (m) in relation to outdoor advertising:
- (i) to convey advertisers' messages and images while complementing and conforming to both the buildings on which they are displayed and the character of the locality, and
 - (ii) to ensure that it does not adversely affect the locality in terms of appearance, size, illumination or overshadowing or in any other way, and
 - (iii) to ensure that it does not lead to visual clutter through the proliferation of signs, and
- (n) to promote and encourage water conservation.

3 Where this plan applies

- (1) Except as provided by subclause (2), this plan applies to the land within the area of

Woollahra (including land taken to be within the area of Woollahra by virtue of section 205 of the *Local Government Act 1993*).

(2) This plan does not apply:

- (a) to land to which *Waverley and Woollahra Joint Local Environmental Plan 1991—Bondi Junction Commercial Centre* applies, or
- (b) to land shown edged by distinctive black marking on the land use, density, height, heritage conservation and foreshore building line maps indicating land excluded from the operation of this plan.

4 How this plan relates to other environmental planning instruments

For the purpose of land to which this plan applies, this plan:

- (a) repeals *Interim Development Order No 15—Municipality of Woollahra* and *Interim Development Order No 43—Woollahra*,
- (b) repeals Woollahra Local Environmental Plan Nos 4, 9, 17, 20, 22, 23, 24, 25, 27, 29, 30, 32, 33, 40, 41, 42, 43, 45, 47, 48, 49, 51, 52, 53, 55, 57, 59, 61, 62, 64, 70, 71, 72, 73, 74, 75 and 76,
- (c) repeals the *Woollahra Planning Scheme Ordinance* as, immediately before the day this plan was gazetted, it applied to the land to which this plan applies, and
- (d) repeals the *City of Sydney Planning Scheme Ordinance* as, immediately before the day this plan was gazetted, it applied to the land to which this plan applies.

5 Definitions and interpretation

In this plan:

- (a) the words and expressions listed in Schedule 1 have the meanings given to them in that Schedule,
- (b) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and
- (c) a reference to a map is a reference to a map deposited in the office of the Council, and
- (d) matter that appears under the heading “Note” is an explanatory note only and does not form part of this plan. It is provided to assist understanding.

6 Adoption of the *Environmental Planning and Assessment Model Provisions 1980*

This plan adopts clauses 5, 6, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 33, 34, 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

7 Consent authority for development

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

Part 2 Development control tables—general provisions for the development of land

8 Development control tables

- (1) The following development control tables set out the zones applying to the land to which this plan applies.
- (2) Each development control table identifies the manner in which a zone is shown on the land use map, describes the zone, states the objectives of the zone, identifies development which may be carried out without or only with the consent of the Council, identifies development which is prohibited and makes reference to related provisions.
- (3) Land is within a zone described in a development control table if it is shown on the land use map in the manner specified under the heading “Zone identification on the land use map” for that table.
- (4) The development control table for each zone must be read subject to the special provisions and heritage provisions in Parts 3 and 4 of this plan, respectively. In the event of an inconsistency between a provision of a development control table relating to a zone and a special provision or a heritage provision in Part 3 and 4 of this plan, the special provision or heritage provision shall prevail.
- (5) The Council shall not grant consent to the carrying out of development on land to which this plan applies unless the Council is of the opinion that the carrying out of the development is consistent with such objectives of this plan and of the zone within which the development is proposed to be carried out as apply to that development.

Development control table—Zone No 2 (a)—(Residential “A” Zone)

1 Zone identification on the land use map

Coloured light scarlet.

2 Description of the zone

The Residential “A” Zone is characterised by dwelling-houses and is the largest zone within the Council’s area, applying to suburbs from Watsons Bay to Paddington and covering large sections of the foreshore and conservation areas. Pockets of medium density housing, individual apartment buildings and occasional shops and commercial buildings are scattered throughout the

zone, reflecting the historical development of the Council's area. A diversity of residential allotment sizes is provided.

3 Objectives of the zone

The objectives are:

- (a) to maintain the amenity and existing characteristics of areas predominantly characterised by dwelling-houses,
- (b) to allow certain non-residential development of low intensity which is compatible with the residential character and amenity of the locality,
- (c) to improve access to and along the Sydney Harbour foreshore where opportunities arise, and
- (d) to protect the environmental attributes of the coastal and foreshore lands.

4 Development which may be carried out without development consent

Development for the purpose of:

Drainage; home occupations carried on in dwelling-houses; roads.

5 Development which may be carried out only with development consent

Development for the purpose of:

Bed and breakfast accommodation; child care centres; dwelling-houses; home occupations carried on in residential flat buildings; hospitals; parks and gardens; utility installations (other than gas holders or generating works); works to enable public pedestrian access to and along Sydney Harbour foreshore.

6 Development which is prohibited

Any development other than development included in Item 4 or 5.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 2 (b)—(Residential “B” Zone)

1 Zone identification on the land use map

Coloured scarlet, edged red and lettered “2 (b)”.

2 Description of the zone

The Residential “B” Zone applies to areas characterised by existing medium density residential flat buildings and areas where potential has been identified for increased medium density residential development. Floor space and height controls, contained in Part 3, set the maximum permissible density and building heights for new development. Site area and frontage controls, also contained in Part 3, specify minimum site requirements for new development.

3 Objectives of the zone

The objectives are:

- (a) to provide for areas of medium and high density residential development in appropriate locations,
- (b) to encourage a diversity of dwelling types and tenure,
- (c) to allow non-residential development of low intensity which is compatible with the residential character and amenity of the locality,
- (d) to improve access to and along the Sydney Harbour foreshore where opportunities arise, and
- (e) to protect the environmental attributes of the foreshore lands.

4 Development which may be carried out without development consent

Development for the purpose of:

Drainage; home occupations carried on in dwelling-houses; roads.

5 Development which may be carried out only with development consent

Development for the purpose of:

Bed and breakfast accommodation; boarding houses; child care centres;

dwelling-houses; home industries; home occupations carried on in residential flat buildings; hospitals; parks and gardens; medical consulting rooms; residential flat buildings; utility installations (other than gas holders or generating works); works to enable public pedestrian access to and along Sydney Harbour foreshore.

6 Development which is prohibited

Any development other than development included in Item 4 or 5.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 3 (a)—(General Business “A” Zone)

1 Zone identification on the land use map

Coloured light blue.

2 Description of the zone

The General Business “A” Zone is a broad commercial zone allowing a diversity of commercial and retail uses. As an urban consolidation initiative and to add vitality to commercial centres, dwellings attached to commercial and retail buildings (referred to in this plan as mixed development) are also permissible. This zone applies largely within the main business centres of Double Bay, Edgecliff and Rose Bay.

3 Objectives of the zone

The objectives are:

- (a) to define the main commercial areas within the Council’s area which provide for a wide range of retail and commercial uses, ancillary light industrial uses, entertainment, social and recreational uses, tourist accommodation and residential development mixed with non-residential uses,
- (b) to encourage employment generating uses in accessible localities,
- (c) to allow for residential development in the form of mixed development so as to encourage urban consolidation and promote the vitality of

business centres, and

(d) to control the physical and functional characteristics of business centres in order to minimise their impact on neighbouring residential lands.

4 Development which may be carried out without development consent

Development for the purposes of:

Drainage; roads.

5 Development which may be carried out only with development consent

Any development other than development included in Item 4 or 6.

6 Development which is prohibited

Development for the purposes of:

Amusement centres; amusement parks; backpackers' hostels; boarding houses (other than mixed developments); bulk stores; bus depots; car repair stations (other than those forming part of, and used in conjunction with, a service station); dwelling-houses; gas holders; generating works; helipads; heliports; industries (other than light industries or those ancillary or complementary to development not otherwise prohibited in the zone); institutions; junk yards; liquid fuel depots; panel beating and spray painting; residential flat buildings (other than mixed developments); road transport terminals; service stations in a business zone at Edgecliff; warehouses.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 3 (b)—(Special Business “B” Zone)

1 Zone identification on the land use map

Coloured light blue and lettered “3 (b)”.

2 Description of the zone

The Special Business “B” Zone is a secondary commercial zone applying to a large area of the Edgecliff Commercial Centre and small sections of the Double Bay Commercial Centre. The scale of new development which may be achieved in this zone under floor space controls is less than that which may occur in the General Business “A” Zone. A broad range of uses is permissible including dwellings attached to commercial and retail buildings (an urban consolidation initiative).

3 Objectives of the zone

The objectives are:

- (a) to establish a commercial zone allowing a mix of commercial, residential and tourist accommodation purposes,
- (b) to prohibit all retail and high service generating uses which result in traffic, parking and vehicle access constraints, and
- (c) to allow residential development both independently of and mixed with non-residential development in order to promote urban consolidation.

4 Development which may be carried out without development consent

Development for the purpose of:

Drainage; roads.

5 Development which may be carried out only with development consent

Any development other than development included in Item 4 or 6.

6 Development which is prohibited

Development for the purpose of:

Amusement centres; amusement parks; bulk stores; car repair stations (other than those forming part of, and used in conjunction with, a service station); dwelling-houses (other than those in a heritage conservation area); gas holders; generating works; helipads; heliports; industries; institutions; junk yards; liquid fuel depots; motor showrooms; panel beating and spray painting; restaurants; transport terminals; shops;

warehouses.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 3 (b1)—(Restricted Special Business “B1” Zone)

1 Zone identification on the land use map

Coloured medium blue with dark red edging and lettered “3 (b1)”.

2 Description of the zone

The Restricted Special Business “B1” Zone applies to a small area of Watsons Bay and accommodates mainly entertainment-type uses. The scale and intensity of existing development are regulated through floor space and height controls.

3 Objectives of the zone

The objectives are:

- (a) to provide a zone which caters for a limited range of development for particular sites in Watsons Bay, reflecting, in part, long established uses,
- (b) to control the scale and intensity of development in order to minimise the impact on neighbouring residential lands,
- (c) to maintain existing public access to and along Sydney Harbour foreshore, and
- (d) to protect the environmental attributes of the foreshore lands.

4 Development which may be carried out without development consent

Development for the purpose of:

Drainage; roads.

5 Development which may be carried out only with development

consent

Development for the purpose of:

Cafes; car parking stations; dwelling-houses; hotels; restaurants; utility installations (other than gas holders or generating works).

6 Development which is prohibited

Any development other than development included in Item 4 or 5.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 3 (c)—(Neighbourhood Business “C” Zone)

1 Zone identification on the land use map

Coloured medium blue and lettered “3 (c)”.

2 Description of the zone

The Neighbourhood Business “C” Zone occurs in most suburbs of the Council’s area. It applies to small groups of shops and commercial premises as well as some of the main road strip shopping centres. Dwellings attached to shops and commercial buildings are allowed as a means of promoting urban consolidation. The neighbourhood centres offer a diversity of uses. Scale and intensity of development is controlled by floor space and height provisions in order to protect surrounding residential areas.

3 Objectives of the zone

The objectives are:

- (a) to establish a neighbourhood shopping centre zone which allows a less intensive form of development than occurs in the main commercial centres and which does not prejudice the viability of those main centres,
- (b) to provide for development of a scale and type compatible with the amenity of the surrounding residential area, and
- (c) to allow for residential development mixed with non-residential purposes

in order to promote urban consolidation.

4 Development which may be carried out without development consent

Development for the purpose of:

Dwelling-houses within the foreshore scenic protection area (but not those also within a heritage conservation area or those identified as heritage items); drainage; roads.

5 Development which may be carried out only with development consent

Any development other than development included in Item 4 or 6.

6 Development which is prohibited

Development for the purpose of:

Amusement centres; amusement parks; backpackers' accommodation; bulk stores; car repair stations (other than those forming part of, and used in conjunction with, a service station); clubs (other than clubs on land known as Nos 2, 4, 6, 8, 10 Elizabeth Street, Paddington, Nos 338 to 410 Oxford Street, Paddington, Nos 1A, 3A, 3B, 5, 7, 52 Victoria Street, Paddington, Nos 220, 222-226, 228, 205-241 Glenmore Road, Paddington, Nos 6-14 Goodhope Street, Paddington, Nos 2A, 2-8 Heeley Street, Paddington), gas holders; generating works; helipads; heliports; hotels; industries (other than light industries or those ancillary or complementary to development not otherwise prohibited in the zone); institutions; junk yards; liquid fuel depots; motels; motor showrooms; panel beating and spray painting; recreation areas (other than parks and gardens); residential flat buildings (other than mixed developments); restaurants (other than restaurants on land known as Nos 2, 4, 6, 8, 10 Elizabeth Street, Paddington, Nos 338-410 Oxford Street, Paddington, Nos 1A, 3A, 3B, 5, 7, 52 Victoria Street, Paddington, Nos 220, 222-226, 228, 205-241 Glenmore Road, Paddington, Nos 6-14 Goodhope Street, Paddington, Nos 2A, 2-8 Heeley Street, Paddington); serviced apartments; transport terminals; warehouses.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in

conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 5—(Special Use Zone)

1 Zone identification on the land use map

Coloured yellow, with red lettering and with or without broken red line edging.

2 Description of the zone

The Special Use Zone applies to land used or reserved for government and community facilities. These include railways, roads, defence installations, water, sewer and drainage works, hospitals, schools, churches, police stations and lighthouses.

3 Objectives of the zone

The objectives are:

(a) to identify land:

- (i) which is used for particular public and community facilities, educational facilities, railway purposes or urban infrastructure, or
- (ii) which is reserved for road widening purposes being land coloured yellow, edged with a broken red line and marked with letters “a.r.r.” in red (signifying arterial road reservation—proposed road widening) or the letters “l.r.r.” in red (signifying local road reservation—proposed road widening), and

(b) to improve access to and along the foreshores where opportunities arise.

4 Development which may be carried out without development consent

Development for the purpose of:

Drainage; parks and gardens; roads.

5 Development which may be carried out only with development consent

Development for the purpose of:

The particular land use indicated by red lettering on the land use map,

including land uses ordinarily incidental or ancillary to the particular use (other than the particular use of railways); local community facilities; land uses related to railways authorised by the *Transport Administration Act 1988*, but only where the use indicated by red lettering is a railway use; utility installations (other than gas holders or generating works); works to enable public access to and along the foreshores.

6 Development which is prohibited

Any development other than development included in Item 4 or 5.

7 Related provisions

Parts 3 and 4 of, and Schedules 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 6—(Open Space Zone)

1 Zone identification on the land use map

Coloured dark green without red edging or edged red with the letter “L” or the letter “R”.

2 Description of the zone

The Open Space Zone applies to public or private land used or intended to be used for recreational purposes. Land which is within this zone may also be used for community facilities.

3 Objectives of the zone

The objectives are:

- (a) to identify existing publicly and privately owned land used or capable of being used for recreational purposes,
- (b) to identify areas which are reserved for future public open space:
 - (i) in the case of land edged red and marked with the letter “L” in red, being local open space, and
 - (ii) in the case of land edged red and marked with the letter “R” in red, being regional open space,
- (c) to increase the provision of public open space within the Council’s area

to meet the needs of the population,

(d) to enable development for the purpose of public and private recreation and community facilities sympathetic to the environmental characteristics of the land and surrounding areas, and

(e) to protect the visual and environmental attributes of the foreshores.

4 Development which may be carried out without development consent

Development for the purpose of:

Bushfire hazard control; drainage; maintenance of gardens and structures.

Development pursuant to, or approved in accordance with, the plan of management adopted under Division 2 of Part 2 of Chapter 6 of the [Local Government Act 1993](#) and for the time being applicable to the subject land.

5 Development which may be carried out only with development consent

Development for the purpose of:

Community facilities; recreation areas; recreation facilities; roads; uses or buildings associated with development permitted in the zone without development consent; utility installations (other than gas holders or generating works).

6 Development which is prohibited

Any development other than development included in Item 4 or 5.

7 Related provisions

Parts 3 and 4 of, and Schedule 2 and 3 to, this plan must be read in conjunction with this development control table as they also affect the nature of development which can be carried out.

Development control table—Zone No 8—(National Parks and Nature Reserves Zone)

1 Zone identification on the land use map

Uncoloured with dark green edging.

2 Description of the zone

The National Parks and Nature Reserves Zone applies to land included within Sydney Harbour National Park. This land is administered by the National Parks and Wildlife Service under the [National Parks and Wildlife Act 1974](#). Only land uses authorised under that Act may be carried on land within the zone.

3 Objectives of the zone

The objectives are:

- (a) to identify land within National Parks and Nature Reserves,
- (b) to identify land for public recreational purposes,
- (c) to conserve areas of natural, scientific, scenic, archaeological, ecological and historical significance, and
- (d) to protect National Parks and Nature Reserves from encroachment of development and activities which will alienate and restrict public use of those Parks and Reserves.

4 Development which may be carried out without development consent

Any development authorised by the [National Parks and Wildlife Act 1974](#).

5 Development which may be carried out only with development consent

Nil.

6 Development which is prohibited

Any development other than development included in Item 4.

7 Related provisions

Whilst Parts 3 and 4 of, and Schedules 2 and 3 to, this plan relate to land within this zone, the operation of [State Environmental Planning Policy No 4—Development Without Consent](#) determines whether the National Parks

and Wildlife Service is required to obtain the consent of the Council for any development.

Part 3 Additional provisions for the development of land

9 Subdivision of land

- (1) A person may subdivide land to which this plan applies but only with the consent of the Council.
- (2) Subclause (1) does not require consent for a subdivision under the *Strata Titles Act 1973*.
- (3) Notwithstanding subclause (1), but subject to clauses 26 and 28, the consent of the Council is not required for subdivisions that, in the opinion of the Council, involve minor realignment of boundaries or for consolidation of allotments.
- (4) Despite subclause (1), the subdivision of an allotment on which development for the purpose of a dual occupancy has previously been carried out is prohibited.

10 Allotment sizes for dwelling-houses

- (1) A person shall not erect a dwelling-house on an allotment of land unless the land has a site area of not less than the minimum allotment size indicated for that land on the density map.
- (2) Subclause (1) does not operate to prohibit the erection of a dwelling-house on an allotment of land which was in existence as a separate allotment on the day this plan was gazetted if a dwelling-house could have been lawfully erected on the allotment immediately before that day.
- (3) A person shall not subdivide land for the purpose of erecting dwelling-houses unless each allotment on which it is intended to erect a dwelling-house created by the subdivision will have a site area of not less than the minimum allotment size indicated for that allotment on the density map.

