

# North Sydney Local Environmental Plan 2001

[2001-380]



New South Wales

## Status Information

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### Authorisation

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New South Wales

## Contents

<b>Part 1 Preliminary</b> .....	7
1 Name of plan .....	7
2 General aims of this plan .....	7
3 Specific aims of this plan .....	7
4 Where this plan applies .....	9
5 How this plan relates to other planning instruments .....	9
6 Definitions and interpretation .....	10
7 Adoption of the Environmental Planning and Assessment Model Provisions 1980 .....	10
8 Consent authority .....	10
<b>Part 2 General provisions for the development of land</b> .....	10
9 Land use zones .....	10
10 Permissible development .....	10
11 Prohibited development .....	10
12 Exempt development .....	11
13 Complying development .....	11
14 Consistency of aims and objectives .....	12
Zoning and permissible use table .....	12
<b>Part 3 Special provisions</b> .....	20
<b>Division 1 Subdivision controls</b> .....	20
15 Subdivision .....	20
<b>Division 2 Residential zones controls</b> .....	21

16 Residential zone objectives .....	21
17 Building heights.....	22
18 Building height plane.....	23
19 (Repealed) .....	25
20 Landscaped area .....	25
21 Residential D zone (Neighbourhood Business) .....	26
<b>Division 3 Building form</b> .....	<b>26</b>
22 Duplexes and dwelling-houses .....	26
23 Attached dwellings, generally.....	27
24 Attached dwellings revision .....	28
25 Apartment buildings, generally .....	28
26 Apartment building revision or adaptation .....	29
27 Small lots.....	29
<b>Division 4 North Sydney Centre</b> .....	<b>30</b>
28 Application of Division .....	30
28A Division to prevail.....	30
28B North Sydney Centre objectives .....	30
28C Railway infrastructure .....	31
28D Building heights and massing .....	33
28E Miller Street setback area.....	34
28F 93-95 Pacific Highway and 263 Alfred Street, North Sydney.....	35
<b>Division 4A Commercial zone (outside North Sydney Centre)</b> .....	<b>35</b>
28G Building height .....	35
28H Floor space.....	35
<b>Division 5 Mixed use zone</b> .....	<b>36</b>
29 Building height .....	36
30 Building height plane.....	36
31 Floor space .....	37
32 Design of development .....	37
<b>Division 6 Waterfront zone</b> .....	<b>38</b>
33 Waterfront zone controls .....	38

<b>Division 7 Special use zone and private recreation zone</b> .....	39
34 Buildings in the special use zone and private recreation zone .....	39
<b>Division 8 Reserved land</b> .....	39
35 Acquisition and development of land reserved for open space or bushland.....	39
36 Acquisition and development of land reserved for roads.....	40
<b>Division 9 Miscellaneous provisions</b> .....	41
37 (Repealed) .....	41
38 Development within the foreshore building area.....	41
38A Open space building line area .....	42
39 Excavation of land .....	43
40 Contaminated land .....	43
41 Acid sulfate soils.....	44
42 Suspension of covenants, agreements and similar instruments.....	45
<b>Part 4 Heritage provisions</b> .....	45
43 This Part to prevail.....	45
44 Heritage conservation objectives .....	45
45 Consent requirements .....	46
46 Aboriginal sites and relics.....	46
47 Archaeological resources.....	47
48 Heritage items.....	47
49 Conservation areas.....	49
50 Development in the vicinity of heritage items.....	51
51 Conservation incentives .....	51
<b>Part 5 Site specific provisions</b> .....	52
52 Operational land .....	52
53 Ennis Road Bays .....	52
54 190 Pacific Highway.....	53
55 St Leonards Park—North Sydney Oval .....	53
56 Hume Street and Alexander Street car parks .....	53
57 Crows Nest Community Centre.....	54
58 Hipwood Street Car Park.....	54

59 Luna Park: Glen Street frontage.....	54
60 (Repealed) .....	55
61 Cremorne Point Kiosk .....	55
62 James Milson Village .....	55
63 Balls Head Road.....	56
64 1 Bradly Avenue .....	57
65 34 McLaren Street, North Sydney.....	58
66 111-115 Chandos Street, Crows Nest.....	58
67 162 Blues Point Road, McMahons Point .....	58
68 450 Miller Street and 11 Amherst Street, Cammeray .....	59
70 35-51 Mitchell Street, McMahons Point .....	59
<b>Schedule 1 Repeals and amendments .....</b>	<b>59</b>
<b>Schedule 2 Definitions .....</b>	<b>60</b>
<b>Schedule 3 Heritage items .....</b>	<b>75</b>
<b>Schedule 4 Contributory items .....</b>	<b>126</b>
<b>Schedule 5 Uncharacteristic elements .....</b>	<b>157</b>
<b>Schedule 6 Exempt development .....</b>	<b>162</b>
<b>Schedule 7 Complying development.....</b>	<b>182</b>
<b>Schedule 8 Complying development certificate standard conditions .....</b>	<b>198</b>
<b>Schedule 9 Local open space reservations .....</b>	<b>208</b>
<b>Schedule 10 Regional open space reservations.....</b>	<b>210</b>
<b>Schedule 11 Operational land.....</b>	<b>210</b>
<b>Schedule 12 Land to be acquired for roads.....</b>	<b>211</b>
<b>Schedule 13 (Repealed) .....</b>	<b>212</b>
<b>Schedule 14 Laneways (and other roads of similar width and character)</b>	



# North Sydney Local Environmental Plan 2001



New South Wales

## Part 1 Preliminary

### 1 Name of plan

This plan is called *North Sydney Local Environmental Plan 2001*.

### 2 General aims of this plan

The general aims of this plan are:

- (a) promotion of ecologically sustainable development, and
- (b) development that is appropriate to its context and enhances the amenity of the North Sydney community and environment, and
- (c) enhancement of opportunities for public participation in environmental planning and assessment.

### 3 Specific aims of this plan

The specific aims of this plan are:

- (a) in relation to **the character of North Sydney's neighbourhoods**, to:
  - (i) promote the character of the neighbourhoods and development which is compatible with neighbouring development in terms of bulk, scale and appearance, and
  - (ii) maintain a diversity of activities while protecting residential accommodation and local amenity, and
  - (iii) ensure that development on foreshore lands or land visible from the harbour or any public place does not adversely affect the appearance of that foreshore land, or the views of that land from the harbour or public place, and
- (b) in relation to **residential development**, to:
  - (i) protect and enhance the residential use and amenity of existing residential neighbourhoods and new residential development, and

- (ii) maintain and provide for an increase in dwelling stock, where appropriate, and
- (iii) prevent the expansion of non-residential uses in residential neighbourhoods, and
- (c) in relation to **non-residential development**, to:
  - (i) maintain a diversity of employment, services, cultural and recreational activities, and
  - (ii) ensure that non-residential development does not adversely affect the amenity of residential properties and public places, including adverse affectation by reason of the use, design, bulk, scale or appearance of the development, or the traffic generation and parking associated with the development, and
  - (iii) maintain waterfront activities and ensure that these activities do not adversely affect local amenity and environmental quality, and
  - (iv) minimise adverse effects of all permitted non-residential development and non-conforming uses or development, and
- (d) in relation to **environmental quality**, to:
  - (i) maintain and protect natural landscape, topographic features and natural ground surfaces, and
  - (ii) improve soil quality and regulate the remediation and development of contaminated land, and
  - (iii) minimise storm water run-off and its adverse effects and improve the quality of local waterways, and
  - (iv) minimise atmospheric pollution and its adverse effects, and
  - (v) minimise noise emissions and their adverse effects, and
  - (vi) preserve and protect terrestrial and aquatic ecological communities, and
  - (vii) promote the efficient use of energy and resources, and
  - (viii) minimise waste generation, including waste to landfill, and
- (e) in relation to **environmental heritage**, to:
  - (i) identify and encourage the conservation of the heritage of North Sydney, including heritage items, heritage conservation areas, Aboriginal sites, bushland, parks, foreshores and trees, and
  - (ii) ensure that development does not adversely affect the significance of the heritage of North Sydney (including heritage items, heritage conservation areas, Aboriginal sites, bushland, parks, foreshores and trees), and



(f) in relation to **community well-being**, to:

- (i) provide for the growth of a permanent resident population and encourage the provision of a full range of housing, including affordable housing, and
- (ii) encourage the expression of community identity and cultural diversity, and
- (iii) ensure the social and economic effects of development are appropriate, and
- (iv) ensure good management of, and investment in, the community's assets, and

(g) in relation to **cultural resources**, to:

- (i) ensure that development does not adversely affect the quality, amenity and value of cultural resources, and
- (ii) ensure that development does not impede access to cultural resources, and
- (iii) ensure that development does not adversely affect the presentation to streets and other public places of cultural resources, and

(h) in relation to the **foreshore areas** of North Sydney, to improve access by acquisition or dedication or by gaining rights of public access over foreshore land where it will not diminish the natural values of the foreshore.