10A Objectives of site area and site frontage standards for residential flat buildings

The objectives of the minimum site area and frontage standards set by clause 10B are as follows:

- (a) to achieve compatibility between the scale, density, bulk and landscape character of buildings and allotment size,
- (b) to provide sufficient space between buildings, to maximise daylight and sunlight access between buildings, to ensure adequate space for deep soil landscaping and to preserve view corridors,

- (c) to prevent permanent barriers to sub-surface water flows,
- (d) to ensure that there is sufficient land for car parking on site,
- (e) to encourage consolidation of allotments in appropriate locations to enable the development of a diversity of dwelling types.

10B Site area and frontage standards

- (1) A site must not be developed for the purpose of a residential flat building containing 3 dwellings or fewer unless the width of the site at the front alignment is 15 metres or more.

Note—

No minimum site area requirements apply.

- (2) A site must not be developed for the purpose of a residential flat building containing 4 or more dwellings unless:
 - (a) the site area is 930m² or more, and
 - (b) the width of the allotment at the front alignment is 21 metres or more.

11AA Objectives of floor space ratio standards

The objectives of the floor space ratio standards set by clause 11 are as follows:

- (a) to set the maximum density for new development,
- (b) to control building density, bulk and scale in all residential and commercial localities in the area in order to achieve the desired future character objectives of those localities,
- (c) to minimise adverse environmental effect on the use or enjoyment, or both, of adjoining properties, and
- (d) to relate new development to the existing character of the surrounding built and natural environment as viewed from the streetscape, the harbour or any other panoramic viewing point.

Note—

The maximum permissible floor space ratio is not “as of right”. To achieve the maximum permissible floor space ratio, development must satisfy other relevant controls applicable to the land concerned.

11 Floor space ratios

- (1) A building (other than a dwelling-house or a dual occupancy) shall not be erected on land to which this plan applies if:
 - (a) the floor space ratio would exceed the ratio indicated for that land on the density

map, or

(b) in the case of 2 floor space ratios being indicated for that land on the density map, the floor space ratio would exceed the greater of the 2 ratios.

(2) If, on the density map, 2 floor space ratios are indicated for the same land:

(a) in respect of buildings on land within Zone No 3 (a), the floor space ratio of any part of the building used for residential purposes shall not exceed the lesser of the 2 floor space ratios, and

(b) in respect of buildings on land within Zone No 3 (c), the floor space ratio of any part of the building used for non-residential purposes shall not exceed the lesser of the 2 floor space ratios.

(3) Notwithstanding subclause (1), the floor space ratio of any building or buildings erected or proposed to be erected on 298, 302, 304, 304A, 306/310, 312/314, 357/359, 365, 376/382, 408/410, 412, 414/420, 422/424, 465/467, 469/473 New South Head Road, Double Bay, 26, 28, 30/36, 40/48, 43, 45A, 49, 55 Bay Street, Double Bay, 1 Guilfoyle Avenue, Double Bay or 53 Cross Street, Double Bay may exceed the floor space ratio provided on the density map in respect of the property if:

(a) the floor space ratio of the building or buildings does not exceed 3.0:1, and

(b) the Council consents to the building or buildings having the floor space ratio.

(4) The Council may grant consent for the purpose of subclause (3) (b) if it is satisfied that the building or buildings:

(a) will enhance the spatial definition of the spaces they address, and

(b) will, through articulation and distribution of massing, create strong corner buildings, and

(c) appropriately address street geometry, topography, sight lines and the design of skyline elements.

(5) When considering an application for consent to erect a building or use an existing building within the Double Bay Commercial Centre, the Council may, for the purpose of determining floor space ratio, exclude from its calculation of gross floor area the gross floor area of that part of the building intended to be used for a small professional theatre.

12AA Objectives of maximum building height development standards

The objectives of the maximum building height development standards set by clause 12 are as follows:

(a) to minimise impact of new development on existing views of Sydney Harbour,

ridgelines, public and private open spaces and views of the Sydney City skyline,

- (b) to provide compatibility with the adjoining residential neighbourhood,
- (c) to safeguard visual privacy of interior and exterior living areas of neighbouring dwellings,
- (d) to minimise detrimental impacts on existing sunlight access to interior living rooms and exterior open space areas and minimise overshadowing,
- (e) to maintain the amenity of the public domain by preserving public views of the harbour and surrounding areas and the special qualities of streetscapes.

Note—

The maximum permissible building height is not “as of right”. To achieve the maximum permissible building height, development must satisfy other relevant controls applicable to the land concerned.

12 Height of buildings

- (1) A building shall not be erected on land within a height zone to a height greater than the maximum height shown on the height map as applicable to land within that height zone.
- (2) If, on the height map, 2 height limits are indicated as applying to the land within a height zone:
 - (a) the height indicated by the colouring on the height map shall be the overall height limit for a building for the purpose of subclause (1), and
 - (b) no building or part of a building shall be erected on land within the height zone to a height greater than the figure shown bracketed on the height map, above the highest part of the land (exclusive of any access corridor) or the crown of any road to which the land has direct frontage, whichever is the higher.

13 Community use of certain facilities

A person may, with the consent of the Council, use the facilities and sites of schools, colleges or other educational establishments for:

- (a) community uses, or
- (b) commercial operation of both the facilities and sites, or
- (c) development for the purpose of community facilities,

whether or not the development is ancillary to the use of those facilities and sites for the purposes of schools, colleges, or other educational establishments.

14 Acquisition and development of land reserved for roads

- (1) This clause applies to land within Zone No 5 shown on the land use map:
 - (a) edged with a broken red line and marked with the letters “a.r.r.” in red signifying arterial roads reservation—proposed road widening, or
 - (b) edged with a broken red line and marked with letters “l.r.r.” in red, signifying local roads reservation—proposed road widening.
- (2) The owner of any vacant land referred to in subclause (1) (a) may, by notice in writing require:
 - (a) the RTA—in the case of land that is included in a 5 year works program of the RTA current at the time of receipt of the notice, or
 - (b) the Corporation—in any other case,to acquire the land.
- (3) The owner of any land referred to in subclause (1) (a) that is not vacant may, by notice in writing, require the RTA to acquire the land if:
 - (a) the land is included in a 5 year work programme of the RTA current at the time of the receipt of the notice, or
 - (b) the RTA or the Corporation has decided not to give concurrence under subclause (6) to an application for consent to the carrying out of development on the land, or
 - (c) the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (4) The owner of any land referred to in subclause (1) (b) may, by notice in writing, require the Council to acquire the land.
- (5) On receipt of a notice referred to in subclause (2), (3) or (4), the RTA, the Corporation or the Council, as the case may be, must acquire the land unless the land might reasonably be required to be dedicated for public roads.
- (6) Notwithstanding clause 8, a person may, with the consent of the Council and:
 - (a) in the case of land referred to in subclause (1) (a) which is vacant, with the concurrence of the RTA and the Corporation, or
 - (b) in the case of land referred to in subclause (1) (a) which is not vacant, with the concurrence of the RTA,carry out development:
 - (c) for a purpose for which development may be carried out on land in an adjoining

zone, or

- (d) for any purpose which is compatible with development which may be carried out on land in an adjoining zone, or
 - (e) for any purpose of a temporary nature.
- (7) In deciding whether to grant concurrence to proposed development in respect of land referred to in subclause (6), the RTA and the Corporation must take the following matters into consideration:
- (a) the need to carry out development on the land for the purposes of classified roads or proposed classified roads,
 - (b) the imminence of acquisition, and
 - (c) the likely additional cost to the RTA or the Corporation resulting from the carrying out of the proposed development.
- (8) Notwithstanding clause 8, a person may develop land referred to in subclause (1) (b) for any purpose, with the consent of the Council, until that land is acquired by the Council, where the Council is satisfied that the carrying out of that development will not adversely affect the usefulness of the land for the purpose of local road widening.
- (9) Notwithstanding clause 8, land acquired under this clause may be developed, with the consent of the Council, for any purpose, until such time as it is required for the purpose for which it was acquired.

15 Acquisition of land reserved for open space

- (1) This clause applies to land within Zone No 6:
- (a) edged red and marked with the letter "L" in red signifying land reserved for local open space, or
 - (b) edged red and marked with the letter "R" in red signifying land reserved for regional open space.
- (2) The owner of any land referred to in subclause (1) may, by notice in writing, require:
- (a) in the case of land referred to in subclause (1) (a), the Council, or
 - (b) in the case of land referred to in subclause (1) (b), the Corporation,
- to acquire the land.
- (3) On receipt of a notice under this clause, the Council or the Corporation, as the case may be, must acquire the land unless the land is required to be dedicated for public open space.

16 Development of land uncoloured on the land use map

- (1) This clause applies to all land to which this plan applies shown uncoloured on the land use map, except land within Zone No 8.
- (2) The development of any land referred to in subclause (1) may be carried out, but only with the consent of the Council and only if the Council is of the opinion that the development:
 - (a) is compatible with the nature of development permissible on neighbouring land and the development standards applicable to development on neighbouring land, and
 - (b) is consistent with the objectives of this plan and the objectives of the zoning applying to neighbouring land.
- (3) Notwithstanding subclause (2), the development of any land referred to in subclause (1) by a public authority, or corporation that was a public authority which has been privatised, for the purposes of the construction, installation or maintenance of roads, stormwater drainage, utility installations (other than gas holders or generating works), sewers or other like purposes or any purpose ordinarily incidental or ancillary to those purposes may be carried out without the consent of the Council.

16A Suspension of certain agreements, covenants and similar instruments

- (1) For the purpose of enabling the development specified in an item in Schedule 5 to be carried out in accordance with this plan or in accordance with a consent granted under the Act, the regulatory instruments specified opposite the development in that Schedule shall not apply to that development to the extent necessary to serve that purpose.
- (2) In accordance with section 28 (3) of the Act, the Governor approved subclause (1) and items 1, 2, 3 and 4 of Schedule 5 before the making of this clause.

17 Development for certain additional purposes

- (1) Nothing in this plan prevents a person, with the consent of the Council, from carrying out development on or with respect to land referred to in Schedule 2 for the purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.
- (2) Subclause (1) does not affect the application, to or in respect of development to which that subclause applies, of such of the provisions of this plan as are consistent with that subclause or with a consent granted by the Council in respect of the development.

18 Excavation of land

- (1) When considering an application for consent for development involving the

excavation of any land, the Council shall have regard to how that excavation may temporarily or permanently affect:

- (a) the amenity of the neighbourhood by way of noise, vibration, dust or other similar circumstances related to the excavation process, and
 - (b) public safety, and
 - (c) vehicle and pedestrian movements, and
 - (d) the heritage significance of any heritage item that may be affected by the proposed excavation and its setting, and
 - (e) natural landforms and vegetation, and
 - (f) natural water runoff patterns.
- (2) The Council may decline to grant such a consent unless it has considered specialist reports, including geotechnical reports, structural engineering reports, hydrology reports and dilapidation reports of properties which may be affected by the proposed excavation.
- (3) Consent for an excavation may be granted when consent is granted for any other development proposal for the carrying out of which the excavation is necessary.

19 Development in the harbour foreshore scenic protection area

- (1) This clause applies to all land within the harbour foreshore scenic protection area.
- (2) The Council shall not grant consent to an application for development on land referred to in subclause (1) unless it has made an assessment of:
- (a) the visual impact when viewed from Sydney Harbour of the design of the proposed development, including the colours, textures, styles and types of materials to be used and the type and form of any roof, and
 - (b) the impact of the proposed development on the natural landform and topography.

20 Provision of public car parking spaces on certain lands in Double Bay

- (1) This clause applies to:
- (a) part of Lots 1 and 2 DP 211825 and part Lot 1 DP 211826, being land in the vicinity of William Street, Double Bay and identified by heavy black edging on the land use map,
 - (b) part of Lots 1 and 2 DP 211825 and part Lot 1 DP 211826, Lot 1 DP 212187 and Lot 2 DP 212188, being land known as the Woollahra Council former central depot site, Double Bay,

- (c) Lots 1 and 2 DP 220530, being land known as the Cross Street Car Park, Double Bay, and
 - (d) Land shown edged heavy black on the sheet marked "*Woollahra Local Environmental Plan 1995 (Amendment No 44)—Site Map*".
- (2) Where land referred to in subclause (1) (a) is developed in conjunction with land referred to in subclause (1) (b) and (c), the development shall include the provision of not less than 405 public car parking spaces.
 - (3) Any development carried out on or under the land referred to in subclause (1) (b) and (c) shall include the provision of not less than 405 public car parking spaces.
 - (4) Any development carried out on or under the land referred to in subclause (1) (d) that is the subject of a comprehensive development application referred to in clause 21E must include the provision of not less than 317 public car parking spaces.
 - (5) *State Environmental Planning Policy No 1—Development Standards* applies to subclauses (2), (3) and (4) in the same way as it applies to a development standard.
 - (6) The Council, in determining whether or not to grant consent as referred to in that Policy, and the Director, in determining whether or not to grant concurrence as referred to in that Policy, are to take into consideration the object of subclauses (2), (3) and (4) which is to ensure that there is an adequate provision of public car parking to serve the Double Bay commercial centre.

21 Development at No 9 Cooper Park Road, Bellevue Hill

- (1) This clause applies to Lot 102, DP 827011, being land known as No 9 Cooper Park Road, Bellevue Hill.
- (2) Not more than 27 dwellings shall be erected on the land to which this clause applies.
- (3) *State Environmental Planning Policy No 1—Development Standards* applies to subclause (2) in the same way as it applies to a development standard.
- (4) The Council, in determining whether or not to grant consent as referred to in that policy, and the Director, in determining whether or not to grant concurrence as referred to in that policy, are to take into consideration the objectives of subclause (2) which are as follows:
 - (a) to control traffic generation and noise associated within,
 - (b) to enable adequate provision of private open space at ground level,
 - (c) to allow a reasonable density of residential development on the site based on the permissible gross floor area,

- (d) to enable adequate provision of space for building setbacks from boundaries for the protection of the amenity, sunlight access and privacy of adjoining residential properties.

21A Development at No 59 William Street, Double Bay

- (1) This clause applies to Lot 1, DP 212187 and Lot 1, DP 212188, being land known as 59 William Street, Double Bay, as shown edged heavy black on the map marked "*Woollahra Local Environmental Plan 1995 (Amendment No 14)*".
- (2) Subject to subclause (3), nothing in this plan prevents a person, with the consent of the Council, from carrying out development on the land to which this clause applies for the purpose of the John Passmore Museum of Art.
- (3) The Council must not grant consent to development referred to in subclause (2) after the expiration of two years from the day on which *Woollahra Local Environmental Plan 1995 (Amendment No 14)* took effect.
- (4) Nothing in subclause (3) prevents the Council from granting consent to the carrying out of alterations or extensions to, or the rebuilding of, a building or place being used for a purpose for which consent has been granted in accordance with this clause.
- (5) In this clause:

John Passmore Museum of Art means the building at 59 William Street, Double Bay, in which works of art, being the Passmore Trust collection and the Wrobel collection of art are stored and displayed, and in which uses and activities ancillary to its use as a museum and gallery are accommodated.

21B Development on certain land in Rose Bay

- (1) This clause applies to Part Lot 1, DP 71950, being land known as 682-684 New South Head Road, Rose Bay, Lot 1, DP 511807, being land known as 686-690 New South Head Road, Rose Bay, Part Lot A, DP 157868, being land known as 692 New South Head Road, Rose Bay, Part Lot B, DP 157868, being land known as 694 New South Head Road, Rose Bay and Lot 1, DP 784808, being land known as 696-700 New South Head Road, Rose Bay.
- (2) Notwithstanding clauses 11 (1) and (2) and 12 (1), the floor space ratios and heights of any building or buildings erected or proposed to be erected on the land referred to in subclause (1) may exceed the floor space ratios and maximum height that would otherwise apply under those subclauses in respect of that land if:
 - (a) the floor space ratio of the building or buildings does not exceed 2.25:1, and
 - (b) the maximum height of the building or buildings does not exceed 16 metres, and
 - (c) provision, acceptable to the Council, is made for public open space within the

development site, and

- (d) the Council has taken into consideration the design principles, general guidelines and controls set out in section 6.7.1 of the *Rose Bay Centre Development Control Plan*.

21BA Development of certain land in Rose Bay

- (1) This clause applies to the following land:
- (a) Lot 14, Section D, DP 5092, being land known as 88 Newcastle Street, Rose Bay,
 - (b) Lots 15 and 16, Section D, DP 5092, being land known as 90–92 Newcastle Street, Rose Bay,
 - (c) Lot 1, DP 925797, being land known as 94 Newcastle Street, Rose Bay,
 - (d) Lot 17A, Section D, DP 5092, being land known as 96 (98) Newcastle Street, Rose Bay,
 - (e) Lot 18, DP 5092, being land known as 458 Old South Head Road, Rose Bay,
 - (f) Lot 19, DP 5092, being land known as 460 Old South Head Road, Rose Bay,
 - (g) Lot 20, DP 5092 and Lot 1, DP 455814, being land known as 462 Old South Head Road, Rose Bay,
 - (h) Lot 1, DP 945861, being land known as 464 Old South Head Road, Rose Bay,
 - (i) Lot 22, Section D, DP 4893, being land known as 466 Old South Head Road, Rose Bay,
 - (j) Lot 23, Section D, DP 4893, being land known as 468 Old South Head Road, Rose Bay,
 - (k) Lot 24, Section D, DP 4893, being land known as 470 Old South Head Road, Rose Bay,
 - (l) Lot 25, Section D, DP 4893, being land known as 17 Faraday Avenue, Rose Bay,
 - (m) Lot 23, Section C, DP 4887, being land known as 474 Old South Head Road, Rose Bay,
 - (n) Lot 24, Section C, DP 4887, being land known as 476 Old South Head Road, Rose Bay,
 - (o) Lot 25, Section C, DP 4887, being land known as 478 Old South Head Road, Rose Bay,
 - (p) Lot 26, Section C, DP 4887, being land known as 480 Old South Head Road, Rose Bay,

Bay,

(q) Lot 27, Section C, DP 4887, being land known as 482 Old South Head Road, Rose Bay.

(2) The Council must not grant consent to development involving works below the natural surface of the ground relating to land to which this clause applies unless it has considered the following:

- (a) the adequacy of an acid sulphate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines* published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director-General, and
- (b) the likelihood of the proposed development resulting in the discharge of acid water, and
- (c) any comments received from the Department of Infrastructure, Planning and Natural Resources within 21 days of the Council having sent that Department a copy of the development application and of the related acid sulphate soils management plan.

21C Development at part of No 13 Albert Street, Edgecliff

- (1) This clause applies to part Lot 1, DP 932367, being part of the land known as 13 Albert Street, Edgecliff, as shown with heavy broken black edging on the map marked "*Woollahra Local Environmental Plan 1995 (Amendment No 18)—Land Use Map*".
- (2) Not more than four dwellings may be erected on the land to which this clause applies.

21D Sir David Martin Reserve and certain adjoining land

- (1) This clause applies to Reserve No 100076, DP 752011, Portions 1141, 1142 and 1628, being land known as Sir David Martin Reserve, New Beach Road, Darling Point and to the part of the plantation reserve adjoining Portions 1141 and 1142 of Sir David Martin Reserve, as shown edged heavy black and by distinctive colouring and marking on the sheets marked "*Woollahra Local Environmental Plan 1995 (Amendment No 38)*".
- (2) Despite any other provision of this plan, other than clause 17, a person may, with the consent of the Council, carry out development of the land to which this clause applies only for a purpose that, in the opinion of the Council, is consistent with the terms of the reservation of the land known as Sir David Martin Reserve under the [Crown Lands Act 1989](#).
- (3) The Council must not grant consent to an application to carry out development of the land to which this clause applies unless it has taken into consideration a plan of management for the land.

21E Development on certain land in Double Bay

- (1) This clause applies to land shown edged heavy black on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 44)—Site Map*”.
- (2) Land beyond the boundary shown on the map referred to in subclause (1) may be included within the site for the purpose of development such as:
 - (a) awnings, and
 - (b) signs, and
 - (c) projecting bay elements, and
 - (d) fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall, and
 - (e) public domain improvement works, and
 - (f) underground car parking.
- (3) The Council must not grant consent to a development application (other than a comprehensive development application or an application for development consent for subdivision) relating to land to which this clause applies unless there is in force a development consent for a comprehensive development application and the Council has taken that development consent into consideration.
- (4) A comprehensive development application required by this clause is a development application that makes development proposals for the whole of the land to which this clause applies.
- (5) The Council must not grant consent to a comprehensive development application unless it is satisfied that adequate provision has been made for:
 - (a) public car parking, and
 - (b) public toilets, and
 - (c) community facilities, and
 - (d) civic space.
- (6) The Council must not grant consent to a development application, including a comprehensive development application, relating to Lot 2, DP 82306, being land known as the Golden Sheaf Hotel site, unless, in considering the application, the Council has taken into account the recommendations of a current conservation plan and any amendments to it for the Golden Sheaf Hotel that has been approved by Council.

- (7) The Council is not obliged to comply with subclause (3) or (5) if it is satisfied that the proposed development is of a minor nature.
- (8) A building is not to be erected on land to which this clause applies if the total gross floor area of all buildings on the land to which this clause applies would exceed the gross floor area indicated for the land on the map marked "*Woollahra Local Environmental Plan 1995 (Amendment No 44)—Density Map*". For the purpose of this subclause, gross floor area excludes:
- (a) fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall, and
 - (b) access in the form of lifts, escalators, travelators, ramps, stairs and the like from existing ground level to basement car park levels, and
 - (c) loading and unloading areas and access to those areas all of which are at or below ground level, and
 - (d) any garbage storage areas, plant rooms, mechanical ventilation, including ducting, that are below ground level, and
 - (e) roof and podium plant rooms, and
 - (f) electrical substation, generating rooms, switch rooms and other structures required in connection with the substation, and
 - (g) arcades, and
 - (h) colonnades, including associated columns, and
 - (i) pedestrian areas in the form of a winter garden contiguous with arcades, and
 - (j) balconies and verandahs, and
 - (k) unenclosed swimming pools, and
 - (l) the gross floor area of the original heritage building at 423-431 New South Head Road, Double Bay, known as the Golden Sheaf Hotel as approved on 23 April 1935.
- (9) Clauses 8, 10A and 10B do not apply in respect of the erection of a residential flat building on land to which this clause applies.
- (10) Clauses 8, 10A and 10B do not apply in respect of development for the purpose of dwellings in conjunction with development below the ground surface for the purpose of any one or more of the following:
- (a) car parking,
 - (b) a car parking station,

(c) non-residential uses associated with car parking and a car parking station,

(d) loading and unloading facilities associated with non-residential uses,

all of which is located on the land shown by heavy black broken edging on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 44)—Land Use Map*” (whether or not within the same building).

(11) Development referred to in subclause (10) is not mixed development for the purposes of this plan.

(12) The Council must not grant consent to a development application involving works below the natural surface of the ground relating to land to which this clause applies unless it has considered the following:

(a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines* published by the Acid Sulfate Soils Management Advisory Committee, and

(b) the likelihood of the proposed development resulting in the discharge of acid water, and

(c) any comments received from the Department of Infrastructure, Planning and Natural Resources within 21 days of the Council having sent that Department a copy of the development application and of the related acid sulfate soils management plan.

(13) The provisions of *State Environmental Planning Policy No 1—Development Standards* do not apply to subclause (8).

22AA Objectives of foreshore building line standards

The objectives of the foreshore building line standards set by clause 22 are as follows:

(a) to retain Sydney Harbour’s natural shorelines,

(b) to provide larger foreshore setbacks at the points and heads of bays in recognition of their visual prominence,

(c) to protect significant areas of vegetation and, where appropriate, provide areas for future planting which will not detrimentally impact on views of the harbour and its foreshores,

(d) to protect the amenity of adjoining lands in relation to reasonable access to views and sunlight,

(e) to preserve the rights of property owners to maintain an encroachment on the foreshore building line by an existing main building,

- (f) to protect rock platforms and the intertidal ecology.

22 Foreshore building lines

- (1) In this clause, **foreshore building line** means:

- (a) a line shown on the map marked "*Woollahra Local Environmental Plan 1995—Foreshore Building Line Map*" as a broken line with "F.B.L.12m" marked in black letters, being a line which is taken for the purposes of this clause to be situated 12 metres above the mean high water mark of the waters of Port Jackson, and
- (b) a line shown on the map marked "*Woollahra Local Environmental Plan 1995—Foreshore Building Line Map*" as a broken black line with "F.B.L.30m" marked in black letters, being a line which is taken for the purposes of this clause to be situated 30 metres above the mean high water mark of the waters of Port Jackson.

- (2) Except in accordance with a development consent referred to in subclause (4), a building shall not be erected between a foreshore building line referred to in subclause (1) (a) and the mean high water mark of the waters of Port Jackson.

- (3) In the case of a foreshore building line referred to in subclause (1) (b), a residential flat building shall not be erected between that building line and the mean high water mark of the waters of Port Jackson.

- (4) The Council may, after having made an assessment of the probable aesthetic appearance in relation to the foreshore of the proposed structure, consent to the erection of any of the following structures between a foreshore building line and the waters of Port Jackson:

- (a) baths (swimming pools) and ancillary buildings,
- (b) boat sheds,
- (c) wharves,
- (d) jetties,
- (e) structures or works below or at the surface of the ground.

- (5) The Council may, by resolution, alter or abolish any foreshore building line to the extent that it affects a site if the levels, depth or other exceptional features of the site make it expedient to do so.

Note—

The precise location of a foreshore building line can be ascertained by a survey undertaken by a registered surveyor.

23 (Repealed)

24 Land adjoining public open space

- (1) This clause applies to all land adjoining public open space.
- (2) The Council shall not grant consent to an application for development on land which adjoins public open space unless it has made an assessment of the impact of the development on the amenity of the public open space and it has taken into consideration whether the development is in conflict with any plan of management for the public open space.

25 Water, wastewater and stormwater systems

- (1) The Council must not grant consent to the carrying out of development on land or subdivision of land to which this plan applies for the purpose of a habitable building unless it is satisfied that adequate water and sewerage services will be available to the land it is proposed to develop.
- (2) The Council must not grant consent to the carrying out of development on land or the subdivision of land to which this plan applies for any purpose unless it is satisfied that adequate provision has been made for the disposal of stormwater from the land it is proposed to develop.

25A Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to the land described in Part 1 of Schedule 4.
- (3) Land described in Part 2 of Schedule 4:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those (if any) specified opposite the land in Column 3 of Part 3 of Schedule 4.

- (5) In this clause, **the relevant amending plan**, in relation to land described in Part 3 of Schedule 4, means the local environmental plan cited at the end of the description of the land.
- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 4, the Governor approved of subclause (4) applying to the land.

25B Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in *Woollahra Development Control Plan—Exempt and Complying Development*, as approved by the Council on 10 April 2000 is **exempt development**, despite any other provision of this plan except for clause 25D (Acid Sulfate Soils).
- (2) Development listed as complying development in *Woollahra Development Control Plan—Exempt and Complying Development*, as approved by the Council on 10 April 2000 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act, and
 - (c) it is not development that requires consent under clause 25D.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Woollahra Development Control Plan—Exempt and Complying Development*, as approved by the Council on 10 April 2000.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Woollahra Development Control Plan—Exempt and Complying Development*, approved by the Council on 10 April 2000, as in force when the certificate is issued.

25C Development for the purpose of dual occupancy

- (1) This clause applies to land within Zone No 2 (a) (the Residential “A” Zone) and Zone No 2 (b) (the Residential “B” Zone) except that land which is within a heritage conservation area.
- (2) Despite clause 8, development for the purpose of a dual occupancy may be carried out on any land to which this clause applies but only with the consent of the Council.
- (3) The objectives of this clause in relation to dual occupancies are:
 - (a) to broaden the range of housing types available in Woollahra, and
 - (b) to fulfil the objectives of the Council’s Housing Study and Strategy, and

(c) to minimise any impact on the amenity of the neighbourhood.

- (4) A site must not be developed for the purposes of a detached dual occupancy unless the site area is 930 square metres or more and the width of the allotment at the front alignment is 21 metres or more.
- (5) In the case of a detached dual occupancy, the ancillary dwelling shall be limited to a single storey development not exceeding 4.5 metres in height and a maximum gross floor area not greater than 20% of the gross floor area of the principal residence.

25D Development on land identified on Acid Sulfate Soils Planning Map

(1) **Definitions** In this clause:

acid sulfate soils means actual acid sulfate soils or potential acid sulfate soils.

Acid Sulfate Soils Management Plan means a plan, prepared in accordance with the *Acid Sulfate Soils Manual*, which identifies the extent and nature of acid sulfate soils on a particular site, assesses the likely impacts of any proposed activity upon those acid sulfate soils (including the consequence of no action), and details the prescriptive measures to be taken to minimise environmental impacts resulting from interaction between the acid sulfate soils and the proposed activity or inaction.

Acid Sulfate Soils Manual means the *Acid Sulfate Soils Manual* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee.

Acid Sulfate Soils Plan of Management means a plan prepared by the Council, a private drainage board, or public authority in accordance with the *Acid Sulfate Soils Manual*.

Acid Sulfate Soils Planning Map means the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 39)—Acid Sulfate Soils Planning Map*” deposited in the office of Woollahra Municipal Council.

actual acid sulfate soils are soils containing highly acidic soil horizons or layers resulting from the oxidation of soil materials that are rich in sulfides, primarily pyrite. This oxidation produces acidity in excess of the sediment’s capacity to neutralise the acidity resulting in soils of pH 4 or less.

emergency works means the repair or replacement of any part of a utility installation or associated infrastructure:

- (a) to address or prevent malfunction or damage resulting from natural disaster, accident, vandalism or similar events, and
- (b) includes works reasonably necessary to prevent or limit any further damage or malfunction.

potential acid sulfate soils are soils which contain iron sulfides or sulphuric material which have not been exposed to air and oxidised. The field pH of these soils in their unoxidised state is $\text{pH} > 4$ and may be neutral or slightly alkaline.

routine maintenance works means works occurring on a regular basis which maintain public utility installations and associated infrastructure in good working order, but does not include works intended to increase the design capacity of an installation, extension of reticulation systems or works which involve the deepening of any drain. Such works include periodic inspection, replacement of existing pipes or cable, cleaning, or clearing of drains to a depth or profile specified in an Acid Sulfate Soils Plan of Management.

works includes:

- (a) any disturbance of more than one tonne of soil at or below the depth specified in the Table to subclause (2) (including, but not limited to, the construction or maintenance of drains, dredging, the construction of artificial waterbodies (including canals, dams and detention basins) or building foundations, or flood mitigation works), or
- (b) any other works that are likely to lower the watertable.

(2) **Works that require consent** A person must not, without the consent of the Council, carry out works described in Column 2 of the following Table on land of the class specified in Column 1 of that Table for those works, except as otherwise provided by this clause.

| Column 1 | Column 2 |
|--|--|
| Class of land as shown on Acid Sulfate Soils Planning Map | Works |
| 1 | Any works |
| 2 | Works below existing ground level Works by which the watertable is likely to be lowered |
| 3 | Works beyond 1 metre below existing ground level Works by which the watertable is likely to be lowered beyond 1 metre below existing ground level |
| 4 | Works beyond 2 metres below existing ground level Works by which the watertable is likely to be lowered beyond 2 metres below existing ground level |
| 5 | Works within 500m of adjacent Class 1, 2, 3 or 4 land which are likely to lower the watertable below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land |

- (3) **Considerations for consent authority** The Council must not grant consent required by this clause unless it has considered:
- (a) the adequacy of an Acid Sulfate Soils Management Plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Manual*, and
 - (b) the likelihood of the proposed development resulting in the discharge of acid water, and
 - (c) any comments received from the Department of Infrastructure, Planning and Natural Resources within 21 days of the Council having sent that Department a copy of the development application and the related Acid Sulfate Soils Management Plan, and
 - (d) where consent is sought for drainage works or maintenance of open drains—any comments from the Department of Primary Industries received within 21 days of the Council having sent that Department a copy of the development application and the related Acid Sulfate Soils Management Plan.
- (4) **Exceptions following preliminary assessment** This clause does not require consent for the carrying out of works as described in subclause (2) if:
- (a) a copy of a preliminary assessment of the proposed works undertaken in accordance with the *Acid Sulfate Soils Manual* has been given to the Council, and
 - (b) the Council has provided written advice to the person proposing to carry out the works confirming that results of the preliminary assessment indicate the proposed works need not be carried out pursuant to an Acid Sulfate Soils Management Plan prepared in accordance with the *Acid Sulfate Soils Manual*.
- (5) **Routine maintenance and emergency works** Despite subclause (2), routine maintenance works may be carried out by the Council, a public authority or private drainage board without consent where an Acid Sulfate Soils Plan of Management relating to such works has been:
- (a) prepared in accordance with the *Acid Sulfate Soils Manual*, and
 - (b) approved by the Council after considering any comments received from the Department of Infrastructure, Planning and Natural Resources and the Department of Primary Industries within 21 days of the Council having sent those Departments a copy of the draft Acid Sulfate Soils Plan of Management.
- (6) An Acid Sulfate Soils Plan of Management, as referred to in subclause (5), must be reviewed at least every 5 years and only has effect for 5 years from the date on which it is made.
- (7) Despite subclause (2), the Council or a public authority may carry out emergency works without consent if the Council or public authority properly deals with those soils

in accordance with the *Acid Sulfate Soils Manual* so as to minimise the actual or potential impacts to the environment arising from the disturbance of the soils.

Part 4 Heritage provisions

26 Heritage items

- (1) A person shall not, in respect of a building, work, relic, place or tree that is a heritage item or that is an item that is part of a heritage item group:
 - (a) demolish or alter the building or work, or
 - (b) damage or move the relic, or excavate for the purpose of exposing the relic, or
 - (c) damage or despoil the place, or
 - (d) damage or move the tree, or
 - (e) erect a building on the land that comprises the place, or
 - (f) subdivide the land on which the building, work, relic or tree is situated or that comprises the place, or
 - (g) damage any tree on land on which the building, work or relic is situated or on the land which comprises the place,except with the consent of the Council.
- (2) The Council shall not grant consent to a development application required by subclause (1) unless it has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the item and of any heritage item group of which the item is part and any stylistic or horticultural features of its setting.
- (3) The Council shall not grant a consent required by subclause (1) unless it has considered a statement of heritage impact or a conservation plan or both as may be required by the Council.
- (4) Notwithstanding subclause (1), a tree that is a heritage item may be removed in part or in whole, without development consent, in circumstances where the tree has been damaged by natural events and causes such as storms, pests and pathogens and, as a result, the tree poses an immediate threat to the safety of people or property.

27 Development in the vicinity of heritage items, heritage item groups, heritage conservation areas, archaeological sites or potential archaeological sites

The Council must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage item group, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when

determining an application for consent to carry out development on land in its vicinity.

28 Heritage conservation areas

- (1) A person shall not, in respect of a heritage conservation area:
 - (a) demolish or alter a building or work within the area,
 - (b) damage or move a relic, or excavate for the purpose of exposing or removing a relic, within the area,
 - (c) damage or despoil a place within the area, or
 - (d) erect a building on or subdivide land within the area,except with the consent of the Council.
- (2) The Council shall not grant consent to an application required by subclause (1) unless it has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage conservation area.
- (3) The Council shall not grant consent required by subclause (1) unless it has considered a statement of heritage impact or a conservation plan or both as may be required by the Council.

29 Building amalgamation within heritage conservation areas

- (1) This clause applies to all buildings within a heritage conservation area which were originally constructed with a non-residential design, which have a history of non-residential use and which are considered by the Council to be of heritage significance.
- (2) In order to retain traditional building characteristics, the Council may decide not to grant consent to development involving the expansion of floor space at the ground floor level of a building to which this clause applies where that expansion involves amalgamation with adjoining buildings.

30 Additional uses within heritage conservation areas

- (1) This clause applies to all buildings and the allotments on which they are situated or any parts thereof located within a heritage conservation area, other than those situated within Zone No 3 (a), 3 (b), 3 (b1) or 3 (c):
 - (a) where the whole or part of the building has a history of a lawfully commenced non-residential use, whether or not that use was discontinued, abandoned or interrupted, and
 - (b) where the whole or part of the building was originally lawfully constructed with a non-residential design or was lawfully altered or adapted to a non-residential design.