#### **4 Where this plan applies**

- (1) This plan applies to all land within the North Sydney local government area, except as provided by subclause (2).
- (2) This plan does not apply to the former Roads and Traffic Authority registry site at 303-321 Miller Street, Cammeray, which has been excluded by the Minister from this plan under section 70 (4) of the Act.
- (3) (Repealed)

#### **5 How this plan relates to other planning instruments**

- (1) Environmental planning instruments applying within North Sydney and in force immediately before the appointed day are repealed or amended as set out in Schedule 1.
- (2) Except as expressly provided by this plan, this plan does not affect any State environmental planning policy or regional environmental plan.

**Note—**

For exceptions, see clauses 12 (2), 18 (5), 38 (3) and 41 (5).

- (3) **Saving and transitional provision** Where a development application has been lodged but not finally determined before the commencement of this plan, the environmental

planning instruments repealed or amended by this plan shall apply as if this plan had been exhibited but had not commenced.

- (4) This plan, as in force immediately before the commencement of *North Sydney Local Environmental Plan 2001 (Amendment No 6)*, continues to apply in relation to any development application lodged before that commencement as if that plan had not been made.

## **6 Definitions and interpretation**

In this plan:

- (a) the words and expressions defined in Schedule 2 have the meanings given to them in Schedule 2, and
- (b) references to maps are to maps kept at the office of the Council, and
- (c) 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
- (d) explanatory notes provided within the text are explanatory only and do not form part of this local environmental plan. They are provided to assist understanding, and
- (e) the table of contents does not form part of this plan.

## **7 Adoption of the *Environmental Planning and Assessment Model Provisions 1980***

This plan adopts the *Environmental Planning and Assessment Model Provisions 1980*, other than clauses 4, 7, 15, 16, 17, 24, 31 and 33 of those provisions.

## **8 Consent authority**

The Council is the consent authority for the purposes of this plan, subject to the Act.

# **Part 2 General provisions for the development of land**

## **9 Land use zones**

The land use zones are shown on the map.

## **10 Permissible development**

Subject to other provisions of this plan, development that is specified in the Table to this Part as permissible within a land use zone, other than exempt development, is development that may be carried out in that zone, but only with development consent.

## **11 Prohibited development**

Subject to other provisions of this plan, development that is not specified in the Table to this Part as permissible in a land use zone, other than exempt development, is prohibited

development in that zone and must not be carried out in that zone.

## **12 Exempt development**

- (1) Subject to the provisions of the Act, development is exempt development if it is development which:
  - (a) is permissible, with or without consent, in the zone in which it is to be carried out, and
  - (b) is listed in column 1 of the Table in Schedule 6, and
  - (c) satisfies all of the requirements specified in column 2 of the Table in Schedule 6 that are relevant to the development, and
  - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not exempt development and
  - (e) is carried out within property boundaries (unless Schedule 6 permits it to be carried out outside property boundaries).
- (2) *State Environmental Planning Policy No 1—Development Standards* does not apply to subclause (1) (d).
- (3) For the removal of doubt, all development requires consent under this plan, unless the development is exempt development or prohibited development.

## **13 Complying development**

- (1) Subject to the provisions of the Act, development is complying development if it is development which:
  - (a) is permissible, with consent, in the zone in which it is to be carried out, and
  - (b) is listed in a development category in Schedule 7, and
  - (c) satisfies all of the requirements specified in the standards for the relevant development category in Schedule 7, and
  - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not complying development, and
  - (e) would not be carried out on land reserved for acquisition by a public authority as identified in an environmental planning instrument.
- (2) A complying development certificate issued for any such development is subject to the conditions specified in Schedule 8.
- (3) A complying development certificate that relates to the erection of builders' sheds or portable facilities must:

- (a) state that the sheds or toilet facilities are temporary buildings, and
- (b) specify a removal date that is no later than one year after the date of issue of the complying development certificate.

#### **14 Consistency of aims and objectives**

- (1) When considering a development application, the consent authority must take into account the aims and objectives stated in this plan.
- (2) Consent must not be granted to the carrying out of any development that, in the opinion of the consent authority, is inconsistent with the specific aims of this plan, the objectives of the zone or the objectives of controls.

Zoning and permissible use table

#### **Residential A1 Zone**

##### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) maintain lower scale residential neighbourhoods of mainly detached housing, and
- (b) assist in the conservation of heritage and other sensitive areas, and
- (c) minimise the impact of non-residential uses and ensure these are in character with the zone.

##### **2 Development which may be carried out in this zone**

Development for the purpose of:

child care centres; community notice signs; dwelling-houses; home industries; home occupations; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

#### **Residential A2 Zone**

##### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) maintain lower scale residential neighbourhoods of mainly detached and duplex housing, and
- (b) assist in the conservation of heritage and other sensitive areas, and
- (c) encourage the retention of existing contributory items or neutral items in conservation areas, and
- (c1) promote affordable housing, and
- (d) minimise the impact of non-residential uses and ensure these are in character with the zone.

## **2 Development which may be carried out in this zone**

Development for the purpose of:

apartment buildings revision; attached dwellings revision; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; established apartment buildings; established attached dwellings; home industries; home occupations; hospitals; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

### **Residential B Zone**

#### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) maintain lower scale mixed residential neighbourhoods, and
- (b) allow for residential development in a variety of housing forms, including detached dwellings, duplexes, attached dwellings and boarding houses, and
- (c) assist in the conservation of heritage, and
- (d) minimise the impact of non-residential uses and ensure these are in character with the zone.

#### **2 Development which may be carried out in this zone**

Development for the purpose of:

apartment buildings revision; attached dwellings; boarding houses; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; established apartment buildings; home industries; home occupations; hospitals; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

### **Residential C Zone**

#### **1 Objectives of the zone**

The particular objectives of this zone are to encourage the provision of a range of residential accommodation, including dwelling-houses, duplexes, attached dwellings and apartments, in proximity to transport and other services.

#### **2 Development which may be carried out in this zone**

Development for the purpose of:

apartment buildings; attached dwellings; boarding houses; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; home occupations; home industries; hospitals; housing for aged or disabled persons; open space; places of assembly; places of public worship; real estate signs; remediation; resident medical practice;

telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

## **Residential D Zone (Neighbourhood Business)**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) encourage a wide range of services and shops which serve the surrounding residential neighbourhoods, and
- (b) permit a range of small scale businesses which serve local needs, and
- (c) encourage active street life while maintaining high residential amenity, and
- (d) encourage shop top housing.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; apartment buildings; attached dwellings; boarding houses; business identification signs; child care centres; community facilities; community notice signs; duplexes; dwelling-houses; educational establishments; home industries; home occupations; hospitals; open space; places of assembly; places of public worship; professional consulting rooms; real estate signs; recreational facilities; refreshment rooms; remediation; shop top housing; shops; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

## **Residential F Zone (McMahons Point)**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) encourage a mix of lower scale housing types, and
- (b) permit light industries which do not interfere with residential and public amenity, and
- (c) permit development which is compatible with the scale and character of the surrounding residential area.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; attached dwellings; boarding houses; child care centres; duplexes; dwelling-houses; dwellings in conjunction with light industries; educational establishments; established apartment buildings; home industries; hospitals; housing for aged or disabled persons; light industries; open space; places of assembly; places of public worship; recreational facilities; remediation; resident medical practices; roads; telecommunications facilities; utility installations, other than gas holders or generating works.

## **Residential G Zone (Cremorne Point)**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) maintain the character and the heritage significance of Cremorne Point and prevent this from being eroded by unsympathetic development, and
- (b) ensure that the features of development (such as height, bulk, subdivision pattern, building footprint and orientation, setback and landscaping) are similar to those of characteristic development and fit into the existing streetscape.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

apartment buildings adaptation; apartment buildings revision; attached dwellings revision; boarding-houses; child care centres; duplexes; dwelling-houses; established apartment buildings; established attached dwellings; home industries; home occupations; housing for aged or disabled persons; open space; remediation; resident medical practices; telecommunications facilities; utility installations, other than gas holders or generating works.

## **Commercial Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are:

- (a) to prevent the loss of commercial floor space to residential use, and
- (b) to encourage a diverse range of employment opportunities, and
- (c) to minimise adverse effects of development on residents and occupiers of existing and new development.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; business identification signs; child care centres; clubs; commercial premises; community facilities; community notice signs; drainage; educational establishments; hospitals; hotels; medical centres; open space; places of assembly; places of public worship; real estate signs; recreational facilities; refreshment rooms; remediation; restricted premises; shops; showrooms; take-away food shops; taverns; telecommunications facilities; temporary signs; temporary structures for the sale of produce and merchandise; utility installations, other than gasholders or generating works.

## **Mixed Use Zone**

## **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) encourage a diverse range of living, employment, recreational and social opportunities, which do not adversely affect the amenity of residential areas, and
- (b) create interesting and vibrant neighbourhood centres with safe, high quality urban environments with residential amenity, and
- (c) maintain existing commercial space and allow for residential development in mixed use buildings with non-residential uses at the lower levels and residential above, and
- (d) promote affordable housing.

## **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; apartment buildings; attached dwellings; boarding-houses; business identification signs; child care centres; clubs; commercial premises; community facilities; community notice signs; duplexes; dwelling-houses; drainage; educational establishments; home industries; home occupations; hospitals; hotels; medical centres; open space; places of assembly; places of public worship; real estate signs; recreational facilities; refreshment rooms; remediation; restricted premises; shops; showrooms; take-away food shops; taverns; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

## **Waterfront Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) retain and encourage waterfront activities, and
- (b) identify sites which should be preserved for maritime purposes, or for activities which require direct waterfront access, and
- (c) ensure that development minimises adverse effects on adjacent residential and recreational areas, and environmental quality, and
- (d) ensure that development protects the environmental and visual qualities of the foreshores, and
- (e) provide for the implementation of environmental controls.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; business identification signs; caretakers' residences; charter and tourist boat facilities; community notice signs; marinas; real estate signs; remediation; ship building and



repair; shops and offices not exceeding 50 square metres in area the use of which is ancillary to another permissible use within the zone; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works; water based transport facilities.

## **Special Use Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) identify land on which special land uses are carried out, and
- (b) minimise the impact of the use of that land on adjoining land.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

- (a) on all sites in the zone—apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and
- (b) on sites shown on the map with red lettering—the land use indicated by red lettering on the map.

## **Road Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) identify land used for roads, and
- (b) allow for the flexible use of roads appropriate to their context.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

advertisements; display of goods associated with an adjacent shop; drainage; footpath seating associated with an adjacent refreshment room; open space; remediation; roads; telecommunications facilities; temporary structures for the sale of produce and merchandise; utility installation, other than gas holders or generating works.

## **Railways Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) identify land used for railway purposes, and
- (b) minimise the adverse effects of railway use of this land on adjoining land.

## 2 Development which may be carried out in this zone

Development for the purpose of:

drainage; open space; railways, including any development authorised under the [Transport Administration Act 1988](#); remediation; telecommunications facilities; utility installations, other than gas holders or generating works.

### Public Open Space Zone

#### 1 Objectives of the zone

The particular objectives of this zone are to:

- (a) allow for a range of open space areas which meet the needs of the community for both formal and informal recreation, and
- (b) ensure sufficient public recreation areas are available for the benefit and use of the community, and
- (c) allow for the enhancement and management of recreation areas in accordance with plans of management adopted by the Council under the [Local Government Act 1993](#), and
- (d) allow for the enhancement and management of recreation areas in accordance with plans of management adopted by the Council under Division 6 of Part 5 of the [Crown Lands Act 1989](#).

#### 2 Development which may be carried out in this zone

Any development 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.

Development for the purpose of:

bushfire hazard reduction; community notice signs; cycle ways; drainage; horticulture; landscaping; park maintenance; recreation areas; refreshment rooms; remediation; temporary signs; temporary structures, including temporary structures for the sale of goods, information displays, and the display and sale of merchandise and produce; utility installations, other than gas holders or generating works; vehicle access to another permissible use within the zone; visitor facilities.

### Bushland Zone

#### 1 Objectives of the zone

The particular objectives of this zone are to:

- (a) protect and preserve bushland so as to provide representation of the natural state and to enable existing animal and plant communities to survive in the long term, and
- (b) allow, where appropriate, for low impact recreational opportunities which will protect the values of bushland, and

- (c) protect and preserve bushland for its natural, cultural, historical, scientific, educational, archaeological, geological, recreational, scenic and visual values in accordance with the Bushland Plan of Management adopted by the Council under the [Local Government Act 1993](#), and
- (d) allow for the enhancement and management of recreation areas in accordance with plans of management adopted by the Council under Division 6 of Part 5 of the [Crown Lands Act 1989](#).

## **2 Development which may be carried out in this zone**

Any development 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.

Development for the purpose of:

bushfire hazard reduction; bushland regeneration and management; community notice signs; drainage; landscaping; remediation; vehicular access for emergency and maintenance vehicles; vehicle access to another permissible use within the zone; visitor facilities.

## **Public Recreation Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) allow for a range of open space areas and public facilities which meet the needs of the North Sydney population for recreation, and
- (b) ensure sufficient public recreation areas are available for the benefit and use of residents and visitors to the North Sydney local government area, and
- (c) allow for the enhancement and management of both formal and informal recreation areas in accordance with plans of management adopted by the Council under the [Local Government Act 1993](#).

### **2 Development which may be carried out in this zone**

Any development 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.

Development for the purpose of:

bushfire hazard reduction; child care centres; clubs; community facilities; community notice signs; cycle ways; drainage; horticulture; landscaping; park maintenance; recreation areas; refreshment rooms; remediation; telecommunications facilities; temporary structures for the sale of produce and merchandise goods, and for information displays; temporary signs; utility installations, other than gas holders or generating works; vehicle access to another permissible use within the zone; vehicle access to the Luna Park Zone by emergency, construction and service vehicles for the delivery and removal of goods and equipment (vehicle access for the purpose of parking is prohibited); visitor facilities.

## **Private Recreation Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to allow for the continued use of private recreation facilities.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

buildings and works involved in bushfire hazard reduction, drainage, horticulture, or landscaping; clubs ancillary to recreation use; recreation areas; recreation facilities ancillary to recreation use; remediation; utility installations, other than gas holders or generating works; visitor facilities.

## **Luna Park Zone**

### **1 Objectives of the zone**

The particular objectives of this zone are to:

- (a) ensure that development reflects and continues Luna Park's place in the social history of Sydney, and
- (b) allow for development for the purpose of public recreation, amusement and entertainment, and
- (c) minimise the impact of Luna Park's operation on the surrounding community.

### **2 Development which may be carried out in this zone**

Development for the purpose of:

Luna Park; amusements; places of assembly; recreation areas; recreational facilities; refreshment rooms; remediation; shops; take-away food shops; telecommunications facilities; utility installations, other than gas holders or generating works; works (other than buildings) involved in landscaping and gardening.

## **Part 3 Special provisions**

### **Division 1 Subdivision controls**

#### **15 Subdivision**

(1) **Subdivision objectives** The specific objectives of the subdivision controls are to:

- (a) ensure subdivision and associated development maintain the character of the neighbourhood as reflected in lot size, orientation and shape, and housing density, and
- (b) ensure the strata title conversion of existing multi-unit buildings does not

adversely affect the residential amenity of those buildings and their surroundings, and

(c) maintain a mix of dwelling sizes and affordable accommodation.

(2) **Consent requirements** Subdivision may only be carried out with consent.

(3) **Minimum lot size in residential zones** A subdivision must not create a lot, other than a strata lot, which contains less than the minimum area for the zone specified in the following Table:

**Minimum lot area table**

<b>Zone</b>	<b>Minimum area per lot</b>
Residential A1	450 square metres
Residential A2	450 square metres or 230 square metres (as shown on the map)
Residential G (Cremorne Point)	600 square metres
All other residential zones	230 square metres

(4) **Area of lot** For the purposes of this clause, in calculating the area of any lot, the area of any access way, right of carriageway or the like, and the area of any land that was below the line of maximum tidal reach at 3 December 1982, are to be excluded.

## **Division 2 Residential zones controls**

### **16 Residential zone objectives**

The specific objectives of the residential zone controls are:

(a) a range of dwelling types, which includes:

- (i) dwelling-houses, each being a detached house and garden, providing accommodation for a range of households and, in particular, households with children, and
- (ii) duplexes, being two dwellings in the one building, which will have a similar appearance, bulk and scale to a detached house and which will assist in the retention of existing buildings, and
- (iii) attached dwellings, being a medium density form of housing, with underground parking and garden courtyards for the use of residents, each dwelling having its own entrance directly from the road into the dwelling and a majority of dwellings having an address to the road, and
- (iv) apartments, being a medium density form of housing set in a garden block, with underground parking and communal landscaped open space for the use of

residents, and

- (b) amenity for residents of new and existing dwellings, and
- (c) buildings which are compatible with their immediate context, and
- (d) development that promotes the character of the neighbourhood, and
- (e) to avoid carriage development.