- (2) Notwithstanding clause 8, the Council may consent to the use of a building or part thereof, referred to in subclause (1), for the purpose of commercial premises (not being a brothel), community facilities, artisans' studios, educational establishments, public buildings and shops.
- (3) In addition to the use of a building or part thereof, the Council may also consent to the use of the allotment on which the building is situated for any purpose specified in subclause (2).
- (4) The Council may grant a consent pursuant to this clause that will result in:
 - (a) an increase in the gross floor area of a building referred to in subclause (1), and
 - (b) the use of that increased area for a purpose specified in subclause (2),or, where part of a building is used for a purpose specified in subclause (2), that will result in an increase in the use of the gross floor area of such a building for the purpose specified.
- (5) The Council must not grant consent as referred to in subclause (2) or (4) unless it is satisfied that carrying out development in accordance with the consent will not adversely affect the heritage significance of the building, its site, or the heritage conservation area and will not detrimentally affect the enjoyment by an occupier of any lands adjoining or adjacent to, or in the neighbourhood of, the lands upon which such development is proposed.
- (6) The Council must not grant consent as referred to in subclause (2) or (4) unless it is satisfied that the external architecture of the building or part thereof:
 - (a) is compatible with the external architecture of other buildings in the vicinity, or
 - (b) is, by virtue of the proposal, to be made compatible with the external architecture of other buildings in the vicinity, or
 - (c) has architectural or historic value of its own which will be conserved.

31 Development of known or potential archaeological sites

- (1) The Council may grant consent to the carrying out of development on an archaeological site that has Aboriginal heritage significance (such as a site that is the location of an Aboriginal place or a relic, within the meaning of the *National Parks and Wildlife Act 1974*) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only if:
 - (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of National Parks and Wildlife, 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 an archaeological site that has non-Aboriginal heritage or a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only if:
- (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council,
 - (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.

32 Heritage conservation incentives

- (1) Nothing in this plan prevents the Council from granting consent to an application for consent to the use, for any purpose, of a building that is a heritage item or the land on which the building is erected if it is satisfied that:
- (a) the proposed use would have little or no adverse effect on the heritage significance of the heritage item or of any heritage item group of which the item is part and on the amenity of the neighbouring area, and
 - (b) the conservation of the building will be achieved by the Council granting that consent.
- (2) When considering an application for consent to erect a building on land on which there is situated a building which is a heritage item, the Council may:
- (a) for the purpose of determining the floor space ratio, and
 - (b) for the purpose of determining the number of parking spaces to be provided on the site,

exclude from its calculation of the gross floor area of the buildings erected on the land the gross floor area of the heritage item, but only if the Council is satisfied that the conservation of the heritage item and of any heritage item group of which the item is part will be achieved by the Council granting the exclusion.

33 Heritage notifications

- (1) Where a person makes an application for consent to demolish a building or work that is a heritage item, the Council shall not grant consent to that application unless:
 - (a) the Council has notified the Heritage Council of its intention to grant consent, and
 - (b) the Council has taken into consideration any objection made by the Heritage Council not later than 28 days after the Council has notified the Heritage Council of the Council's intention to grant consent.
- (2) Subclause (1) does not apply to the partial demolition of a heritage item if, in the opinion of the Council, the partial demolition will be of a minor nature and will not adversely affect the heritage significance of the heritage item or of any heritage item group of which the item is part, in relation to the environmental heritage of the Woollahra area.

34 Development at Macquarie Lightstation, Vaucluse

- (1) This clause applies to Lots 1, 4, 5 and 6, DP 801240, and Lots 1 and 2 DP 811578, being land known as the Macquarie Lightstation site, Old South Head Road, Vaucluse.
- (2) The Council shall not grant consent to an application to carry out development on land referred to in subclause (1) unless it has taken into consideration a plan of management for the land.

35 Development at No 188 Oxford Street, Paddington

- (1) This clause applies to Lot 1, DP 819165, being land known as No 188 Oxford Street, Paddington.
- (2) The aggregate floor space ratio of all buildings erected on all of the land to which this clause applies that is within Zone No 2 (a), 2 (b) or 3 (c) shall not exceed the floor space ratio shown opposite that zone in the following table:

| Zone | Floor space ratio |
|----------------------------|--------------------------|
| Residential "A" | 1.04:1 |
| Residential "B" | 1.42:1 |
| Neighbourhood Business "C" | 1.68:1 |

- (3) In considering any development application, the Council shall take into account the recommendations of any conservation plan for this site which has been endorsed by the Heritage Council.
- (4) For the purpose of this clause, **aggregate floor space ratio**, in relation to a zone, means the ratio of the total gross floor area of all buildings erected on land within a zone to the total area of land comprised in that zone.

36 Development at No 103 Darling Point Road, Darling Point

- (1) This clause applies to Lots B, C and E, DP 30568, being the land known as No 103 Darling Point Road, Darling Point.
- (2) The Council must not grant consent to a development application (other than a comprehensive development application) relating to land to which this clause applies unless there is in force a development consent for a comprehensive development application and the Council has taken that development consent into consideration.
- (3) A comprehensive development application required by this clause is a development application that makes development proposals relating to the whole of the land to which this clause applies.
- (4) The Council must not grant consent to a comprehensive development application required by this clause unless the Council is satisfied that adequate arrangements are in place for:
 - (i) the funding and implementation of conservation works, and
 - (ii) provisions for ongoing maintenance,to ensure the ongoing conservation of Babworth House and its State Heritage Register curtilage which includes the garden.
- (5) If the Council gives notice of a development application relating to land which this clause applies to a panel of expert independent professionals selected by the Council for the purpose of obtaining advice on heritage conservation, building design or other matters that the Council considers appropriate, the Council must not grant consent to the development application unless it has taken into consideration any comments received, within 28 days after the giving of the notice, from members of the panel.
- (6) In any case, the Council must not grant consent to a development application relating to land to which this clause applies unless, in considering the application, the Council has taken into account the recommendations of any conservation plan for the land to which this clause applies that has been approved by the Council.
- (7) However, the Council is not obliged to comply with subclauses (2) and (6) if it is satisfied that the proposed development is of a minor nature and will not adversely affect the heritage significance of the land to which this clause applies.
- (8) A building is not to be erected on the land to which this clause applies to a height greater than 9.5 metres.
- (9) Not more than 10 dwellings are to be erected on the land to which this clause applies (exclusive of any dwellings that may be provided within the building known as Babworth House).

(10) In particular, the Council must not grant consent to the subdivision of the building known as Babworth House unless it has taken into consideration:

- (a) a conservation plan for that building that includes a detailed record of its fabric and internal spaces and the significance of that fabric and those spaces, and
- (b) a statement of the heritage impact of the works associated within the proposed subdivision,

and the Council is satisfied that the works associated with the proposed subdivision will not have a detrimental impact on the heritage significance of the building.

(11) The Council must not grant consent to a development application relating to land to which this clause applies unless it has taken into consideration the *Babworth House Development Control Plan* approved by the Council on 15 June 1999.

36A Inter-war flat buildings

A person must not alter an inter-war flat building except with the consent of the Council.

37 Savings and transitional provisions

- (1) A development application lodged with the Council, but not finally determined, before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 32)* is to be determined as if that plan had been exhibited but had not been made.
- (1A) A development application lodged with the Council, but not finally determined, before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 46)* is to be determined as if that plan had been exhibited but had not been made.
- (1B) A development application lodged with the Council, but not finally determined, before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 48)* is to be determined as if that plan had been exhibited but had not been made.
- (2) An application to modify a consent under section 96 of the Act that was lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 32)* is to be determined as if that plan had been exhibited but had not been made.
- (2A) An application to modify a consent under section 96 of the Act that was lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 46)* is to be determined as if that plan had been exhibited but had not been made.
- (2C) An application to modify a consent under section 96 of the Act that was lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 48)* is to be determined as if that plan had been exhibited but had not been made.

- (3) In relation to certain land at Bellevue Hill, as shown edged heavy black on Sheets 1 and 2 of the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 43)—Density Map*” and on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 43)—Height Map*”:
 - (a) any development application lodged with the Council, but not finally determined, before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 43)* (**the amending plan**) is to be determined as if the amending plan had been exhibited but had not been made, and
 - (b) any application to modify a consent under section 96 of the Act lodged with the Council, but not finally determined, before the commencement of the amending plan is to be determined as if the amending plan had been exhibited but had not been made.
- (4) An application to review a determination under section 82A of the Act that is lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 32)* is to be determined as if that plan had been exhibited but had not been made.
- (5) An application to review a determination under section 82A of the Act that is lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 46)* is to be determined as if that plan had been exhibited but had not been made.
- (6) An application to review a determination under section 82A of the Act that was lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 48)* is to be determined as if that plan had been exhibited but had not been made.

37A Further savings and transitional provisions

- (1) A development application lodged with the Council, but not finally determined, before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 47)* is to be determined as if that plan had been exhibited but had not been made.
- (2) An application to modify a consent under section 96 of the *Environmental Planning and Assessment Act 1979* that is lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 47)* is to be determined as if that plan had been exhibited but had not been made.
- (3) An application to review a determination of an application under section 82A of the *Environmental Planning and Assessment Act 1979* that is lodged but not finally determined before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 47)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 5)

advertising structure means a structure used or to be used principally for the display of an advertisement.

advertisement means a display by the use of colour, pattern, symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

alter in relation to a heritage item or to a building or work within a heritage conservation area or to an inter-war flat building, means:

- (a) make structural changes to the outside of the heritage item, building or work or inter-war flat building, or
- (b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, building or work, or inter-war flat building, but not changes that involve the maintenance of the existing detail, fabric, finish and appearance of the outside of the heritage item, building or work or inter-war flat building.

area of an advertisement in the form of a sign means:

- (a) for a sign with only one side occupied by the matter displayed, the area within the outline of that sign,
- (b) for a sign with two sides occupied by the matter displayed, the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side, or
- (c) for any other sign, one third of the total surface area of the sign.

arterial road means any existing road indicated on the map by a continuous red band on white between firm black lines.

artisan means a person who possesses special knowledge or skill in some manual art or handicraft including, but without limiting the generality of the foregoing, an artist, sculptor or photographer.

artisan's studio means a building or place used by an artisan for the purpose of carrying on a craft, where:

- (a) not more than 3 persons (including artisans) are engaged or employed on the premises, and
- (b) the carrying on of the craft does not interfere with the amenity of the neighbourhood by reason of noise, vibration or any other form of pollution.

backpackers' accommodation means a building which provides temporary accommodation (including a communal kitchen and laundry facilities) for travellers and tourists and which is not used as their principal place of residence, but does not include a building used as a boarding house.

bed and breakfast accommodation means a dwelling-house which:

- (a) provides short term accommodation for travellers and tourists,

- (b) is occupied by a permanent resident or residents,
- (c) provides accommodation for not more than four travellers and tourists, and
- (d) contains only one advertising sign which indicates the name and details of the accommodation, but does not:
- (e) contain separate food preparation and cooking facilities for the travellers and tourists,
- (f) cause an interference with the amenity of the neighbourhood by reason of the emission of noise, smell, fumes, smoke, vapour, steam, waste water, waste products or the like, and
- (g) include a building used as a backpackers' accommodation, boarding house, serviced apartments or the like building.

boarding house means a building let in lodgings or a hostel, but does not include a motel or backpackers' accommodation.

boatshed means a building or other structure used for the storage and routine maintenance of a boat or boats and which is associated with a private residence, and includes any skid used in connection with the building or other structure.

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 commercial premises on the same parcel of land or on adjoining land in the same ownership.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

bus station means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus.

cafe means a building or place (or both) where food and beverages are prepared for patrons and where retailing of confectionery, ice cream, beverages, cakes, sandwiches and the like may also occur and which is not licensed to serve alcoholic beverages with meals.

car parking station means a structure or part of a structure erected on or under land and used for the purpose of public car parking.

car repair station means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery not being:

- (a) body building,
- (b) panel beating which involves dismantling, or
- (c) spray painting other than of a touching-up character.

child care centre means a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the [Education Reform Act 1990](#), and
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner of operator).

civic space means land that is used for public purposes such as a plaza, a square, footpaths, shared traffic and pedestrian zones, an arcade and a winter garden.

classification map means the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 8)—Classification Map*” as amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

Editorial note—

The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

club means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes whether of the same or of a different kind and whether or not the whole or a part of such building is the premises of a club registered under the [Registered Clubs Act 1976](#).

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a purpose elsewhere specifically defined in this Schedule.

community facility means a building or place owned or controlled by the Council, a public authority, a religious organisation or a body of persons associated for the physical, social, cultural, economic, intellectual or religious welfare of the community, which may include:

- (a) a public library, rest rooms, meeting rooms, recreation facilities, a child care centre, cultural activities, social functions or any similar building, place or activity, or
- (b) a community club, being a building or place used by persons sharing like interests, but not a registered club,

whether or not that building or place is also used for another purpose.

community land means land classified as community land within the meaning of the [Local Government Act 1993](#).

conservation plan means a document establishing the significance of a heritage item and the policies that are appropriate to enable that significance to be retained in its future use and development.

Council means the Woollahra Municipal Council.

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

density map means the map marked “*Woollahra Local Environmental Plan 1995—Density Map*”, as

amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

Editorial note—

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Woollahra Local Environmental Plan 1995 (Amendment No 2)

Woollahra Local Environmental Plan 1995 (Amendment No 5)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 7) (Sheet 2)

Woollahra Local Environmental Plan 1995 (Amendment No 9)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 18)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 30)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 37)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 38)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 43)—Density Map (Sheets 1 and 2)

Woollahra Local Environmental Plan 1995 (Amendment No 44)—Density Map

Woollahra Local Environmental Plan 1995 (Amendment No 46)—Density Map (Sheets 1 to 5)

dual occupancy means 2 dwellings on a single allotment of land in the form of either:

- (a) one building containing 2 dwellings (known as an **attached dual occupancy**), or
- (b) two separate buildings comprising of an ancillary dwelling and a principle dwelling, (collectively known as a **detached dual occupancy**).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling-house means a building containing one but not more than one dwelling on one allotment of land.

educational establishment means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

existing ground level means the surveyed level of the ground surface immediately prior to the proposed development and prior to any associated excavation, development or site works.

floor space ratio, in relation to a building, means the ratio of the gross floor area of the building to the site area of the land on which the building is or is proposed to be erected.

foreshore scenic protection area means land shown on the land use map by black hatching and edged with a broken black line.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

gross floor area, in relation to a building, means the sum of the areas of each level of the building, including:

- (a) the thickness of the external walls, and
- (b) the area of voids, staircases and lift shafts, counted at each level, and
- (c) that part of the area of balconies and verandahs which is in excess of 20m² per dwelling in the case of a building used or intended for use for residential purposes, or in excess of 10% of the site area in the case of a building used or intended for use for non-residential purposes, and
- (d) any other areas of the building where the height of those areas exceeds 1.5 metres above ground level,

and excluding:

- (e) car parking to meet the requirements of the Council and any vehicular access to the car park, and
- (f) any area used or intended for use as a car parking station, and
- (g) uncovered roof terraces, and
- (h) any area used or intended for use as an arcade.

harbour foreshore scenic protection area means land shown on the land use map by black cross-hatching and edged with a broken black line.

health care professional means a person who renders professional health services to members of the public and includes:

- acupuncturists,
- chiropodists,
- chiropractors,
- dentists,
- homeopaths,
- medical practitioners (general practitioner or specialist),
- naturopaths,
- orthodontists,
- osteopaths,
- physiotherapists, or

any other like professionals.

height, in relation to a building, means the greatest distance measured vertically from any point on the building to the existing ground level immediately below that point.

height map means the map marked “*Woollahra Local Environmental Plan 1995—Height Map*”, as amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

Editorial note—

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Woollahra Local Environmental Plan 1995 (Amendment No 2)

Woollahra Local Environmental Plan 1995 (Amendment No 3)

Woollahra Local Environmental Plan 1995 (Amendment No 5)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 6)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 9)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 32)—Height Map (Sheets 1 to 5)

Woollahra Local Environmental Plan 1995 (Amendment No 37)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 38)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 43)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 44)—Height Map

Woollahra Local Environmental Plan 1995 (Amendment No 46)—Height Map (Sheets 1 to 4)

height zone means land identified on the height map in some distinctive manner for the purpose of indicating land to which a restriction imposed by this plan on height applies.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means land shown edged blue and marked “Heritage Conservation Area” on the heritage conservation map.

heritage conservation map means the map marked “*Woollahra Local Environmental Plan 1995—Heritage Conservation Map*”, as amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

Editorial note—

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Woollahra Local Environmental Plan 1995 (Amendment No 1)

Woollahra Local Environmental Plan 1995 (Amendment No 2)

Woollahra Local Environmental Plan 1995 (Amendment No 3)

Woollahra Local Environmental Plan 1995 (Amendment No 5)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 6)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 9)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 12)

Woollahra Local Environmental Plan 1995 (Amendment No 29)

Woollahra Local Environmental Plan 1995 (Amendment No 31)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 35)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 36)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 38)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 41)—Heritage Conservation Map

*Woollahra Local Environmental Plan 1995 (Amendment No 46)—Heritage Conservation Map
(Sheets 1 to 7)*

Woollahra Local Environmental Plan 1995 (Amendment No 47)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 48)—Heritage Conservation Map

Woollahra Local Environmental Plan 1995 (Amendment No 51)—Heritage Conservation Map

heritage item means a building, work, relic, tree or place:

- (a) located on land described in Part A of Schedule 3, being land shown coloured orange on the heritage conservation map, and
- (b) described in Part B of Schedule 3.

heritage item group means two or more heritage items that may or may not be located on one site, that have heritage significance individually and collectively and that are described as a heritage item group in Part B of Schedule 3.

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

home industry means an industry carried on in a building (other than a dwelling-house or a dwelling in a residential flat building) under the following circumstances:

- (a) the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of the dwelling-house or residential flat building occupied by the person carrying on the

industry or on adjoining land owned by that person, and

- (b) the industry does not:
- (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise,
 - (ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter, or
 - (iii) require the provision of any essential service main of a greater capacity than that available in the locality.

home occupation means an occupation carried on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling-house or dwelling which does not involve:

- (a) the registration of the building under the *Factories, Shops and Industries Act 1962*,
- (b) the employment of persons other than those residents,
- (c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise,
- (d) the display of goods, whether in a window or otherwise,
- (e) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident), or
- (f) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), 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.

hotel means the premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

housing for aged persons means residential accommodation, which may take any building form, used permanently as housing for the accommodation of persons aged 55 years or over and which may consist of hostels or a grouping of 2 or more self-contained dwellings, or a combination of both, and

which may include one or more of the following facilities provided for use in connection with that accommodation:

- (a) accommodation for staff employed or intended to be employed in connection with that accommodation,
- (b) medical consulting rooms,
- (c) meeting rooms,
- (d) recreation facilities,
- (e) chapels,
- (f) any other facilities for the use or benefit of aged persons.

industry means any handicraft or process in or incidental to the making, assembling, altering, repairing, renovating, preparing, ornamenting, finishing, cleaning, washing, breaking up or adapting of any goods or any articles or any part of an article for trade, sale or gain, or as ancillary to any business.

institution means a penal or reform establishment.

inter-war flat building means a building of 2 or more storeys and containing 2 or more dwellings, constructed in the period between 1918 and 1950.

junk yard means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of parts thereof.

land use map means the map marked “*Woollahra Local Environmental Plan 1995—Land Use Map*”, as amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

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Woollahra Local Environmental Plan 1995 (Amendment No 2)

Woollahra Local Environmental Plan 1995 (Amendment No 3)

Woollahra Local Environmental Plan 1995 (Amendment No 4)

Woollahra Local Environmental Plan 1995 (Amendment No 5)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 6)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 7) (Sheet 1)

Woollahra Local Environmental Plan 1995 (Amendment No 9)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 15)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 18)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 30)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 37)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 38)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 44)—Land Use Map

Woollahra Local Environmental Plan 1995 (Amendment No 46)—Land Use Map

light industry means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main road means a main road within the meaning of the [Roads Act 1993](#).

maintenance in relation to a heritage item, or a building within a heritage conservation area or an inter-war flat building, means the continuous protective care of the fabric of the item and its setting or of the building within the heritage conservation area, or of the inter-war flat building, but in relation to an inter-war flat building, does not include the painting, rendering or similar treatment of external brickwork and other masonry surfaces that are not painted, rendered or similarly treated.

medical centre means a building used for the care of (including diagnosis, preventative care or counselling) or for the medical or surgical treatment of out-patients only.

medical consulting rooms means a room or a number of rooms forming the whole or part of or attached to a dwelling-house, used for rendering professional medical or health care services (including dental and optical services) to members of the public by not more than three health care professionals at any one time, and where no more than three employees are employed, but does not include a building or part thereof used for the purpose of providing medical or surgical treatment or other professional health care services to people as in-patients.

mixed development means one or more dwellings (or a boarding house) within the same building as, or on the same allotment of land as, shops, commercial premises or any other non-residential use which is not prohibited in the zone.

motel means a building or buildings (other than a hotel, boarding house or residential flat building) substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed therein or thereon.

nursing home means a building, or buildings, with associated facilities providing accommodation and

care for elderly people in need of nursing aid due to their age or for medical reasons, and which may also provide a temporary respite service for care-givers.

offensive or hazardous industry means an industry which, by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

office means a building or place used for the purpose of administration, clerical, technical, professional or like activities which do not involve dealing with members of the public on a direct and regular basis or otherwise than by appointment, except where this is a minor activity ancillary to the main purpose for which the building or place is used (but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used or intended for use for a purpose elsewhere specifically defined in this Schedule).

operational land means land classified as operational land within the meaning of the [Local Government Act 1993](#).

parish centre means a building or place which is used by a religious organisation to provide community services, and which may include one or more of the following facilities provided for use in connection with those services:

- (a) residential accommodation for staff employed or intended to be employed in connection with the provision of those services,
- (b) medical consulting rooms,
- (c) meeting rooms,
- (d) community rooms,
- (e) recreation facilities,
- (f) therapy rooms.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a church, chapel or other place of public worship or religious instruction or place used for the purpose of religious training.

potential archaeological site means a site known to the Council to have archaeological potential even if it is not identified in this plan or shown on the heritage conservation map.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes.

public open space means land used for public recreation purposes and includes public parks, recreation reserves, civic spaces, formal gardens, beaches, public playgrounds and bushland.

public utility undertaking means any of the following undertakings carried on or permitted or

suffered to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a council, county council, Government Department, corporation, firm or authority carrying on the undertaking.

recreation area means:

- (a) children's playground, or
- (b) parks and gardens, or
- (c) an area used for sporting activities or sporting facilities, or
- (d) an area used to provide recreation facilities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
 - (i) the Council, or
 - (ii) a body of persons associated for the purpose of the physical, cultural or intellectual welfare of persons within the community,

but does not include marinas, racecourses and showgrounds.

recreation establishment means health farms, religious retreat houses, rest homes, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used or intended for use for a purpose elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, such as a table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley or any other building or place of a like character used for recreation whether or not operated for profit or gain, but does not include a place of assembly or an amusement centre.

relic means any deposit, object or material evidence relating to:

- (a) the use or settlement of the area of Woollahra, not being Aboriginal habitation, which is more than 50 years old, or
- (b) Aboriginal habitation of the area of Woollahra commencing before or continuing after its occupation by persons of European extraction, including human remains.

residential flat building means a building containing two or more dwellings, but does not include a building specifically defined elsewhere in this Schedule.

retail plant nursery means a building or place used for both the growing and retail selling of plants, whether or not ancillary products are sold there.

restaurant means a building or place (or both) with seating facilities where the sole purpose is the preparation and serving of food and beverages for consumption by patrons within the building or place or both and which may have a liquor licence.

road transport terminal means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

RTA means the Roads and Traffic Authority constituted under the *Transport Administration Act 1988*.

sea wall means a structure placed partially or wholly along the land/water interface to protect the land from the sea or to stop accelerated erosion of the shoreline, but does not include a breakwater.

serviced apartments means a building containing two or more dwellings intended to be used for short term accommodation of travellers and tourists and where such dwellings are cleaned or otherwise serviced or maintained by the owner or manager of the apartments or the owner's or manager's agent, but does not include a building used as backpackers' accommodation or a building specifically defined elsewhere in this Schedule.

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 sale by retail of spare parts and accessories for motor vehicles,
- (b) washing and greasing of motor vehicles,
- (c) installation of accessories,
- (d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating, spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule, or a building or place used for a purpose elsewhere specifically defined in this Schedule.

site area means the area of land to which an application for consent under the Act relates, including any land on which the development to which the application relates is permitted by or under this plan, other than any long narrow corridor or accessway in the case of hatchet shaped or irregular allotments or land which was below the line of maximum tidal reach as at 15 December 1972 or at a date determined by the Council.

skid means an inclined ramp used for the manual launching of small craft but does not include a slipway.

slipway means a structure, usually in the form of two supported parallel rails on which a wheeled cradle is run, used to draw a vessel out of the water for maintenance and repair.

storey means any separate level within a building (not including levels below existing ground level

provided for car parking or storage, or both, that protrude less than 1.2m above existing ground level, or an attic level), where the number of storeys that a building contains is the maximum number of storeys of a building which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

the Act means the *Environmental Planning and Assessment Act 1979*.

the Corporation means the Corporation constituted by section 8 (1) of the Act.

tourist facilities means an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities or a club used in conjunction with any such activities.

transport terminal means a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

welfare and charitable services means a place used as offices or for administration or other like purposes by a charitable or benevolent body or institution.

Schedule 2 Development for certain additional purposes

(Clause 17)

That part of Saber Lane, Bondi Junction, bounded by Newland Street, Edgecliff Road, Saber Street and No 39 Vernon Street, Bondi Junction—a convenience store, including facilities for the sale of petroleum.

Land being Lots 102–106 DP 1783, and known as No 25 Hampden Street, Paddington—warehouse.

Land known as Nos 76–80 Oxford Street, Woollahra—educational establishment (performing arts and drama school).

Land known as Nos 2, 4, 6 and 10 Albert Street, Woollahra—housing for aged persons and a parish centre.

Land being Part Lot 1 and 2, DP 211825 and Part Lot 1, DP 211826, in the vicinity of William Street, Double Bay—car parking and a public car parking station, both below ground level.

Land known as No 335 New South Head Road, Double Bay—consular (office) premises.

Land known as Nos 111–113 Queen Street, Woollahra—shops, each not exceeding 90 square metres of floor area, at ground floor level.

Land known as Nos 15–17 Adelaide Street, Woollahra—college or academy and uses ancillary to a college or academy.

Land being Lots 1 and 2, DP 622595 and known as No 331 Old South Head Road, Watsons Bay—nursing home.

Land being Lot 11 DP 740255, and known as 390–416 Glenmore Road, Paddington—serviced apartments.

Land being Lots 4 to 8, DP 11765, known as 13–21 Macdonald Street, Paddington—mixed development of 10 residential lots, 2 commercial lots and 14 car spaces.

Land being Lot 101, DP 884301, and known as 23–25 Rowe Street, Woollahra—community facility and the distribution of food for charitable purposes by a non-profit organisation.

Land being Reserve No 100076, DP 752011, Portions 1141, 1142 and 1628, being land known as Sir David Martin Reserve, New Beach Road, Darling Point and part of the plantation reserve adjoining Portions 1141 and 1142 of Sir David Martin Reserve, as shown edged heavy black and by distinctive colouring and marking on the sheets marked “*Woollahra Local Environmental Plan 1995 (Amendment No 38)*”:

- (a) the necessary management and operational support facilities for the Olympic legacy marina required to operate a ten-berth marina and hardstand facility, subject to the conditions that:
 - (i) the marina and hardstand are to be used only for community purposes, and
 - (ii) the facilities must be used to advance community access to the sport of sailing, in particular for people with a disability, and
- (b) in relation to that part of the land that is shown hatched on the plan attached to Lease Registered Book 4306 No 835 as shown on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 38)—RANSA*”—use for the same purposes as it was being used immediately before the commencement of *Woollahra Local Environmental Plan 1995 (Amendment No 38)*, and
- (c) a cafe, and
- (d) a kiosk.

Land being Lot 1, DP 229634, and known as No 257 Glenmore Road, Paddington—cafe on the ground floor of the premises used in conjunction with, but subordinate to, a bakery use.

Land being Lot 1, DP 533101, and known as No 3 South Avenue, Double Bay—commercial premises within a dwelling-house.

Schedule 3 Heritage items

1 General

Part A

Street and suburb (or general location)

Adelaide Pde, Woollahra

Adelaide Pde, Woollahra

Part B

Street No

85

87

Description of the heritage item

Terrace house, front fencing

Terrace house, front fencing

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| Adelaide Pde, Woollahra | 89 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 91 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 93 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 95 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 97 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 99 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 101 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 103 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 105 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 107 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 109 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | 111 | Terrace house, front fencing |
| Adelaide Pde, Woollahra | | Sandstone retaining wall and railing facing Cooper Park |
| Adelaide St , Bondi Junction | | Holy Cross Catholic Church—church |
| Albert St , Edgecliff | 8 | <i>Fenton</i> —house, gardens, gateposts, gates |
| Albert St, Edgecliff | 24 | <i>Carmel</i> —house, gardens, gateposts, sandstone retaining walls |
| Alma St , Paddington | 7 | Canary Island Date Palms |
| Annandale St , Darling Point | 1 | <i>Cloncorrick</i> —house, street fencing |
| Balfour Rd , Bellevue Hill, at intersection with Latimer Rd | | Bus stop shelter |
| Balfour Rd, Bellevue Hill, at intersection with Plumer Rd | | Bus stop shelter |
| Bay St , Double Bay | 71 | Front fencing, palm trees |
| Bay St, Double Bay | 73 | Gateposts to Bay St to former house <i>Tueila</i> |
| Bay St, Double Bay | 75 | Kaffirboom tree |
| Beach St , Double Bay | 3 | Banksia—house, fig trees |
| Bellevue Rd , Bellevue Hill | 177 | 3 Kauri Pines |
| Bellevue Rd, Bellevue Hill, near intersection with Kambala Rd | | Bus stop shelter |
| Bellevue Rd, Bellevue Hill, opposite intersection with Rivers St | | Bus stop shelter |

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| Bellevue Park Rd, Bellevue Hill | | St. Stephen's Anglican Church—church |
| Bennett Av , Darling Point | 5 | <i>Callooa</i> —house, gardens |
| Bennett Av, Darling Point, within road reserve | | 8 Canary Island Date Palms, Cook Pine |
| Birriga Rd , Bellevue Hill, opposite intersection with Bennelong Cr | | Bus Stop Shelter |
| Birriga Rd, Bellevue Hill (Bellevue Hill Public School) | | 2 Norfolk Island Pines |
| Boambillee Av, Vaucluse | 7 | House |
| Boambillee Av, Vaucluse | 11 | Forest Red Gum |
| Boambillee Av, Vaucluse | 13 | Forest Red Gum |
| Boambillee Av, Vaucluse | 19 | 2 Forest Red Gums |
| Bulkara Rd , Bellevue Hill | 73 | <i>Beaulieu</i> —house, front garden and fence, gateposts, gates |
| Buckhurst Av , Point Piper | 3A | Seven Shillings Beach |
| Buckhurst Av, Point Piper | 4–5 | Seven Shillings Beach |
| Buckhurst Av, Point Piper | 6 | Seven Shillings Beach |
| Burrabirra Av , Vaucluse | 14 | Forest Red Gum |
| Burrabirra Av, Vaucluse | 20 | Sydney Pink Gum |
| Burrabirra Av, Vaucluse, within road reserve | | Sydney Pink Gum |
| Cambridge St , Paddington | | Building (former Schoolmaster's residence); see Glenmore Rd, Paddington, Glenmore Road Public School |
| Carthona Av , Darling Point | 1A | <i>Lindesay</i> —building, summer house, grounds, 6 London Plane trees, Hoop Pine |
| Carthona Av, Darling Point | 5 | <i>Carthona</i> —house, grounds, gates, gateposts, flanking wall, iron works, Moreton Bay Fig and Norfolk Island Pine |
| Carthona Av, Darling Point, cnr of Darling Pt. Rd | | Entrance gateposts to Carthona Av |
| Cascade St , Paddington | 88 | <i>Harborn</i> —terrace house, front fencing |
| Cascade St, Paddington | 90 | <i>Onslow</i> —terrace house, front fencing |
| Cascade St, Paddington | 92 | <i>Eastbourne</i> —terrace house, front fencing |
| Cascade St, Paddington | 94 | <i>Westcoker</i> —terrace house, front fencing |

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| Cascade St, Paddington | 96 | <i>Egerton</i> —terrace house, front fencing |
| Cascade St, Paddington | 98 | <i>Sandringham</i> —terrace house, front fencing |
| Cascade St, Paddington | 100 | <i>Greensborough</i> —terrace house, front fencing |
| Cascade St, Paddington | 102 | <i>Sutton</i> —terrace house, front fencing |
| Chapel Rd , Vaucluse | | Wentworth Mausoleum, surrounding stone and wrought iron fence, grounds, trees |
| Chapel Rd, Vaucluse, within road reserve | | Forest Red Gum |
| Cliff St , Watsons Bay within South Head Sydney Harbour National Park | | Constable's Cottage group, comprising <i>Constable's Cottage</i> , former Water Police Station, 32 Cliff Street; 68 pounder MI and rifle posts and surrounds; sandstone defensive wall and roadway |
| Cliff St, Watsons Bay | 11 | <i>Mandalay</i> —house, fencing to Marine Pde |
| Cliff St, Watsons Bay | 12 | Cottage |
| Cliff St, Watsons Bay | 14 | Cottage |
| Cliff St, Watsons Bay | 15 | <i>Doo-Mee</i> —Cottage |
| Cliff St, Watsons Bay | 16 | <i>Isabel</i> —Cottage |
| Cliff St, Watsons Bay | 17 | Cottage |
| Clovelly St , Watsons Bay | 11 | <i>Dunbar House</i> —building |
| Coastal Cliff , Vaucluse and Watsons Bay within Christison Park, Macquarie Lightstation, Lighthouse Reserve, Signal Station, Signal Hill Reserve and Gap Park | | Bicentennial Coastal Cliff Walk |
| Coolong Rd , Vaucluse | 25 | House, gardens, landscaped front fencing, gateposts, gates |
| Cooper St , Double Bay | 3 | Terrace house, front fencing |
| Cooper St, Double Bay | 5 | Terrace house |
| Cooper St, Double Bay | 7 | Terrace house, front fencing |
| Cooper St, Double Bay | 9 | Terrace house, front fencing |
| Cooper St, Double Bay | 11 | <i>Hatfield</i> —terrace house, front fencing |
| Cooper St, Paddington | 2 | Scottish Hospital—main hospital building, grounds, gardens, terracing, 3 Moreton Bay Figs, Port Jackson Fig, Norfolk Island Pine, Weeping Lilli Pilli, Holm Oak |
| Cove St , Watsons Bay | 11 | Cottage |

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| Cove St, Watsons Bay | 13 | House |
| Cove St, Watsons Bay | 15 | Cottage |
| Cove St, Watsons Bay | 17 | Cottage |
| Cove St, Watsons Bay | 19 | Cottage |
| Cranbrook Ln , Bellevue Hill | 11 | Norfolk Island Pine |
| Cranbrook Ln, Bellevue Hill | 13-15 | See No 25-27 Cranbrook Rd |
| Cranbrook Rd , Bellevue Hill | 3 | <i>Rothesay</i> —house, front garden |
| Cranbrook Rd, Bellevue Hill | 25-27 | <i>St. Claire</i> —house |
| Cranbrook Rd, Bellevue Hill | 26 | <i>Allala</i> —house, gateposts, gate |
| Cranbrook Rd, Bellevue Hill | 65 | House |
| Cranbrook Rd, Bellevue Hill | 71 | Building; see also Victoria Rd, Bellevue Hill, The Scots College |
| Darling Pt. Rd , Darling Pt. | 12 | <i>Wavenal</i> —building |
| Darling Pt. Rd, Darling Pt. | 32 | See No 1 Annandale St |
| Darling Pt. Rd, Darling Pt. | 37 | Norfolk Island Pine |
| Darling Pt. Rd, Darling Pt. | 42 | Building |
| Darling Pt. Rd, Darling Pt. | 44-46 | Building |
| Darling Pt. Rd, Darling Pt. | 48 | <i>Leamington</i> —building including interior |
| Darling Pt. Rd, Darling Pt. | 53 | Rectory of St. Marks Church, out-buildings, grounds, gardens, stone fence, gateposts, gate |
| Darling Pt. Rd, Darling Pt. | 54 | Gateposts to former house <i>Denholm</i> |
| Darling Pt. Rd, Darling Pt. | 56 | <i>Cleveland</i> —house, including interior, grounds, garden, street stone fencing, Hoop Pine, Bunya Pine, 5 Bangalow Palms, 2 Washington Palms |
| Darling Pt. Rd, Darling Pt. | 57 | House, grounds, gateposts and steps, front fencing |
| Darling Pt. Rd, Darling Pt. | | <i>St. Marks Anglican Church</i> —church, Parish Hall, Scout Hall, Gardens of Remembrance, sandstone retaining walls, steps and gateposts, gates, street fencing |
| Darling Pt. Rd, Darling Pt. | 59 | <i>St. Marks Cottage</i> —building, sandstone retaining walls |
| Darling Pt. Rd, Darling Pt. | 60 | 2 Washington Palms |