## **17 Building heights**

(1) **Building height objectives** The specific objectives of the building height controls are to:

- (a) limit the height of buildings in residential zones to:
  - (i) one storey, at the street façade, where that is the characteristic building height, or
  - (ii) subject to subparagraph (i), heights which are the same as or similar to the characteristic building heights, or
  - (iii) if neither subparagraph (i) nor (ii) applies, two storeys, or
  - (iv) despite subparagraphs (i)-(iii), in the case of apartment buildings in the residential C zone, three storeys or the height indicated on the map, and
- (a1) promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient, and
- (b) promote gabled and hipped roofs in all residential zones and avoid other roof forms except:
  - (i) skillion roofs over verandas and rear extensions to buildings that have a main roof that is gabled or hipped, or
  - (ii) where it is desirable to preserve views, other roof forms that are characteristic of the area, and
- (c) promote the retention of and, if appropriate, sharing of existing views, and
- (d) maintain solar access to new and existing dwellings, public reserves and streets, and promote solar access to new buildings, and
- (e) maintain privacy for residents of existing dwellings and promote privacy for residents of new buildings, and
- (f) prevent the excavation of sites for building works, other than for garages and car parking.

**Note—**

**characteristic building height** is defined in Schedule 2.

- (2) **Additional objectives for Cremorne Point** Additional specific objectives of the building height controls in the residential G zone (Cremorne Point) are to:
  - (a) minimise the loss of significant views from surrounding properties, roads or public places, and
  - (b) minimise shadows that reduce sunlight available to the northern façade of an existing dwelling, or the landscaped area around an existing dwelling, to less than 3 hours per day between 9 am and 3 pm on 22 June annually, and
  - (c) ensure that the wall heights of the proposed building do not exceed the wall heights of surrounding contributory items.
- (3) **Building height controls** Except as otherwise provided in this clause, a building must not be erected, in a residential zone, in excess of 8.5 metres in height.
- (4) Where the characteristic building height is one storey, a building must not be erected, in a residential zone, in excess of 5.5 metres in height at the street façade or 8.5 metres in height otherwise.
- (5) An apartment building in the residential C zone must not be erected in excess of 12 metres in height, where no other maximum height is specified in this plan or on the map.
- (6) Where a maximum height is specified on the map, a building must not be erected, in a residential zone, in excess of that height.
- (7) **Existing small lots** A building must not be erected, on any small lot, in excess of 5.5 metres in height.
- (8) (Repealed)
- (9) **Attics** A building must not be erected, in a residential zone, so as to provide attic space with a floor area of more than half the floor area of the floor below.

## **18 Building height plane**

- (1) **Building height plane objectives** The specific objectives of the building height plane controls are to:
  - (a) control the bulk and scale of buildings, and
  - (b) provide separation between buildings, and
  - (c) preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

- (2) **Building height plane control in residential A1, A2, B and F zones** A building must not be erected in the residential A1, A2, B or F zone if any part of the building will exceed a building height plane, commencing at 1.8 metres above existing ground level, and projected at an angle of 45 degrees, at all points from each of the boundaries of the site.
- (3) **Building height plane control in residential C zone** A building must not be erected in the residential C zone if any part of the building will exceed a building height plane:
- (a) commencing at 3.5 metres above existing ground level, and projected at an angle of 45 degrees, at all points from each of the boundaries of the site, or
  - (b) commencing at 1.8 metres above existing ground level, and projected at an angle of 45 degrees, at all points from each of the boundaries of the site that adjoins land within the residential A1, A2, B or F zone or open space zone, or from the centre of any road that separates the land from land within the residential A1, A2, B or F zone or open space zone.
- (3A) **Building height plane control in residential D zone** A building must not be erected in the residential D zone if any part of the building will exceed a building height plane:
- (a) commencing 1.8 metres above existing ground level, and projected at an angle of 45 degrees, from all points from each of the boundaries of the site that adjoin land within the residential A1, A2, B, or F zone or open space zone, or
  - (b) commencing 1.8 metres above existing ground level, and projected at an angle of 45 degrees, from the centre of any road that separates the land from land within the residential A1, A2, B, or F zone or open space zone, or
  - (c) commencing 3.5 metres above existing ground level, and projected at an angle of 45 degrees, from all points from each of the boundaries of the site that adjoin land within the residential C zone, or
  - (d) commencing 3.5 metres above existing ground level, and projected at an angle of 45 degrees, from the centre of any road that separates the land from land within the residential C zone.
- (4) **Building height plane control where maximum height on map** The building height plane does not apply to apartment buildings in those areas where the permissible building height is greater than 12 metres, as indicated on the map.
- (5) **Building height performance criteria** Consent must not be granted pursuant to [State Environmental Planning Policy No 1—Development Standards](#) for the erection of a building any part of which exceeds a building height plane set by this clause if the building would materially:
- (a) overshadow any existing or new property, or



- (b) reduce the level of privacy to any existing or new property, or
- (c) obstruct views from any existing or new property, or
- (d) obstruct daylight or ventilation to any existing or new property.

**19 (Repealed)**

**20 Landscaped area**

- (1) **Landscaped area objectives** The specific objectives of the landscaped area controls are to:
- (a) promote the character of the neighbourhood, and
  - (b) provide useable private open space for the enjoyment of residents, and
  - (c) provide a landscaped buffer between adjoining properties, and
  - (d) maximise retention and absorption of surface drainage water on site, and
  - (e) minimise obstruction to the underground flow of water, and
  - (f) promote substantial landscaping, including trees which will grow to a minimum height of 15 metres, and
  - (g) control site density, and
  - (h) minimise site disturbance.
- (2) **Landscaped area controls for residential A1, A2, B, C and F zones** Development must not be carried out in the residential A1, A2, B, C, or F zone, if (because of carrying out the development) the percentage of any site area that is landscaped area is less than the minimum percentage for the site area as specified in the following Table:

**Landscaped area requirements**

<b>Site area</b>	<b>Landscaped area as a percentage of site area</b>
Less than 500m <sup>2</sup>	50%
500m <sup>2</sup> or more but less than 600m <sup>2</sup>	52%
600m <sup>2</sup> or more but less than 700m <sup>2</sup>	54%
700m <sup>2</sup> or more but less than 800m <sup>2</sup>	56%
800m <sup>2</sup> or more but less than 900m <sup>2</sup>	58%
900m <sup>2</sup> and above	60%

- (3) **Landscaped area control for residential G zone (Cremorne Point)** Development must not

be carried out in the residential G zone if (because of carrying out the development) the percentage of the site area that is landscaped area is less than 60%.

## **21 Residential D zone (Neighbourhood Business)**

- (1) **Landscaped area and floor space objectives** The specific objectives of landscaped area and floor space controls in the residential D zone are to:
  - (a) ensure that development resulting in high site coverage provides adequate landscaped space or outdoor space for use by residents, and
  - (b) ensure that development is of a scale and intensity that promotes the character of the neighbourhood, and
  - (c) minimise traffic generation.
- (2) **Landscaped area and floor space controls** A building must not be erected in the residential D zone if the:
  - (a) percentage of landscaped area plus outdoor space on the site is less than 35% of the site area, or
  - (b) floor space ratio of the building exceeds 1:1 in all areas other than the part of Cammeray or St Leonards shown coloured on sheet 2 of the map, or
  - (c) floor space ratio of the part of the building to be used for non-residential purposes is not within the range specified on the map, where the building is in the area of Cammeray or St Leonards shown coloured on sheet 2 of the map.

## **Division 3 Building form**

### **22 Duplexes and dwelling-houses**

- (1) **Restrictions on erection of duplexes and dwelling-houses** No more than one duplex or dwelling-house may be erected on a single lot.
- (2) A dwelling-house and a duplex must not be erected on the same lot, and neither may be erected on a lot with another form of development containing a dwelling.
- (3) **Duplex objectives** The specific objectives of the duplexes controls are to:
  - (a) achieve a form of building which appears as a dwelling-house, and
  - (b) conserve heritage items and contributory items within conservation areas, and
  - (c) achieve building forms that promote the character of the neighbourhood, and
  - (d) avoid excavation of sites for garages or car parking.
- (4) **Restriction on development of duplexes** Despite the Table to Part 2, a duplex must not

be erected on land that is located within a conservation area or is identified as a heritage item, unless:

- (a) the land is vacant, or
- (b) the land contained a building, work or place, or a fixed component, identified as an uncharacteristic element on the appointed day, or
- (c) all of the following apply:
  - (i) the duplex is situated substantially within the fabric of an existing building,
  - (ii) the appearance of the existing building, as visible from a public place, is conserved,
  - (iii) the majority of significant fabric of the existing building is conserved.

(5) **Duplex controls** A duplex must not be erected unless:

- (a) the dwellings in the duplex are attached by at least 80% of the common wall, or 80% of the common floor or ceiling, as relevant, and
- (b) the site area is at least 450 square metres, and
- (c) not more than one duplex per 450 square metres of site area is proposed, and
- (d) underground parking is not proposed.

(6) **Prohibited development** Development that contravenes subclause (1), (2) or (4) (c) (i) is prohibited development.

## 23 Attached dwellings, generally

(1) **Attached dwelling objectives** The specific objectives of the attached dwelling controls are to:

- (a) achieve residential buildings with the character of traditional row housing, and
- (b) ensure that no dwelling shares an entrance pathway or lobby area, and
- (c) avoid carriage development, and
- (d) ensure the amenity of occupants and neighbours.

(2) **Attached dwelling controls** Attached dwellings must not be erected unless:

- (a) each dwelling in the building has an individual entrance, at ground level, directly to a public road, and
- (b) at least 50% of the dwellings in the building have their primary frontage and orientation to a public road or public place.

## 24 Attached dwellings revision

- (1) **Attached dwellings revision objective** The specific objective of the attached dwellings revision controls is to ensure that development for the purpose of attached dwellings revision:
  - (a) is carried out substantially within the fabric of the existing building, and
  - (b) substantially retains the existing external walls and roof of the building in its existing dimensions and locations, and
  - (c) minimises the extension of buildings to accommodate attached dwellings and, in particular, minimises any increase in the height or gross floor area of the building, and
  - (d) minimises any reduction in the landscaped area of the site.
- (2) **Attached dwellings revision controls** Development for the purpose of attached dwellings revision must not be carried out if the development involves any alteration or addition to the existing building which would:
  - (a) cause any material loss of views from other properties or public places, or
  - (b) cause any material overshadowing of other properties or public places, or
  - (c) cause any material loss of privacy to other properties, or
  - (d) materially increase the height of the attached dwellings that lawfully existed on the appointed day, or
  - (e) materially decrease the landscaped area of those attached dwellings below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.
- (3) **Prohibited development** Development that contravenes subclause (2) (d) or (e) is prohibited development.

## 25 Apartment buildings, generally

- (1) **Apartment building objectives** The specific objectives of the apartment building controls are to:
  - (a) reduce the adverse effect of larger scale buildings and ensure that apartment buildings do not dominate the streetscape, and
  - (b) ensure that dwelling-houses or duplexes will not be left isolated on sites that are not reasonably capable of development for apartment buildings.
- (2) **Apartment building controls** An apartment building must not be erected if:

- (a) the length of any façade facing the street is less than 9 metres or more than 15 metres, or
- (b) any dwelling-house or duplex will be left isolated as a result of the development on sites that are not reasonably capable of development for apartment buildings.

## **26 Apartment building revision or adaptation**

- (1) **Apartment building revision or adaptation objectives** The specific objectives of the apartment building revision or adaptation controls are to ensure that development for the purpose of apartment buildings in apartment or other buildings that lawfully existed at the appointed day:
  - (a) is carried out substantially within the fabric of the existing building, and
  - (b) substantially retains the existing external walls and roof of the building in its existing dimensions and locations, and
  - (c) minimises the extension of buildings to accommodate apartment development, and, in particular, minimises any increase in the height or gross floor area of the building, and
  - (d) minimises any reduction in the landscaped area of the site.
- (2) **Apartment building revision or adaptation controls** Development for the purpose of apartment building revision or apartment building adaptation must not be carried out if the development involves any alteration or addition to the apartment or other building that lawfully existed at the appointed day which would:
  - (a) cause any material loss of views from other properties or public places, or
  - (b) cause any material overshadowing of other properties or public places, or
  - (c) cause any material loss of privacy to other properties, or
  - (d) materially increase the height of the existing apartment or other building, or
  - (e) materially decrease the landscaped area of the existing apartment or other building below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.
- (3) **Prohibited development** Development that contravenes subclause (2) (d) or (e) is prohibited development.

## **27 Small lots**

- (1) **Small lots objectives** The specific objectives of the small lots controls are to:
  - (a) limit the bulk and scale of development on small lots, in accordance with the size

of such lots, and

(b) protect the amenity of surrounding properties, and

(c) ensure that each small lot is the site of one dwelling only.

(2) **Small lot controls** Despite any other provision of this plan, a small lot, if developed for residential purposes, must contain no more than one dwelling.

(3) **Prohibited development** Development that contravenes subclause (2) is prohibited development.

## Division 4 North Sydney Centre

### 28 Application of Division

This Division applies to land shown edged heavy black and marked “North Sydney Centre” on Sheet 2 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*” referred to in this Division as the “**North Sydney Centre**”.

#### 28A Division to prevail

The provisions of this Division prevail over all other provisions of this plan, to the extent of any inconsistency, except for Part 4—Heritage provisions.

#### 28B North Sydney Centre objectives

The specific objectives of this Division are as follows:

(a) to maintain the status of the North Sydney Centre as a major commercial centre within Australia,

(b) to require arrangements for railway infrastructure to be in place before additional non-residential gross floor area is permissible in relation to any proposed development in the North Sydney Centre,

(c) to ensure that railway infrastructure, and in particular North Sydney Station, will enable and encourage a greater percentage of people to access the North Sydney Centre by public transport than by private transport and will:

(i) be convenient and accessible, and

(ii) enable a reduction in dependence on private car travel to the North Sydney Centre, and

(iii) be adequate to achieve no increase in car parking, and

(iv) have the capacity to service the demands generated by development in the North Sydney Centre,

- (d) to discourage use of motor vehicles in the North Sydney Centre,
- (e) to encourage access to and within the North Sydney Centre for pedestrians and cyclists,
- (f) to allow for 250,000 square metres (maximum) non-residential gross floor area in addition to the estimated existing (as at the commencement of this Division) 700,000 square metres non-residential gross floor area,
- (g) to prohibit further residential development in the core of the North Sydney Centre,
- (h) to encourage the provision of high-grade commercial space with a floor plate, where appropriate, of at least 1000 square metres,
- (i) to achieve a variety of commercial space,
- (j) to encourage the refurbishment, recycling and rebuilding of older buildings,
- (k) to encourage a diverse range of employment, living, recreation and social opportunities,
- (l) to promote high quality urban environments and residential amenity,
- (m) to provide significant public benefits such as open space, through-site linkages, childcare and the like,
- (n) to improve accessibility within and to the North Sydney Centre,
- (o) to protect the amenity of residential zones and existing open space within and nearby the North Sydney Centre,
- (p) to prevent any net increase in overshadowing of any land zoned residential or public open space or identified as a special area,
- (q) to maintain areas of open space on private land and promote the preservation of existing setbacks and landscaped areas, and protect the amenity of these areas.

### **28C Railway infrastructure**

- (1) **Railway infrastructure objective** The specific objective of this clause is to ensure there will be railway infrastructure to accommodate the growth of the North Sydney Centre in accordance with this Division.
- (2) **Railway infrastructure control** Consent must not be granted to the carrying out of development on any land in the North Sydney Centre if the total non-residential gross floor area of buildings on the land after the development is carried out would exceed the total non-residential gross floor area of buildings lawfully existing on the land immediately before the development is carried out.

- (3) **Exception railway infrastructure control** Despite subclause (2) but subject to subclause (5), consent may be granted to the carrying out of development on any land in the North Sydney Centre that would result in an increase in the total non-residential gross floor area of buildings lawfully existing on the land, but only if the Director-General has first certified, in writing to the consent authority, that satisfactory arrangements have been made for railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development.
- (4) In determining whether to certify arrangements in accordance with subclause (3), the Director-General must consider the views of:
- (a) the New South Wales Department of Transport, and
  - (b) any other public authority that the Director-General considers relevant.
- (5) Consent must not be granted in accordance with subclause (3) if the consent authority is satisfied that the increase in non-residential gross floor area authorised under the consent concerned when added to the increases (reduced by any decreases) in non-residential gross floor area authorised under all consents granted in relation to land in the North Sydney Centre since the commencement of this Division would exceed 250,000 square metres.
- (6) The Council is to review this Division to determine whether the policy objectives of the Division remain valid and whether the terms of the Division remain appropriate for securing those objectives. The review is to be undertaken as soon as practicable after consent has been granted that would result in the sum of increases (reduced by any decreases) in the non-residential gross floor area authorised under all consents granted in relation to land in the North Sydney Centre since the commencement of this Division exceeding 200,000 square metres.
- (7) For the purposes of subclauses (5) and (6):
- (a) an increase in non-residential gross floor area is the amount by which the non-residential gross floor area authorised on land after a consent is granted exceeds the non-residential gross floor area authorised on the land immediately before the consent was granted, and
  - (b) a decrease in non-residential gross floor area is the amount by which the non-residential gross floor area authorised on land after a consent is granted is less than the non-residential gross floor area authorised on the land immediately before the consent was granted, and
  - (c) a consent does not include a consent that has lapsed.
- (8) In this clause, **non-residential gross floor area** means that part of the gross floor area of a building that is used for the purposes of commercial premises, hotels, motels, refreshment rooms, serviced apartments, shops, showrooms, take-away food



shops or recreation facilities (but only where those facilities are used for the purpose of gain).