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| Darling Pt. Rd, Darling Pt. | 67 | <i>Lindisfarne</i> —semi-detached house, front fencing |
| Darling Pt. Rd, Darling Pt. | 68 | <i>The Swifts</i> —building, outbuildings, grounds, gardens, sandstone fences and retaining walls, garden terraces, gateposts, gates, sculptures, 2 Moreton Bay Figs, Lemon-scented Gum, Bunya Pine, Norfolk Island Pine |
| Darling Pt. Rd, Darling Pt. | 69 | <i>Lorne</i> —semi-detached house |
| Darling Pt. Rd, Darling Pt. | 71-73 | <i>Trebenna</i> — <i>Roskear</i> house |
| Darling Pt. Rd, Darling Pt. | 86 | <i>Craigend</i> —house, grounds, gardens, stoneworks, Norfolk Island Pine, Pak-lan, 10 Queen Palms, 11 Kentia Palms, Curly Palm |
| Darling Pt. Rd, Darling Pt. | 105A | Sandstone, brick and iron fencing, formerly part of <i>Babworth House</i> |
| Darling Pt. Rd, Darling Pt. | 133-135 | House, front fencing |
| Darling Pt. Rd, Darling Pt. | 137 | Semi-detached house, front fencing |
| Darling Pt. Rd, Darling Pt. | 139 | Semi-detached house, front fencing |
| Darling Pt. Rd, Darling Pt. | 141 | Semi-detached house, front fencing |
| Darling Pt. Rd, Darling Pt. | 143 | Semi-detached house, front fencing |
| Darling Pt. Rd, Darling Pt. | 153 | Stone boundary wall to Carthona Av. |
| Darling Pt. Rd, Darling Pt. | 155 | Stone boundary wall to Carthona Av. |
| Darling Pt. Rd, Darling Pt. | 159 | Fence, gates and foundation remains of former house <i>Canonbury</i> , located within McKell Park |
| Darling Pt. Rd, Darling Pt., near intersection with New South Head Rd | | Concrete balustrade |
| Dunara Gdns , Point Piper | 10 | <i>Dunara</i> —house, |
| Dunara Gdns, Point Piper | | Cook Pine |
| Eastbourne Rd , Darling Pt. | 11 | <i>Etham Cottage</i> —house, front fencing |
| Eastbourne Rd, Darling Pt. | 21 | Moreton Bay Fig |
| Eastbourne Rd, Darling Pt. | 23 | Cook Pine |
| Eastbourne Rd, Darling Pt. | 25 | House, gardens |
| Edgecliff Rd , Woollahra | 81 | Norfolk Island Pine |
| Edgecliff Rd, Woollahra | 281 | <i>Althorne</i> —house, front fencing |
| Edgecliff Rd, Woollahra | 281A | Norfolk Island Pine |

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| Edgecliff Rd, Woollahra | 293-295 | Building, iron fencing |
| Edgecliff Rd, Woollahra | 313 | <i>Kilvington</i> —building, front fencing |
| Edgecliff Rd, Edgecliff | 351 | Norfolk Island Pine |
| Edgecliff Rd, Edgecliff | 353 | Cook Pine |
| Edgecliff Rd, Edgecliff | 357 | <i>Lynwood</i> —house, front fencing |
| Edgecliff Rd, Woollahra | 388 | See No 1 Trelawney St |
| Edgecliff Rd, Woollahra | 410 | <i>Rosemount</i> —residential flat building, garages, entrance from Edgecliff Rd comprising flower beds and steps |
| Edgecliff Rd, Woollahra | 412 | <i>Hillside</i> —residential flat building, stone retaining wall, main entrance comprising flower beds and steps |
| Edgecliff Rd, Woollahra | 414 | <i>Edgecliff Gardens</i> —residential flat building |
| Edgecliff Rd, Edgecliff | 434 | House |
| Etham Av , Darling Pt. | 9 | House and grounds |
| Etham Av, Darling Pt. | 32 | Residential flat building and grounds |
| Etham Av, Darling Pt. | 37 | Etham Avenue heritage item group—house and grounds |
| Etham Av, Darling Pt. | 39 | Etham Avenue heritage item group—house and grounds |
| Etham Av, Darling Pt. | 41 | Etham Avenue heritage item group—house and grounds |
| Fairfax Rd , Bellevue Hill | 6 | <i>Tudor Lodge</i> —house, garage, flagged driveway, paths and stone wall to Fairfax Road |
| Fairfax Rd, Bellevue Hill | 51 | <i>Rona</i> —house |
| Fernleigh Gdns , Rose Bay | 5 | <i>Fernleigh Castle</i> —main building |
| Fernleigh Gdns, Rose Bay and Rawson Road | 3, 4, 20 | <i>Ficus superba</i> , var. <i>henniana</i> (Cedar fig) |
| Fisher Av , Vaucluse | 1 | House, stone works, gardens, Scribbly Gum |
| Fisher Av, Vaucluse | 6 | Sydney Pink Gum |
| Fisher Av, Vaucluse | 7 | Sydney Pink Gum, Port Jackson Fig |
| Fisher Av, Vaucluse | 9 | Sydney Pink Gum |
| Fitzwilliam Rd , Vaucluse, junction with Wentworth Rd | | War Memorial and bus stop shelter |

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| Fitzwilliam Rd, Vaucluse | | Grounds and native vegetation of Wentworth Memorial Anglican Church |
| Fitzwilliam Rd, Vaucluse | 20A | see also 19 Boambillee Av, Vaucluse |
| Fitzwilliam Rd, Vaucluse | 30 | Sydney Pink Gum |
| Fitzwilliam Rd, Vaucluse | 49 | Forest Red Gum |
| Fitzwilliam Rd, Vaucluse | 51A | Tuckeroo |
| Fitzwilliam Rd, Vaucluse | 57A | Forest Red Gum |
| Fitzwilliam Rd, Vaucluse within road reserve | | 3 Forest Red Gums |
| Forth St , Woollahra | 2 | Fire Station |
| Forth St, Woollahra | | Woollahra Public School buildings comprising 1877 hall and 1899 classrooms |
| Foster Av , Bellevue Hill, within road reserve | | 5 Canary Island Date Palms, Date Palm, Queen Palm |
| Gap Bluff , Watsons Bay, within South Head Sydney Harbour National Park | | Gunnery school group, comprising: former officers' mess (part of Conference Centre); former battery workshop (Ranger's cottage); former armoury (part of Conference Centre); former School of Gunnery latrine (toilets); practice battery at seaward cliffs |
| Gap Park , Watsons Bay | | "Dunbar" anchor, tramway cutting |
| Gilliver Av , Vaucluse | 11 | Scribbly Gum |
| Gilliver Av, Vaucluse | 11A | House |
| Gilliver Av, Vaucluse | 19 | House, gardens |
| Gilliver Av, Vaucluse | 25 | House |
| Gilliver Av, Vaucluse, within road reserve | | Scribbly Gum, Sydney Pink Gum, Swamp Mahogany |
| Ginahgulla Rd , Bellevue Hill | 2 | House, Norfolk Island Pine, Kauri Pine, Ficus Sp. |
| Ginahgulla Rd, Bellevue Hill | 4 | Kauri Pine |
| Ginahgulla Rd, Bellevue Hill | 6 | See No 51 Fairfax Rd |
| Ginahgulla Rd, Bellevue Hill | 8A | Norfolk Island Pine |
| Ginahgulla Rd, Bellevue Hill | 9 | <i>Trahlee</i> —house, garden, pine trees |
| Ginahgulla Rd, Bellevue Hill | 12 | House, forecourt, front fencing |
| Ginahgulla Rd, Bellevue Hill | 14 | House, forecourt, front fencing |

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| Ginahgulla Rd, Bellevue Hill | 15 | <i>Caerleon</i> —house, grounds, gardens, gateposts, gates, Norfolk Island Pine, Kauri Pine, Bunya Pine, 2 Camphor Laurels |
| Ginahgulla Rd, Bellevue Hill | 16 | Kauri Pine |
| Ginahgulla Rd, Bellevue Hill | 17 | <i>Fairfax House</i> (part of The Scots College)—building, remnant north-west gardens, stone works, fountain, 2 Norfolk Island Pines, Kauri Pine, Cook Pine, Hoop Pine, 8 Moreton Bay Figs, 9 Port Jackson Figs |
| Gladswood Gdns , Double Bay | 11 | <i>Gladswood House</i> —building |
| Gladswood Gdns, Double Bay | 21 | House, stone works |
| Glenmore Rd , Paddington | 9 | Rose and Crown Hotel |
| Glenmore Rd, Paddington | 237 | Royal Hotel |
| Glenmore Rd, Paddington | 245 | St. George’s Anglican Church—church |
| Glenmore Rd, Paddington | | Glenmore Road Public School comprising former schoolmaster’s residence, 19th Century buildings, retaining wall along Cambridge St. |
| Goomerah Cr , Darling Pt. | 2 | <i>Queenscliff</i> —house, front fencing |
| Goomerah Cr, Darling Pt. | 4 | <i>Goomerah</i> —house |
| Graylind Pl , Vaucluse | 6 | House |
| Green (Laings) Point Reserve , Watsons Bay | | Green (Laings) Point Battery |
| Greenoaks Av , Darling Pt. | 2E | <i>Greenoaks Cottage</i> —house, Bunya Pine |
| Greenoaks Av, Darling Pt. | 11 | <i>Bishopscourt</i> —house, grounds, fences, gates, 3 Moreton Bay Figs, 2 Norfolk Island Pines, Camphor Laurel, gardens, all on part Lot 1 DP 938275 |
| Greenoaks Av, Darling Pt. | 12 | <i>Pitcalnie</i> —house |

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| | | South Head Artillery Barracks group comprising: officers' quarters (asset 25); former officers' mess (Cliff House quarters); former sergeants' mess (officers' quarters); former stable/carriage shed (garden store) (asset 29); gun carriage coach house and annex (garage/store) (asset 37); former guard house (asset 26); former artillery barracks (officers' quarters) (asset 33); sandstone drainage moat and rifle post wall (adjoining asset 28); 80 pounder battery and five connected gun emplacements (1871/2) (north of asset 25); World War 1 and World War 2 artillery fortifications on seaward cliffs; War Memorial Chapel of St. George the Martyr; Aboriginal rock carving seaward side of Chapel (spotlight mounted within) |
| HMAS Watson , Watsons Bay | | |
| Holland Rd , Bellevue Hill within road reserve | | 4 Canary Island Date Palms, 6 Wine Palms, Washingtonia Palm, Cliff Date Palm |
| Hopetoun Av , Vaucluse | 80A | House |
| Ian St , Rose Bay | 13 | House |
| Ian St, Rose Bay | 15 | House |
| Jamberoo Lane , Double Bay, corner of Cross Street | | Subterranean sewage ejector station and environs |
| Jersey Rd , Paddington | 16 | Police Station and Court House |
| Jersey Rd, Paddington | 17 | <i>Westbourne</i> —house, outbuildings, front fencing |
| Jersey Rd, Paddington | 23 | <i>Runnymede</i> —house, grounds, front garden and fencing, 2 Norfolk Island Pines, Bangalow Palm |
| Jersey Rd, Paddington, south-east cnr of Moncur St | | Uniting Church—church building, street fencing |
| Jersey Rd, Paddington | 236 | Lord Dudley Hotel |
| Jersey Rd, Paddington | 238 | Building, sandstone retaining wall |
| Kambala Rd , Bellevue Hill | 65 | <i>The Provost (or Anchor) House</i> —house |
| Kambala Rd, Bellevue Hill, within road reserve | | 3 Canary Island Date Palms |
| Kent Rd , Rose Bay | | Royal Sydney Golf Club—Clubhouse, grove of paperbarks along Norwich Road |
| Lindsay Av , Darling Point | 4 | 3 London Plane Trees |
| Lindsay Av, Darling Point | 5 | House, grounds, gardens |

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| Loftus Rd , Darling Point | 4 | Residential flat building |
| Loftus Rd, Darling Point, within road reserve | | 2 Amercian Cotton Palms |
| Loftus Rd, Darling Point | 9–11 | Jean Colvin Hospital—buildings, retaining walls to Loftus Rd and to Annandale St |
| Longworth Av , Point Piper | 7 | <i>Santa Barbara</i> —residential flat building |
| Manning Rd , Double Bay | 5 | Weeping Lilli Pilli, all Bangalow Palms, Washingtonia Palm, Queen Palms, Cabbage Palms |
| Marathon Av , Darling Point | 3 | Terrace house, front fencing |
| Marathon Av, Darling Point | 4 | Terrace house, front fencing |
| Marathon Av, Darling Point | 5 | <i>Orme</i> —house |
| Marathon Rd , Darling Point | 1A | Residential flat building |
| Marathon Rd, Darling Point | 3 | <i>The Annery</i> —residential flat building, wall along eastern side boundary |
| Marine Pde , Watsons Bay | | Promenade |
| Marine Pde, Watsons Bay | 26 | See No 11 Cliff St. |
| Military Rd , Watsons Bay | 17 | Building |
| Military Rd, Watsons Bay | 25 | Building |
| Mitchell Rd , Darling Pt. | 4 | Sandstone and brick fencing, formerly part of <i>Babworth House</i> |
| Mitchell Rd, Darling Pt. | | Retaining wall on north road boundary |
| Mona Rd , Darling Point | 2 | Terrace house, front fencing |
| Mona Rd, Darling Point | 2A | <i>Mona Terrace</i> —building |
| Mona Rd, Darling Point | 4 | Terrace house, except rear addition, front picket fencing |
| Mona Rd, Darling Point | 6 | Terrace house, front fencing |
| Mona Rd, Darling Point | 8 | Terrace house, front fencing |
| Mona Rd, Darling Point | 9 | Terrace house, front fencing, steps and balustrade |
| Mona Rd, Darling Point | 10 | Terrace house, front fencing |
| Mona Rd, Darling Point | 11 | Terrace house, front fencing, steps and balustrade |
| Mona Rd, Darling Point | 12 | Terrace house, front fencing |

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| Mona Rd, Darling Point | 15A | Terrace house, front fencing, steps and balustrade |
| Mona Rd, Darling Point | 38 | <i>Mona</i> —building |
| Moncur St , Woollahra | 26–28 | Building |
| Mount Adelaide Rd , Darling Point | | <i>Babworth House</i> —building including interior, grounds, gardens, gateposts to Darling Point Rd, small-leaved Fig |
| Nelson St , Woollahra, north-west corner of Wallis St: see 118 Wallis Street, Woollahra | | <i>Brougham</i> —building, grounds, 2 Norfolk Island Pines, Hoop Pine |
| Nelson St, Woollahra | 21A | Building |
| Nelson St, Woollahra | 22 | Terrace house, front fencing |
| Nelson St, Woollahra | 23 | Montefiores Private Hospital—19th Century building, front garden, retaining walls, gate posts excluding later extension |
| Nelson St, Woollahra | 24 | Terrace house, front fencing |
| Nelson St, Woollahra | 25 | <i>Apheta</i> —building including original internal fabric, gateposts and gates to Nelson Street, set of steps to the north-east of the building, 2 Kaffir Plum trees and Lillypilly tree on the Nelson Street frontage |
| Nelson St, Woollahra | 26 | Terrace house, front fencing |
| Nelson St, Woollahra | 27 | <i>Larissa</i> —building including original internal fabric |
| Nelson St, Woollahra | 28 | Terrace house, front fencing |
| Nelson St, Woollahra | 30 | Terrace house |
| Nelson St, Woollahra | 32 | Terrace house |
| Nelson St, Woollahra | 34 | Terrace house, front fencing |
| Nelson St, Woollahra | 36 | Terrace house, front fencing |
| New Beach Rd , Darling Pt. | 27–28 | Residential flat building, front garden and retaining wall |
| New Beach Rd, Darling Pt. | 29–30 | Residential flat building, front garden and retaining wall |
| New Beach Rd, Darling Pt. | 31–32 | Residential flat building, front garden and retaining wall |
| New Beach Rd, Darling Pt. | 33–34 | Residential flat building, front garden and retaining wall |

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| New Beach Rd, Darling Pt. | 35-36 | Residential flat building, front garden and retaining wall |
| New Beach Rd, Darling Pt. | 37-38 | Residential flat building |
| New Beach Rd, Darling Pt. | Sir David Martin Reserve and the part of the plantation reserve adjoining portions 1141 and 1142 of the Reserve, as shown edged heavy black and by distinctive colouring and marking on the sheets marked "Woollahra Local Environmental Plan 1995 (Amendment No 38)" | |
| New Beach Rd, Darling Pt., near intersection with Yarranabbe Rd. | | Bus stop shelter |
| New South Hd Rd , Vaucluse | 20B | <i>Kainga</i> —house, excluding the freestanding garage, cabana, pool, spa, gateposts |
| New South Hd Rd, Vaucluse | 37 | <i>Werribree</i> —house, gardens, retaining walls, fences, covered gateways, trees |
| New South Hd Rd, Vaucluse, opposite intersection with Captain Pipers Rd | | Bus stop shelter, former tram stop |
| New South Hd Rd, Vaucluse, opposite intersection with Serpentine Pde | | Bus stop shelter, former tram stop |
| New South Hd Rd, Edgecliff | 136 | Building |
| New South Hd Rd, Edgecliff | 188 | Ascham School precinct comprising: <i>Fiona</i> and former entrance gates, <i>Glenrock</i> and inner and outer gates, the <i>Dower House</i> , sand-stone works, remaining open space and oval adjacent to <i>Fiona</i> , Moreton Bay Figs, <i>The Octagon</i> , <i>Yeomerry</i> |
| New South Hd Rd, Edgecliff | 289 | Post Office |
| New South Hd Rd, Double Bay | 337-347 | Gardens to former <i>Overthorpe</i> , including 3 small-leaved Figs, Coolamon or Watermelon Tree, Silver Quandong, 2 Moreton Bay Figs, Bunya Pine, Bangalow Palms, Cabbage Palms, 9 Canary Island Date Palms, service driveway, front retaining wall and fence, gates |