## **28D Building heights and massing**

- (1) **Building heights and massing objectives** The specific objectives of this clause are as follows:
- (a) to achieve a transition of building heights generally from 100 Miller Street (Northpoint) and 79–81 Berry Street (being the location of the tallest buildings) stepping down towards the boundaries of the North Sydney Centre,
  - (b) to promote a height and massing that has no adverse impact on land in the public open space zone or land identified as a special area on Sheet 5 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*” or on heritage items,
  - (c) to minimise overshadowing of land in the residential and public open space zones or identified as a special area on Sheet 5 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*”,
  - (d) to protect the privacy of residents within and around the North Sydney Centre,
  - (e) to promote scale and massing that provides for pedestrian comfort, in terms of weather protection, solar access and visual dominance,
  - (f) to encourage consolidation of sites for provision of high grade commercial space and provision of public benefits.
- (2) **Building heights and massing controls** Consent must not be granted to the erection of a building within the North Sydney Centre, unless:
- (a) the height of the building will not exceed RL 195 AHD, and
  - (b) there is no net increase in overshadowing of any land between the hours of 9am and 3pm, 21 June outside the composite shadow area, as shown on the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*” (except land that is in the Road or Railways Zone), and
  - (c) there is no net increase in overshadowing, between 10am and 2pm, at any time of the year, of any land that is within the North Sydney Centre and is within the public open space zone or within a special area as shown on Sheet 5 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*”, and
  - (d) there will be no increase in overshadowing that would reduce the amenity of any dwelling that is outside the North Sydney Centre and falls within the composite shadow area referred to in paragraph (b), and

- (e) the site area is not less than 1,000 square metres.
- (3) *State Environmental Planning Policy No 1—Development Standards* does not apply to a requirement made by subclause (2) (a), (b) or (c) (including a requirement varied under subclause (4)).
- (4) **Minor variation of overshadowing controls** The consent authority may make a determination to vary, to a minor extent only, the operation of subclauses (2) (b) or (c), or both, in respect of a particular development application, but only if:
  - (a) it is satisfied that the variation is justified due to the merits of the development application and the public benefit to be gained, and
  - (b) it is satisfied that any increase in overshadowing will not reduce the amenity of any land, and
  - (c) in relation to a variation of the operation of subclause (2) (b), the variation will result in not more than 2 hours net increase in overshadowing of land referred to in that paragraph between the hours of 9am and 3pm, 21 June, and
  - (d) in relation to a variation of the operation of subclause (2) (c), the variation will result in not more than 15 minutes net increase in overshadowing of land referred to in that paragraph between the hours of 10am and 12 noon, and no net increase between the hours of 12 noon and 2pm, on any day.
- (5) **Building design and public benefits** When determining whether or not to grant consent to a development application in respect of land within the North Sydney Centre, the consent authority must consider:
  - (a) the impact of the proposed development in terms of scale, form and massing within the context of the locality and landform, the natural environment and neighbouring development and in particular lower scale development adjoining the North Sydney Centre, and
  - (b) whether the proposed development provides public benefits such as open space, through-site linkages, community facilities and the like, and
  - (c) whether the proposed development preserves important view lines and vistas, and
  - (d) whether the proposed development enhances the streetscape in terms of scale, materials and external treatments, and provides variety and interest.

## **28E Miller Street setback area**

- (1) **Miller Street setback area objective** The specific objective of this clause is to maintain the established setback and landscaped setting on the eastern side of Miller Street between McLaren Street and Mount Street.

- (2) **Miller Street setback area control** A building must not be erected within the Miller Street setback area, as shown on Sheet 3 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*”, unless it is less than 1.5 metres high and is required only for access to, or landscaping of, a site.

**28F 93-95 Pacific Highway and 263 Alfred Street, North Sydney**

Despite any other provision of this plan, the land know as 93-95 Pacific Highway, North Sydney and 263 Alfred Street North, North Sydney may be used for residential purposes.

**Division 4A Commercial zone (outside North Sydney Centre)**

**28G Building height**

- (1) **Building height objectives** The specific objectives of this clause are as follows:
- (a) to ensure compatibility between development in the commercial zone and adjoining residential, mixed use, and open space zones,
  - (b) to provide ventilation, views, building separation, setback, solar access and light to land within the commercial and other zones,
  - (c) to avoid overshadowing of dwellings, especially windows, landscaped areas, courtyards, roof decks, balconies and the like by proposed development,
  - (d) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient.
- (2) **Building height controls** A building must not be erected in the commercial zone, outside the North Sydney Centre, in excess of the height shown on Sheet 2 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*”.

**28H Floor space**

- (1) **Floor space ratio objectives** The specific objectives of this clause are as follows:
- (a) to maintain existing commercial space,
  - (b) to minimise traffic generation from commercial development.
- (2) **Floor space ratio controls** A building must not be erected in the commercial zone, outside the North Sydney Centre, if the floor space ratio is greater than the maximum specified on Sheet 2 of the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre*”.

## Division 5 Mixed use zone

### 29 Building height

- (1) **Building height objectives** The specific objectives of the building height controls in the mixed use zone are to:
- (a) ensure compatibility between development in the mixed use zone and adjoining residential areas and open space zones, and
  - (b) encourage an appropriate scale and density of development for each neighbourhood that is in accordance with, and promotes the character of, the neighbourhood, and
  - (c) provide reasonable amenity for inhabitants of the building and neighbouring buildings, and
  - (d) provide ventilation, views, building separation, setback, solar access and light and to avoid overshadowing of windows, landscaped areas, courtyards, roof decks, balconies and the like, and
  - (e) promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient, and
  - (f) avoid the application of transitional heights as justification for exceeding height controls.
- (2) **Building height controls** A building must not be erected in the mixed use zone in excess of the height shown on the map.

### 30 Building height plane

- (1) **Building height plane objectives** The specific objectives of the building height plane controls in the mixed use zone are to:
- (a) ensure compatibility between development in the mixed use zone and adjoining residential or open space zones, and
  - (b) minimise adverse effects on land in adjoining residential or open space zones in relation to ventilation, views, building separation, solar access and light and to avoid overshadowing of windows, landscaped areas, courtyards, roof decks, balconies and the like.
- (2) **Building height plane controls** A building must not be erected in the mixed use zone, on land that adjoins or is adjacent to land within a residential or open space zone, if any part of the building will exceed a building height plane:
- (a) commencing 1.8 metres above existing ground level, and projected at an angle of 45 degrees, at all points from each of the boundaries of the site that adjoin land

within the residential A1, A2, B or F zone or open space zone, or

- (b) commencing 1.8 metres above existing ground level, and projected at an angle of 45 degrees, from the centre of any road that separates the land from land within the residential A1, A2, B or F zone or open space zone, or
- (c) commencing 3.5 metres above existing ground level, and projected at an angle of 45 degrees, at all points from each of the boundaries of the site that adjoin land within the residential C zone, or
- (d) commencing 3.5 metres above existing ground level, and projected at an angle of 45 degrees, from the centre of any road that separates the land from land within the residential C zone, or
- (e) commencing 1.8 metres above existing ground level, projected at all points from each of the boundaries adjoining a laneway or other road of a similar width and character referred to in Schedule 14 that separates the land from land within the Residential A1, A2, B, D or F (McMahons Point) Zone or the Public Open Space Zone, or
- (f) commencing 3.5 metres above existing ground level, projected at all points from each of the boundaries adjoining a laneway or other road a similar width and character referred to in Schedule 14 that separates the land from land within the Residential C Zone.

### **31 Floor space**

- (1) **Floor space objectives** The specific objectives of the floor space ratio controls in the mixed use zone are to:
  - (a) ensure a diverse mix of uses in each building in the mixed use zone, and
  - (b) minimise traffic generation from commercial development.
- (2) **Floor space controls** A building must not be erected in the mixed use zone if the floor space ratio of the part of the building to be used for non-residential purposes is not within the range specified on the map.