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| New South Hd Rd, Double Bay | 349 | Vegetation associated with the gardens of the former house <i>Overthorpe</i> , including Silver Quandong, Norfolk Island Pine, Bunya Pine, rainforest specimen, Bangalow Palms, Queen Palms, Cabbage Palms |
| New South Hd Rd, Double Bay | 429 | The Golden Sheaf Hotel |
| New South Hd Rd, Double Bay | 470 | <i>Carinya</i> —residential flat building |
| New South Hd Rd, Double Bay | 489 | Residence and upper northern terrace and the sandstone retaining wall to New South Head Rd |
| New South Hd Rd, Double Bay | | Brick entrance gatepost and iron gates to Redleaf Pool, eastern sandstone stairways to beach, grounds to Redleaf Pool, Norfolk Island Pine, 2 Kauri Pines, Hoop Pine, Seven Shillings Beach |
| New South Hd Rd, Double Bay | 536 | <i>Redleaf</i> —Woollahra Council Chambers, gates, gateposts, Moreton Bay Fig, Hoop Pine, Bunya Pine |
| New South Hd Rd, Double Bay | 542 | <i>The Annexe</i> —building |
| New South Hd Rd, Double Bay | 548 | <i>St. Brigids</i> —Woollahra Council Library |
| New South Hd Rd, Double Bay | 550 | <i>Elaine</i> —house, gateposts and gate, gardens to the foreshore, stoneworks, Cook Pine, Norfolk Island Pine, Bunya Pine, Camphor Laurel, Port Jackson Fig, Seven Shillings Beach |
| New South Hd Rd, Double Bay | 560 | <i>Fairwater</i> —main building, stables, grounds, Seven Shillings Beach, Bunya Pine, 3 Camphor Laurels, 2 Port Jackson Figs, 2 Silky Oaks, gardens, excluding swimming pool and associated walls on north side |
| New South Hd Rd, Point Piper | 574 | <i>Buckhurst</i> —residential flat building, grounds, front garden and fencing, trees |
| New South Hd Rd, Bellevue Hill, opposite intersection Wolseley Rd | | Bus stop shelter, former tram stop |
| New South Hd Rd, Point Piper, east corner of Wunulla Rd. | | Police Station |
| New South Hd Rd, Rose Bay | | Esplanade, concrete balustrade |
| New South Hd Rd, Rose Bay | 629 | House, outbuildings, front garden, Norfolk Island Pine |
| New South Hd Rd, Rose Bay | 699 | House |
| New South Hd Rd, Rose Bay, at entrance to Lyne Park | | War memorial |

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| New South Hd Rd, Rose Bay at intersection with Kent Rd | | Bus stop shelter, former tram stop |
| New South Hd Rd, Rose Bay | 755 | Post Office |
| New South Hd Rd, Rose Bay | 794 | Kambala School—building formerly <i>Tivoli</i> , gateposts, gates and flanking walls with railing facing Tivoli Av, 2 Norfolk Island Pines |
| New South Hd Rd, Rose Bay | 807 | Rose Bay Hotel |
| New South Hd Rd, Rose Bay | 835 | Mary Magdalene Catholic Church—church |
| New South Hd Rd, Rose Bay, below entrance ramp to No 899 | | Emma’s Well |
| Northland Rd , Bellevue Hill, within road reserve | | 3 Washington Palms, Cliff Date Palm, 4 Canary Island Date Palms |
| Nurran Rd , Vacluse, within road reserve | | Scribbly Gum, Bangalay |
| Ocean Av , Double Bay | 17 | <i>Ecclesbourne</i> —building |
| Ocean Av, Double Bay | 21 | Lacebark |
| Ocean Av, Double Bay | 22–24 | Bunya Pine |
| Ocean Av, Double Bay | 28 | House, front fencing |
| Ocean Av, Double Bay | 35–37 | Moreton Bay Fig |
| Ocean Av, Double Bay | 38 | House |
| Ocean Av, Double Bay | 89 | House, excluding rear pavilion and garage |
| Ocean Av, Double Bay, within road reserve | | 3 Norfolk Island Pines, 2 Moreton Bay Figs, 2 Port Jackson Figs, Candlenut Tree |
| Ocean St , Woollahra, corner with Queen Street | | Norfolk Island Pine |
| Ocean St, Woollahra | 7–9 | Moreton Bay Fig |
| Ocean St, Woollahra | 27 | Semi-detached house |
| Ocean St, Woollahra | 29 | Semi-detached house, front fencing |
| Ocean St, Woollahra | 31 | Building |
| Ocean St, Woollahra | 33 | Building |
| Ocean St, Woollahra, north-east corner of Forth St. | | St. Columba Uniting Church—church |
| Ocean St, Woollahra | 55 | Terrace house |
| Ocean St, Woollahra | 57 | Terrace house, front fencing |
| Ocean St, Woollahra | 59 | Terrace house |

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| Ocean St, Woollahra | 61 | House, front gardens and fencing |
| Ocean St, Woollahra | 73 | House |
| Ocean St, Woollahra | 75 | <i>Icilus</i> —house, front garden and fencing |
| Ocean St, Woollahra | 76 | Semi-detached house, front fencing |
| Ocean St, Woollahra | 77 | <i>Wallangra</i> —house |
| Ocean St, Woollahra | 78 | Semi-detached house, front fencing |
| Ocean St, Woollahra | 80 | Semi-detached house |
| Ocean St, Woollahra | 81 | House, front garden, retaining wall and fencing |
| Ocean St, Woollahra | 82 | Semi-detached house |
| Ocean St, Woollahra | 85 | All Saints Anglican Church—church, grounds, front garden, retaining wall and fencing |
| Ocean St, Woollahra | 152 | House |
| Octagon Rd , Darling Pt. | | <i>The Octagon</i> —building; see No 188 New South Head Rd |
| Olola Av , Vaucluse | 4 | Scribbly Gum |
| Olola Av, Vaucluse | 14 | Sydney Pink Gum |
| Olola Av, Vaucluse | 24 | 2 Forest Red Gums, Sydney Pink Gum, Scribbly Gum |
| Olola Av, Vaucluse | 25 | Forest Red Gum |
| Olola Av, Vaucluse | 27 | 3 Sydney Pink Gums, Swamp Mahogany, Red Mahogany |
| Olola Av, Vaucluse | 28 | Sydney Pink Gum, Swamp Mahogany |
| Olola Av, Vaucluse | 33 | Sydney Pink Gum |
| Olola Av, Vaucluse | 46 | 2 Sydney Pink Gums |
| Olola Av, Vaucluse | 47 | Coastal Banksia |
| Olola Av, Vaucluse, within road reserve | | Scribbly Gum, 2 Swamp Mahoganies, 2 Sydney Pink gums, Forest Red Gum |

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| Old South Head Road, Vaucluse | | Macquarie Lighthouse buildings and grounds being—Macquarie Lighthouse, assistant Keeper’s quarters, the stables, head Keeper’s quarters, stone retaining wall east of Lighthouse, gate posts, gas tank, four water tanks, remnant semi-circular entry drive, central open grassed lawns, remnant sandstone walls on the southern boundary, vegetation and grounds to the west of Keeper’s quarters, the grounds to the east of the stone retaining wall, including the quarry |
| Old South Head Road, Watsons Bay | | Maritime Service Board Signal Station—building, retaining wall and fence to Old South Head Road |
| Old South Hd Rd, Vaucluse, within Signal Hill Reserve | | Signal Hill Battery |
| Old South Head Road, Watsons Bay | 218 | House, street fencing |
| Old South Hd Rd, Watsons Bay, within Gap Park | | Monument to Lieutenant G.J. Grieve |
| Old South Head Road, Watsons Bay | 272 | House, front garden, retaining wall and fencing |
| Old South Head Road, Watsons Bay | 308 | <i>Bay Cottage</i> —house, fence and retaining wall to Hopetoun Av. |
| Old South Head Road, Watsons Bay | 331 | St. Peter’s Anglican Church—church, bushland to the west of the church, “Greycliffe” memorial gates |
| Old South Head Road, Watsons Bay | 333 | House, sandstone privy, front fencing |
| Old South Head Road, Watsons Bay | 335 | Scout Hall (former Watsons Bay Public School) and all grounds, but excluding the amenities and storage building |
| Old South Head Road, Watsons Bay | | St. Mary’s Our Lady Star of the Sea Roman Catholic Church—church, sandstone fencing and retaining wall |
| Old South Head Road, Watsons Bay | 341 | Sandstone and timber building (formerly church) |
| Old South Hd Rd, Rose Bay | 696 | Building |
| Ormond St, Paddington | 1 | <i>Juniper Hall</i> —building |
| Ormond St, Paddington | 56A | <i>Engehurst</i> —building |

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| Oxford Street , Paddington | 188 | <i>Royal Hospital for Women Group</i> —comprising chimney, gynaecology wing, x-ray wing, Oxford Street gatehouse, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Elfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing |
| Oxford St, Paddington | 246 | Post Office Building |
| Paddington St , Paddington, within road reserve | 31 | London Pine Trees, 17 Hill’s Weeping Figs, 3 Red Apples |
| Parsley Bay , Vaucluse, within Parsley Bay Park | | Suspension footbridge |
| Parsley Rd , Vaucluse | 9 | 2 Forest Red Gums |
| Parsley Rd, Vaucluse | 15 | Sydney Pink Gum |
| Parsley Rd, Vaucluse, within road reserve | | 4 Forest Red Gums, 2 Sydney Pink Gums |
| Pacific St , Watsons Bay | 31 | Building and grounds (former Marine Biology Station) |
| Petrarch Av , Vaucluse, within road reserve | | Sydney Pink Gum, Swamp Mahogany, Forest Red Gum, Red Mahogany |
| Quambi Pl , Edgecliff | 5 | House and gardens |
| Quarry St , Paddington | 1 | Terrace house, front fencing |
| Quarry St, Paddington | 3 | Terrace house, front fencing |
| Quarry St, Paddington | 5 | Terrace house, front fencing |
| Queen St , Woollahra | 20 | Terrace building |
| Queen St, Woollahra | 22 | Terrace building |
| Queen St, Woollahra | 24 | Terrace building |
| Queen St, Woollahra | 26 | Terrace building |
| Queen St, Woollahra | 28 | Building, front fencing |
| Queen St, Woollahra | 32 | Building |
| Queen St, Woollahra | 34 | Terrace building |
| Queen St, Woollahra | 38 | Building |
| Queen St, Woollahra | 42–44 | Building |
| Queen St, Woollahra | 46 | Building |
| Queen St, Woollahra | 48 | Building |

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| Queen St, Woollahra | 50 | Terrace house |
| Queen St, Woollahra | 52 | Terrace house |
| Queen St, Woollahra | 54 | Terrace house |
| Queen St, Woollahra | 56 | Terrace house |
| Queen St, Woollahra | 58 | Terrace house |
| Queen St, Woollahra | 60 | Terrace house |
| Queen St, Woollahra | 62 | Terrace house, front fencing |
| Queen St, Woollahra | 64 | Building |
| Queen St, Woollahra | 66 | Building |
| Queen St, Woollahra | 68 | Terrace house, front fencing |
| Queen St, Woollahra | 70 | Terrace house, front fencing |
| Queen St, Woollahra | 72 | Building |
| Queen St, Woollahra | 74 | Building |
| Queen St, Woollahra | 76 | Building |
| Queen St, Woollahra | 78 | Building |
| Queen St, Woollahra | 97 | Post Office Building |
| Queen St, Woollahra | 101 | Building |
| Queen St, Woollahra | 115 | House |
| Queen St, Woollahra | 116 | Woollahra Hotel |
| Queen St, Woollahra | 117 | <i>St. Kevins</i> —house, front garden and fencing, trees |
| Queen St, Woollahra | 119 | House |
| Queen St, Woollahra | 123 | Building, front fencing |
| Queen St, Woollahra | 139 | Terrace house, street fencing |
| Queen St, Woollahra | 141 | Terrace house |
| Queen St, Woollahra | 143 | Terrace house |
| Queen St, Woollahra | 145 | <i>Marathon</i> —terrace house, front fencing |
| Queen St, Woollahra | 147 | <i>Arabella</i> —terrace house |
| Queen St, Woollahra | 147A | Semi-detached house, front fencing |
| Queen St, Woollahra | 147B | Semi-detached house, front fencing |
| Queen St, Woollahra | 149 | Terrace house, front fencing |

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| Queen St, Woollahra | 151 | Terrace house |
| Queen St, Woollahra | 153 | <i>Latona</i> —building |
| Queen St, Woollahra | 153A | <i>The Grove group</i> —four cottages, landscaped accessway, front fencing |
| Queen St, Woollahra | 155 | <i>Libya</i> —terrace house, front fencing |
| Queen St, Woollahra | 157 | Terrace house, front fencing |
| Queen St, Woollahra | 159 | Semi-detached house, outbuildings |
| Queen St, Woollahra | 161 | Semi-detached house |
| Queen St, Woollahra | 170 | Building |
| Queen St, Woollahra | 172 | Building |
| Queen St, Woollahra | 178 | Cottage, front fencing |
| Queen St, Woollahra | 180 | Cottage |
| Queen St, Woollahra | 182 | Cottage, front fencing |
| Queen St, Woollahra | 184 | Semi-detached house |
| Queen St, Woollahra | 186 | Semi-detached house |
| Queen St, Woollahra | 188 | Semi-detached house, front garden and fencing |
| Queen St, Woollahra | 190 | Semi-detached house, front garden and fencing |
| Queen St, Woollahra | 192 | Semi-detached house |
| Queen St, Woollahra | 194 | Semi-detached house |
| Queen St, Woollahra | 196 | House |
| Queen St, Woollahra | 198 | The former schoolhouse, being an outbuilding at the rear of the property |
| Queens Av , Vaucluse | 6 | House, front fencing |
| Rawson Rd , Rose Bay and Fernleigh Gdns | 20 3, 4 | <i>Ficus superba</i> , var. <i>henniana</i> (Cedar Fig) |
| Robertson PI , Watsons Bay within Robertson Park | | Milestone Obelisk |
| Rose Bay Av , Bellevue Hill | 1 | House, gardens, trees |
| Rose Bay Av, Bellevue Hill | 5 | House, gardens, front stone wall |
| Rose Bay Av, Bellevue Hill, within road reserve | | 7 Canary Island Date Palms, 2 Washington Palms |

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| Rosemont Av , Woollahra | 1 | <i>Lenana</i> —residential flat building, iron gateposts and gates |
| Rosemont Av, Woollahra | 3 | <i>Lyndhurst Gardens</i> —residential flat building, forecourt |
| Rosemont Av, Woollahra | 14 | <i>Rosemont</i> —house, outbuildings, gardens |
| Rosemont Av, Woollahra | 26 | <i>Gowrie</i> —residential flat building |
| Rosemont Av, Woollahra, within road reserve | | London Plane Trees |
| Roslyndale Av , Woollahra | 6 | <i>Hawthornden</i> —house, gardens, gate posts, gates, Bunya Pine |
| Roslyndale Av, Woollahra | 14 | <i>Struan Lodge</i> —house |
| Roslyndale Av, Woollahra | 38 | <i>Roslyndale</i> —house, fence |
| Rupertswood Av , Bellevue Hill | 1 | See No 65 Kambala Rd |
| Rupertswood Av, Bellevue Hill | 7 | <i>Danbury</i> —house, gateposts, gates |
| Salisbury Rd , Rose Bay | 1–7 | <i>Rose Bay Lodge</i> —building |
| Shark (Steel) Point , Vaucluse | | Shark (Steel) Point Battery, and associated underground remains |
| Sheldon Pl , Bellevue Hill | 4 | Kauri Pine |
| Short St , Double Bay | 2 | Commercial building |
| Short St, Watsons Bay | 1 | Cottage, street fencing |
| Short St, Watsons Bay | | Sydney Water pumping station |
| South Av , Double Bay | 8 | House, sandstone and iron fencing |
| South Av, Double Bay | 37 | House, front fencing |
| South Head (inner) , Watsons Bay | | Hornby Lighthouse group comprising: Hornby Lighthouse; two cottages; gun emplacements and fortifications |
| Spicer St , Woollahra | 2 | Terrace house, front fencing |
| Spicer St, Woollahra | 4 | Terrace house, front fencing |
| Spicer St, Woollahra | 6 | Terrace house, front fencing |
| Spicer St, Woollahra | 8 | Terrace house, front fencing |
| Spicer St, Woollahra | 10 | Terrace house, front fencing |
| Spicer St, Woollahra | 12 | Terrace house, front fencing |
| Stafford St , Paddington | 47, 49, 51, 71, 73, 75, 77, 79, 81 and 83 | Sandstone retaining and garden boundary wall |

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| Streatfield Rd , Bellevue Hill | | Brick sewer vent chimney |
| Streatfield Rd, Bellevue Hill, within road reserve | | Chinese Windmill Palm, Canary Island Date Palm |
| St. Marks Rd , Darling Pt. | 1 | <i>Yeomerry</i> —building; see No 188 New South Head Rd |
| St. Marks Rd, Darling Pt. | 11 | <i>Alnwick House</i> —house, gardens, stoneworks |
| St. Mervyns Av , Point Piper | 3 | Seven Shillings Beach |
| St. Mervyns Av, Point Piper | 4 | Seven Shillings Beach |
| St. Mervyns Av, Point Piper | 5 | Seven Shillings Beach |
| St. Mervyns Av, Point Piper | 6 | Seven Shillings Beach |
| St. Michael's Pl , Vaucluse | | St. Michael's Anglican Church—church, grounds, sandstone works, gateposts and iron arch, obelisk |
| Sutherland Cr , Darling Pt. | 2 | House and grounds |
| Sutherland Cr, Darling Pt. | 4 | House and grounds |
| Sutherland Cr, Darling Point | 7 | Port Jackson Fig, Bunya Pine, Kauri Pine |
| Suttie Rd , Bellevue Hill, within road reserve | | Chinese Windmill Palm, American Cotton Palm, 2 Canary Island Date Palms |
| The Crescent , Vaucluse | 20 | House, gardens, front fence, entrance archway and gate |
| The Crescent, Vaucluse | 48 | Kutti Beach |
| The Crescent, Vaucluse | 50 | Kutti Beach |
| The Crescent, Vaucluse | 52 | Kutti Beach |
| The Crescent, Vaucluse | 52A | Kutti Beach |
| The Crescent, Vaucluse | 54 | Kutti Beach |
| Thornton St , Darling Point | 13-15 | Remnant elements of <i>Hopewood House</i> and grounds comprising: sandstone, brick and wrought iron fence; sandstone gateposts; wrought iron gates; sandstone balustrade, retaining wall and steps; wrought iron lamp posts; brick, sandstone and timber rotundas; Moreton Bay Fig; American Cotton Palm |
| Thornton St, Darling Point | 17 and 17A | Remnant elements of <i>Hopewood House</i> and grounds comprising sandstone and brick gateposts; Washington Palm, Senegal Date Palm, Canary Island Date Palm |