### **32 Design of development**

- (1) **Design objectives** The specific objectives of the design of development in the mixed use zone controls are to:
  - (a) promote development containing a mix of residential and non-residential uses, and
  - (b) protect the amenity and safety of residents, and
  - (c) concentrate the non-residential component of development in the mixed use zone

at the lower levels of a building.

- (2) **Design controls** A new building in the mixed use zone must not be erected unless:
- (a) the building contains both residential and non-residential uses, and
  - (b) the non-residential component of the building is provided at the lower levels of the building and the ground level is not used for residential purposes, except access, and
  - (c) the residential component of the building is provided with an entrance separate from the entrances to the remainder of the building, and
  - (d) the building is set back above a podium.
- (3) Despite any other provision of this plan, any development in the mixed use zone may contain both residential and non-residential uses.
- (4) **Prohibited development** Development that contravenes subclause (2) (a) is prohibited development.

## Division 6 Waterfront zone

### 33 Waterfront zone controls

- (1) **Objectives of waterfront zone controls** The specific objectives of the waterfront zone controls are to:
- (a) ensure development in the waterfront zone is in scale with the site and its surroundings, and
  - (b) acknowledge the unique environmental quality of the foreshores of the harbour.
- (2) **Waterfront zone controls** Development must not be carried out in the waterfront zone if:
- (a) the area of the site to be built upon exceeds 50% of the total site area, or
  - (b) the height of any proposed building exceeds 10 metres, or
  - (c) the proposed development is incompatible with the:
    - (i) size of the site and the part of the waterway where the development is situated, particularly in relation to the number, size and draft of any boats to be moored, or
    - (ii) proximity, scale and height of surrounding development, or
    - (iii) scenic, environmental and cultural qualities of the site and its surrounding area, or

- (d) the proposed development will have an adverse effect on:
  - (i) public views and views from surrounding properties, or
  - (ii) natural features on, or adjoining, the site, such as cliff lines, bushland and significant trees.

## **Division 7 Special use zone and private recreation zone**

### **34 Buildings in the special use zone and private recreation zone**

- (1) **Land to which clause applies** This clause applies to all land within the special use zone and private recreation zone.
- (2) **Buildings in the special use zone and private recreation zone objectives** The specific objectives of the buildings in the special use zone and private recreation zone controls are to:
  - (a) ensure that buildings within the zone are similar in type, height, bulk and scale to surrounding buildings, and
  - (b) minimise the adverse effects of development on surrounding residential development.
- (3) **Building controls** A building must not be erected on land to which this clause applies unless:
  - (a) the building is consistent with the objectives and permissible uses that apply to the land adjoining the site and land directly across a road from the site, and
  - (b) the building complies with the relevant development standards, for the particular type of building, that apply to the land adjoining the site and land directly across a road from the site.
- (4) If the site adjoins, or is directly across a road from, land in more than one zone, the objectives, permissible uses and development standards that are applied by subclause (3) are the most restrictive development standards.
- (5) For the purposes of subclause (4), the zone subject to the most restrictive development standards is to be determined having regard to all relevant zones except for the road, railway, public open space, private recreation or public recreation zones.

## **Division 8 Reserved land**

### **35 Acquisition and development of land reserved for open space or bushland**

- (1) The owner of any land in the public open space or bushland zones and listed in Schedule 9, being land reserved for acquisition as local open space or bushland, may by notice in writing require the Council to acquire the land.

- (2) The owner of any land in the public open space or bushland zones and listed in Schedule 10, being land reserved for acquisition as regional open space, may by notice in writing require 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 owned by a public authority and is held by that public authority for the purpose for which the land is reserved.
- (4) Consent may be granted to development on land referred to in Schedule 9 or 10 for any purpose if the consent authority is satisfied that the development will not adversely affect the usefulness of the land for the purpose for which it has been reserved.

### **36 Acquisition and development of land reserved for roads**

**Note—**

Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

- (1) The owner of any vacant land in the Road Zone and listed in Schedule 12, being land reserved for acquisition as arterial road reservation—proposed road widening, may by notice in writing require:
  - (a) the RTA to acquire the land, in the case of land that is included in a 5 year works program current at the time of receipt of the notice, or
  - (b) the Corporation to acquire the land, in any other case.
- (2) The owner of any land referred in Schedule 12 that is not vacant may, by notice in writing, require the RTA to purchase the land if:
  - (a) the land is included in a 5 year works program current at the time of receipt of the notice, or
  - (b) the RTA decided not to grant a concurrence for 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.
- (3) On receipt of a notice under this clause, the RTA or the Corporation, as the case may be, must acquire the land.
- (4) A person may carry out development on land listed in Schedule 12, with the consent of the Council, for any purpose:
  - (a) for which development may be carried out in an adjoining zone, or
  - (b) of a temporary nature.



(5) (Repealed)

(6) 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.

(7) In this clause:

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

**vacant land** means land on which, immediately before the day on which a notice under this clause is given, there were no buildings except fences or buildings ancillary to a dwelling-house, such as greenhouses, conservatories, garages, summer houses, private boat houses, fuel sheds, tool houses, cycle sheds, aviaries, milking bails, hay sheds, stables, fowl houses, barns or the like.

## Division 9 Miscellaneous provisions

### 37 (Repealed)

### 38 Development within the foreshore building area

(1) **Foreshore building area objectives** The specific objectives of the foreshore building area controls are to:

- (a) enable development to be carried out, which is associated with water based recreation activity and which is ancillary to residential use but which is not used for habitation, and
- (b) recognise and retain the scenic, environmental and cultural qualities and the historical significance of foreshore land, and
- (c) recognise and implement the aims and objectives of *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*, and
- (d) minimise the individual and cumulative adverse visual effects of foreshore development, and
- (e) protect intertidal ecology and any sea wall or rock platform on foreshore land, and
- (f) ensure that if development has been carried out in the foreshore building area, future development does not result in the further encroachment of that area, and
- (g) prevent any further terracing of the foreshore building area, and
- (h) facilitate public access to foreshore land.

(2) **Foreshore building area controls** Despite any other provision of this plan, development

must not be carried out within the foreshore building area, which further encroaches on the foreshore building area, except for the purpose of:

- (a) boatsheds or jetties with a maximum height of 3 metres, which are ancillary to residential use, and are not used as habitable rooms, or
- (b) swimming pools with a maximum height of 500mm and associated fencing with a maximum height of 1.2 metres, or
- (c) barbecues and fences with a maximum height of 1.2 metres, or
- (d) (Repealed)
- (e) sea retaining walls, or
- (f) retaining walls, other than sea retaining walls, with a maximum height of 500mm, or
- (g) structures to provide public access to the foreshore (including pathways, stairs and boardwalks) with a maximum height of 1.2 metres, or
- (h) structures to provide private access to the foreshore, including access for the aged or disabled, pathways and stairs, or
- (i) landscaping.

(3) **Prohibited development** Development that contravenes subclause (2) is prohibited development.

(4) **Minor variation of foreshore building line** Where the levels, depth or other exceptional features of a site make it necessary or appropriate to do so, the Council may, by resolution, vary the position of the foreshore building line on the site to a minor extent for the purposes of the application of this clause in respect of a particular development proposal.

### **38A Open space building line area**

(1) **Open space building line area objectives** The specific objectives of the open space building line area controls are:

- (a) to maintain the established open landscaped setting provided by the area, and
- (b) to recognise and retain the scenic, environmental and cultural qualities of Newlands Lane, and
- (c) to encourage a native bushland setting for surrounding areas, and
- (d) to minimise built development in the area.

(2) **Open space building line area controls** Despite any other provision of this plan,

development must not be carried out within the open space building line area except for the purpose of:

- (a) landscaping by means only of planting shrubs or trees, or
  - (b) fences with a height of no more than 900 millimetres, measured from existing ground level.
- (3) *State Environmental Planning Policy No 1—Development Standards* does not apply to a requirement made by subclause (2).
- (4) **Definition** In this clause:

***open space building line area*** means the land shown hatched in green on the map.

### **39 Excavation of land**

- (1) **Excavation objectives** The specific objectives of the excavation of land controls are to:
- (a) retain existing vegetation and allow for new substantial vegetation and trees, and
  - (b) minimise the adverse effects of excavation on the amenity of neighbouring properties, and
  - (c) minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns, and
  - (d) ensure the structural integrity of adjoining properties.
- (2) **Excavation controls** Development that includes excavation must not be carried out unless:
- (a) the development is in accordance with and promotes the objectives in subclause (1), and
  - (b) land stability of the site and adjoining land is preserved, and
  - (c) the natural drainage patterns of the land and catchment will not be disrupted, and
  - (d) adverse effects on other properties are avoided or minimised.