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| Thornton St, Darling Point | 21 | Remnant elements of <i>Hopewood House</i> and grounds comprising: sandstone, brick and wrought iron fence; sandstone gatepost, sandstone, brick and timber rotunda; Hoop Pine, Norfolk Island Pine, Firewheel Tree, Red Apple, Queen Palm |
| The Grove , Woollahra | 1-4 | See No 153A Queen St |
| Towns Rd , Vaucluse | 51 | 4 Norfolk Island Pines |
| Trahlee Rd , Bellevue Hill | 4 | <i>Silchester</i> —residential flat building, outbuildings, gardens, courtyards, stone works |
| Trahlee Rd, Bellevue Hill | 5 | House |
| Trelawney St , Woollahra | 1 | Building, street fencing |
| Trelawney St, Woollahra | 2 | Kauri Pine |
| Trelawney St, Woollahra | 7 | <i>Great Tree</i> —house, street fencing |
| Vaucluse Rd , Vaucluse | 2 | <i>Kincoppal</i> , Roman Catholic Convent of the Sacred Heart and school—buildings, grounds, trees, sandstone and wrought iron fence, gateposts and gates |
| Vaucluse Rd, Vaucluse | 20A | Norfolk Island Pine, Cook Pine |
| Vaucluse Rd, Vaucluse | 20B | House, front fencing, Cook Pine, Moreton Bay Fig |
| Vaucluse Rd, Vaucluse | 22 | <i>The Hermitage</i> —house, grounds, gateposts and gates to Vaucluse Rd, inner gateposts, gates and fencing, stone works associated with adjacent <i>Watercourse</i> |
| Vaucluse Rd, Vaucluse | 22A | Norfolk Island Pine, Hoop Pine, Bunya Pine, fencing to Vaucluse Rd |
| Vaucluse Rd, Vaucluse | 22D | Gardens formerly part of <i>The Hermitage</i> |
| Vaucluse Rd, Vaucluse | 22E | 2 Cook Pines, Norfolk Island Pine |
| Vaucluse Rd, Vaucluse | | <i>Watercourse</i> —stormwater drainage to Hermit Bay comprising channels, bridge and stone walling |
| Vaucluse Rd and Carrara Rd | | Stone and wrought iron fence, formerly part of <i>The Hermitage</i> |
| Vaucluse Rd, Vaucluse | 26 | House |
| Vaucluse Rd, Vaucluse | 40 | Swamp Mahogany |
| Vaucluse Rd, Vaucluse | 42 | 2 Sydney Pink Gums |

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| Vaucluse Rd, Vaucluse | 59 | Port Jackson Fig |
| Vaucluse Rd, Vaucluse, in Nielsen Park | | <i>Greycliff House</i> —building, stone works |
| Vaucluse Rd, Vaucluse, within road reserve | | Forest Red Gum, Sydney Peppermint |
| Vickery Av , Rose Bay, within road reserve | | 5 Norfolk Island Pines |
| Victoria Av , Woollahra | 12 | House, front fencing |
| Victoria Rd , Bellevue Hill | 1 | <i>Throlze</i> —house, stone retaining wall |
| Victoria Rd, Bellevue Hill | 1A | <i>Villa D’Este</i> —house, stone retaining wall |
| Victoria Rd, Bellevue Hill | 3 | <i>Wirian</i> —house, stone fences, retaining walls and gateposts |
| Victoria Rd, Bellevue Hill | 4 | House, retaining walls |
| Victoria Rd, Bellevue Hill | 6 | <i>Thaxted</i> —house, retaining walls |
| Victoria Rd, Bellevue Hill | 8 | <i>Bonnington</i> —house, sandstone retaining wall and fences, fig tree |
| Victoria Rd, Bellevue Hill | 24 | <i>Leura</i> —house, grounds, gardens, inner gateposts and gates |
| Victoria Rd, Bellevue Hill | | Cranbrook School—the buildings known as <i>Cranbrook</i> ; <i>Harvey House</i> ; <i>Perkins Building</i> (junior school); <i>Sick Bay</i> ; <i>Headmaster’s House</i> ; <i>Rotunda</i> (sports pavilion); the 2 storey sandstone building (formerly gatehouse); sandstone retaining wall with balustrade and stairway on north-west terrace of <i>Cranbrook</i> ; gates, gateposts, bollards and stone retaining wall to Victoria Rd; sandstone fence and retaining wall to New South Head Rd; 4 sets of sandstone gateposts with iron gates to New South Head Rd; 2 Hoop Pines, 3 Norfolk Island Pines, Kauri Pine, Black Booyong, Port Jackson Fig, Chilean Wine Palm. |
| Victoria Rd, Bellevue Hill | 27 | House |
| Victoria Rd, Bellevue Hill | | The Scots College—the building known as <i>Aspinall House</i> with palm trees, sandstone gateposts (3 sets), gate and fencing to Victoria Rd, and the adjoining stone wall surmounted by iron railing; the school building with clock-tower; the building at 71 Cranbrook Rd; <i>Fairfax House</i> (see 17 Ginahgulla Rd) |

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| Victoria Rd, Bellevue Hill | 58 | <i>Barford</i> —house, gardens; gates and gateposts off Victoria Road and off Rupertswood Ave. |
| Victoria Rd, Bellevue Hill | 125 | <i>Godsall</i> —house |
| Victoria Rd, Bellevue Hill intersection with Bellevue Rd | | Concrete horse trough |
| Victoria St , Watsons Bay | 15 | Camp Cove Beach |
| Victoria St, Watsons Bay | 17 | Camp Cove Beach |
| Victoria St, Watsons Bay | 19 | Camp Cove Beach |
| Victoria St, Watsons Bay | 21 | Camp Cove Beach |
| Victoria St, Watsons Bay | 23 | Camp Cove Beach |
| Victoria St, Watsons Bay | 25 | Camp Cove Beach |
| Vivian St , Bellevue Hill, within road reserve | | 4 Washington Palms |
| Waimea Av , Woollahra | 1 | Terrace house, front fencing |
| Waimea Av, Woollahra | 2 | Terrace House, front fencing |
| Waimea Av, Woollahra | 3 | Terrace house, front fencing |
| Waimea Av, Woollahra | 4 | Terrace house, front fencing |
| Waimea Av, Woollahra | 5 | Terrace house, front fencing |
| Waimea Av, Woollahra | 6 | Terrace house, front fencing |
| Waimea Av, Woollahra | 7 | Terrace house, front fencing |
| Waimea Av, Woollahra | 8 | Terrace house, front fencing |
| Waimea Av, Woollahra | 9 | Terrace house, front fencing |
| Waimea Av, Woollahra | 10 | Terrace house, front fencing |
| Waimea Av, Woollahra | 11 | Terrace house, front fencing |
| Waimea Av, Woollahra | 12 | Terrace house, front fencing |
| Waimea Av, Woollahra | 14 | <i>Hellen Keller House</i> (formerly <i>Waimea</i>)—house, grounds, trees |
| Wallaroy Rd , Woollahra | 2 | House |
| Wallaroy Rd, Woollahra | 42 | House |
| Wallaroy Rd, Woollahra | 66 | Kauri Pine |
| Wallaroy Rd, Woollahra | 67 | House, front garden and retaining wall |

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| Wallaroy Rd, Woollahra | 71 | <i>Glen Rhoda</i> —house, front garden, fencing, Cook Pine, Norfolk Island Pine |
| Wallaroy Rd, Woollahra | 75 | Norfolk Island Pine |
| Wallis St , Woollahra | 102 | Terrace house, front fencing |
| Wallis St, Woollahra | 104 | Terrace house, front fencing |
| Wallis St, Woollahra | 106 | Terrace house, front fencing |
| Wallis St, Woollahra | 108 | Terrace house, front fencing |
| Wallis St, Woollahra | 110 | Terrace house, front fencing |
| Wallis St, Woollahra | 112 | Terrace house, front fencing |
| Wallis St, Woollahra | 114 | Terrace house, front fencing |
| Wallis St, Woollahra | 116 | Terrace house, front fencing |
| Wallis St, Woollahra | 118 | <i>Brougham</i> —building, grounds, 2 Norfolk Island Pines, Hoop Pine |
| Wallis St, Woollahra | | Sandstone carved gateposts to Woods Av |
| Wallis St, Woollahra, within road reserve | | Norfolk Island Pine |
| Warren Rd , Bellevue Hill, within road reserve | | 2 Canary Island Date Palms |
| Wellington St , Woollahra | 6 | <i>Dilbhor</i> —house |
| Wellington St, Woollahra | 11 | House, gardens, front fencing |
| Wentworth Place , Point Piper | 5 | House, front gardens, sandstone walls, gateposts, gates |
| Wentworth Rd , Vaucluse, within Vaucluse Park | | <i>Vaucluse (Wentworth) House</i> —buildings, stables, outbuildings, gateposts, gates, original driveway, remnant landscape features and plantings, parklands, trees and grounds being Vaucluse Park (including the Beach Paddock north of Wentworth Road), bounded by Vaucluse Bay, Coolong Road, Olola Avenue and Wentworth Road. |
| Wentworth Rd, Vaucluse, between Nos 12 and 14 | | Maritime Services Board navigation beacon |
| Wentworth Rd, Vaucluse | 19 | <i>Glasson House</i> —house |
| Wentworth Rd, Vaucluse | 20 | House, front fencing |
| Wentworth Rd, Vaucluse | 24 | <i>Greenway</i> —all buildings and works, grounds, grove of Sydney Pink Gums |
| Wentworth Rd, Vaucluse | 34 | House |

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| Wentworth Rd, Vaucluse | 36 | Sydney Pink Gum |
| Wentworth Rd, Vaucluse | 38C | House |
| Wentworth Rd, Vaucluse | 48 | Sydney Pink Gum |
| Wentworth Rd, Vaucluse | 54 | <i>Palmeyrie</i> —house, front gardens and sandstone works |
| Wentworth Rd, Vaucluse | 62 | Forest Red Gum |
| Wentworth Rd, Vaucluse | 63 | Forest Red Gum |
| Wentworth Rd, Vaucluse | 65 | Forest Red Gum |
| Wentworth Rd, Vaucluse adjoining Nos 80 and 82 | | Maritime Services Board navigation beacon—eastern channel leading light |
| Wentworth Rd, Vaucluse, within road reserve | | 4 Forest Red Gums, Swamp Mahogany, Sydney Pink Gum |
| Wentworth St , Point Piper | 1 | Cook Pine, Moreton Bay Fig |
| Wentworth St, Point Piper | 6 | Franciscan Missionaries of Mary—building by Manson and Pickering (c.1912), grounds, gardens, retaining walls, entrance gateposts and gates |
| Wentworth St, Point Piper | 21 | House |
| Wentworth St, Point Piper | 23 | Residential flat building, gateposts, gates |
| Wharf Rd , Vaucluse | 10 | Kutti Beach |
| William St , Double Bay | 16 | See No 73 Bay Street, |
| William St, Double Bay | | Double Bay Public School—all 19th Century buildings; gateposts |
| William St, Double Bay | 47 | Moreton Bay Fig |
| Windsor Lane , Paddington | | Sandstone retaining wall and cast iron picket fence to split level road |
| Wiston Gdns , Double Bay | 2 | <i>Taj Mahal</i> —house, terraced gardens, entrance terrace, steps and balustrade, wrought iron fences and balustrades |
| Wiston Gdns, Double Bay | 4 | House, grounds, gardens |
| Wiston Gdns, Double Bay | 6 | House, grounds, gardens |
| Wolseley Cr , Point Piper | 1 | House |
| Wolseley Cr, Point Piper | 1A | Lady Martins Beach |
| Wolseley Cr, Point Piper | 2 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 10 | Seven Shillings Beach |

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| Wolseley Rd, Point Piper | 14 | Seven Shillings Beach |
| Wolseley Rd, Point Piper, within road reserve | | Norfolk Island Pine |
| Wolseley Rd, Point Piper | 16–18 | <i>Danmark</i> —residential flat building |
| Wolseley Rd, Point Piper | 28 | Building |
| Wolseley Rd, Point Piper | 66 | Residential flat building |
| Wolseley Rd, Point Piper | 63–67 | Stone walling |
| Wolseley Rd, Point Piper | 69 | <i>Vaynol</i> —house, sandstone walling, entrance archway |
| Wolseley Rd, Point Piper | 134–136 | Buildings |
| Wolseley Rd, Point Piper | 138–140 | Buildings |
| Wolseley Rd, Point Piper | 142–146 | House |
| Wolseley Rd, Point Piper | 152 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 154 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 156 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 158 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 160 | Lady Martins Beach |
| Wolseley Rd, Point Piper | 162 | Lady Martins Beach |
| Woods Av , Woollahra | 1 | Terrace house, front fencing |
| Woods Av, Woollahra | 1A | Terrace house, front fencing |
| Woods Av, Woollahra | 2 | Terrace house, front fencing |
| Woods Av, Woollahra | 3 | Terrace house, front fencing |
| Woods Av, Woollahra | 4 | Terrace house, front fencing |
| Woods Av, Woollahra | 5 | Terrace house, front fencing |
| Woods Av, Woollahra | 6 | Terrace house, front fencing |
| Woods Av, Woollahra | 7–10 | Norfolk Island Pine |
| Woods Av, Woollahra | 11 | Terrace house, front fencing |
| Woods Av, Woollahra | 12 | Terrace house, front fencing |
| Woods Av, Woollahra | 13 | Terrace house, front fencing |
| Woods Av, Woollahra | 14 | Terrace house, front fencing |
| Woods Av, Woollahra | 15 | Terrace house, front fencing |
| Woods Av, Woollahra | 16 | Terrace house, front fencing |

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| Woods Av, Woollahra | 17 | Terrace house, front fencing |
| Woods Av, Woollahra | 18 | Terrace house, front fencing |
| Woods Av, Woollahra | 19 | Terrace house, front fencing |
| Wunulla Rd , Point Piper | 55 | <i>Herewai</i> —house |
| Wunulla Rd, Point Piper | 58 | House |
| Wyuna Rd , Point Piper | 26 | <i>Ravello</i> —house |
| Yarranabbe Rd , Darling Pt. | 1 | Residential flat building |
| Yarranabbe Rd, Darling Pt. | 28 | House |
| Yarranabbe Rd, Darling Pt. | 40 | Land, formerly part of <i>Goomerah</i> |
| Yarranabbe Rd, Darling Pt. | 47 | <i>Stratford Hall</i> —residential flat building |
| Yarranabbe Rd, Darling Pt. | 55 | House |
| Yarranabbe Rd, Darling Pt. | 99 | House and front fence, sandstone walls to Beverley Lane, sandstone terracing and steps |
| Young St , Paddington | 1 | Electrical Substation No 342 |

Schedule 4 Classification and reclassification of public land as operational land

(Clause 25A)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lots 1 and 2, DP 220530, known as 1-13 Cross Street, Double Bay, Lot 8, Section A, DP 4244, Lots 70 and 71, Section A, DP 4244 and Lots A and B, DP 104986, known as 17 Dover Road, Rose Bay and Lots 7 and 8, DP 976610, known as 16-18 Dover Road, Rose Bay, as shown edged heavy black and hatched on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 8)—Classification Map*”.

Land adjoining 5 Wunulla Road, Point Piper, known as Lot 1, Section 7, DP 3356, as shown edged heavy black on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 21)—Classification Map*”.

Lot 1, DP 507107, Lot 1, DP 509113, Lot 1, DP 502206, Lot 1, DP 508776, Lot 81, DP 774685 and Lot 9, DP 12264, known as the Kiaora Lane Car Park, Double Bay, Lot 4, DP 12264 and Lot 5, DP 12264, known as the Anderson Street Car Park, Double Bay, Lot 7, DP 12264, known as the former Telecom site, Double Bay and Lot 1, DP 68509, known as No 1 Kiaora Road, Double Bay, as shown edged heavy black on the map marked “*Woollahra Local Environmental Plan 1995 (Amendment No 49)—Classification Map*”.

Part 2 Land classified, or reclassified, under amended section 30 of

Local Government Act 1993—interests not changed

| Column 1 | Column 2 |
|---|--|
| Locality | Description |
| Paddington | |
| Land at the rear of (but not forming part of) 37 Union Street | Lot 2, DP 304163, as shown edged heavy black on the map marked “ <i>Woollahra Local Environmental Plan 1995 (Amendment No 34)—Classification Map</i> ” |

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

| Column 1 | Column 2 | Column 3 |
|--|---|---------------------------|
| Locality | Description | Trusts etc not discharged |
| Double Bay | | |
| Land adjoining (but not forming part of) 51 and 53 Suttie Road | Part of Lot 3, DP 81467, as shown edged heavy black on the map marked “ <i>Woollahra Local Environmental Plan 1995 (Amendment No 37)—Classification Map</i> ”— <i>Woollahra Local Environmental Plan 1995 (Amendment No 37)</i> | Nil |

Schedule 5 Suspension of certain agreements, covenants and similar instruments

(Clause 16A)

| Item | Development | Regulatory instrument | Minister |
|------|--|-----------------------------|----------------|
| 1 | Land comprised in Lot 3, DP 12264, known as No 1 Anderson Street, Double Bay—development which is permissible with or without consent within the zone in which the land is situated. | Registered covenant B190524 | Not applicable |
| 2 | Land comprised in Lot 18, DP 12264, known as No 2 Patterson Street, Double Bay—development which is permissible with or without consent within the zone in which the land is situated. | Registered covenant B49841 | Not applicable |

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|---|---|-----------------------------|----------------|
| 3 | Land comprised in Lot 19, DP 12264, known as No 4 Anderson Street, Double Bay—development which is permissible with or without consent within the zone in which the land is situated. | Registered covenant B159583 | Not applicable |
| 4 | Land comprised in Lot 20, DP 12264, known as No 2 Anderson Street, Double Bay—development which is permissible with or without consent within the zone in which the land is situated. | Registered covenant B364994 | Not applicable |