### **40 Contaminated land**

- (1) Consent must not be granted to the carrying out of any development on land unless the consent authority:
- (a) has considered whether the land is contaminated, and
  - (b) if the land is contaminated, is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the

development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, is satisfied that the land will be remediated before the land is used for that purpose.

(2) Nothing in this clause affects the application of *State Environmental Planning Policy No 55—Remediation of Land* or the *Contaminated Land Management Act 1997* to land to which this plan applies.

#### **41 Acid sulfate soils**

(1) **Acid sulfate objectives** The specific objectives of the acid sulfate soil controls are to:

(a) provide environmental planning controls that will result in the management of any disturbance to acid sulfate soils in the North Sydney local government area so as to minimise adverse effects on natural water bodies and wetlands and on urban and infrastructure activities, and

(b) require special assessment of certain development on land identified as being subject to risks associated with the disturbance of acid sulfate soils.

(2) **Acid sulfate soil controls** Within the Acid Sulfate Soil Area shown on the map, a person must not, without development consent, carry out any works that will disturb more than one tonne of soil below the existing ground level, or that are likely to lower the water table on any land within the Acid Sulfate Soil Area.

(3) Consent is not required by this clause if:

(a) a copy of a preliminary assessment of the proposed works, undertaken in accordance with the acid sulfate soils assessment guidelines by a suitably qualified person, has been given to the Council, and

(b) the Council is satisfied that the results of the preliminary assessment indicate that 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.

(4) **Considerations for consent authority** A consent required by this clause must not be granted unless the consent authority has considered:

(a) an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soil Manual, and

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

(c) (Repealed)

(5) **Public authorities not excepted** This clause requires consent for development to be

carried out by councils, or any statutory or public authority despite:

- (a) clause 35 and items 2 and 11 of Schedule 1 of the *Environmental Planning and Assessment Model Provisions 1980*, as adopted by clause 7 of this Plan, and
- (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent*.

(6) **Definitions** In this plan:

**acid sulfate soils** means actual or potential acid sulfate soils, as defined in the Acid Sulfate Soil Manual.

**acid sulfate soils assessment guidelines** means the assessment guidelines in the Acid Sulfate Soil Manual.

**Acid Sulfate Soil Manual** means the document with that name published by the NSW Acid Sulfate Soils Management Advisory Committee and as adopted for the time being by the Director-General.

#### **42 Suspension of covenants, agreements and similar instruments**

- (1) Any covenant, agreement or similar instrument that affects development allowed by this plan does not apply to the extent (if any) necessary to allow the development.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

### **Part 4 Heritage provisions**

#### **43 This Part to prevail**

The provisions of this Part prevail over all other provisions of this plan to the extent of any direct or indirect inconsistency.

#### **44 Heritage conservation objectives**

The specific objectives of the heritage conservation controls are to:

- (a) ensure the protection and management of Aboriginal sites and relics, and
- (b) ensure the proper management of archaeological resources, and
- (c) ensure the conservation of heritage items (and their curtilages) and conservation areas, and
- (d) ensure that development does not adversely affect the heritage significance of

heritage items and conservation areas.

#### **45 Consent requirements**

- (1) **Consent required for development** The following development must not be carried out without development consent:
- (a) disturbing or excavating any land while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in an Aboriginal site or an archaeological resource being discovered, exposed, moved, damaged or destroyed, or
  - (b) damaging, demolishing, defacing, moving or altering a relic, or
  - (c) demolishing or moving a heritage item or a building, work or place within a conservation area, or
  - (d) altering a heritage item or a building, work or place within a conservation area by making structural or non structural changes to its exterior, such as changes to its external detail, fabric, finish or appearance, or
  - (e) making:
    - (i) structural changes to the detail or fabric of the interior of a heritage item, or
    - (ii) non-structural changes to the detail, fabric, finish or appearance of the interior of a heritage item listed in Schedule 3 as having an interior of heritage significance, or
  - (f) erecting a building on, or subdividing, land that is a heritage item or is within a conservation area.
- (2) (Repealed)

#### **46 Aboriginal sites and relics**

- (1) **Aboriginal sites and relics objectives** The specific objectives in relation to the aboriginal sites and relics controls are to:
- (a) ensure the conservation of Aboriginal sites and relics, and
  - (b) ensure that development does not adversely affect Aboriginal sites and relics.
- (2) **Aboriginal sites and relics controls** Consent must not be granted to development on an Aboriginal site unless the consent authority:
- (a) has considered a statement of heritage impact showing how the proposed development would affect the conservation of the site, and any relic known or likely to be located at the site and an assessment of cultural impacts, and

(b) has considered any submission made by the relevant Aboriginal community about the Aboriginal cultural significance of the site and the impact of the proposed development on the cultural significance of that site, and

(c) (Repealed)

#### **47 Archaeological resources**

(1) **Archaeological resources objectives** The specific objectives of the archaeological resources controls are to:

(a) ensure the conservation of archaeological resources, and

(b) ensure development does not adversely affect archaeological resources.

(2) **Archaeological resources controls** Consent must not be granted to development on land that contains an archaeological resource unless the consent authority:

(a) has considered an archaeological assessment that evaluates:

(i) the probable extent, nature and integrity of the archaeological resource at a site, and

(ii) the significance of that resource, and

(iii) the appropriate management for that resource, having regard to its significance and any statutory requirements, and

(b) is satisfied that any necessary excavation permit required under the [Heritage Act 1977](#) has been granted.

#### **48 Heritage items**

(1) **Heritage item objectives** The specific objectives of the heritage item controls are to:

(a) prevent the demolition of heritage items, and

(b) provide specific criteria to be considered when determining an application in respect of a heritage item, and

(c) ensure heritage items are conserved and maintained.

(2) **Heritage item controls** When determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority must consider the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned.

#### **Note—**

The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

- (3) The consent authority's consideration under subclause (2) must include (but is not limited to) consideration of:
- (a) the heritage significance of the item as part of the environmental heritage of North Sydney, and
  - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
  - (c) the measures proposed to conserve the heritage significance of the item and its setting, and
  - (d) the extent, if any, to which the carrying out of the proposed development would affect the form of an historic subdivision.
- (4) **Required documentation: heritage items** Before determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority may require the submission of:
- (a) a statement of heritage impact or a conservation management plan, and
  - (b) a structural engineer's report.
- (5) **Consideration of proposed development involving complete demolition of a heritage item** Consent must not be granted to development involving the complete demolition of a heritage item, until the consent authority has considered:
- (a) whether the heritage significance of the heritage item is insufficient to warrant its retention, and
  - (b) whether the heritage item is reasonably capable of conservation, and
  - (c) whether the heritage item is not in a structurally sound condition, and
  - (d) whether the character, design and aesthetics of any proposed replacement building or work and its relationship to the character of the surrounding buildings and works is appropriate.
- (6) **Site development** Despite any other provision of this plan, the consent authority must not grant consent to an application for the complete demolition of a heritage item unless the consent authority, at the same time, grants consent to a replacement building or work on the site.
- (7) **Documentation required: complete demolition of heritage items** Consent must not be granted to the complete demolition of a heritage item, until the consent authority has considered:
- (a) a statement of heritage impact or, if required by the consent authority, a conservation management plan, and



(b) a structural engineer's report.

(8) (Repealed)

#### **49 Conservation areas**

(1) **Conservation area objectives** The specific objectives of the conservation area controls are to:

- (a) conserve the character of the neighbourhood and heritage significance of the conservation area, as a whole or any part of the conservation area, and
- (b) ensure that demolition within conservation areas does not result in incremental loss of heritage significance, and
- (c) prevent the demolition of contributory items, and
- (d) provide specific criteria to be considered when determining a development application in respect of a building, work, or place in a conservation area, and
- (e) ensure that neutral items are retained, and
- (f) encourage the removal of uncharacteristic elements from conservation areas and their replacement with buildings or works that reinforce the character of the neighbourhood and heritage significance of the conservation area, and
- (g) discourage development that is similar to uncharacteristic elements.

(2) **Assessment of proposed development: conservation areas** When determining whether or not to grant consent to a development application in respect of a building, work or place within a conservation area, the consent authority must consider:

- (a) whether the proposed development will adversely affect the character and heritage significance of the conservation area, as a whole, and the part of the conservation area in the immediate vicinity of the proposed development, and
- (b) whether the proposed development will reduce the uncharacteristic elements present in the conservation area, and
- (c) without limiting the generality of paragraph (a) or (b), whether:
  - (i) the height, number of storeys, bulk and scale of the building, and
  - (ii) the pitch, form and detail of the roof of the building, or
  - (iii) the style, size, proportion and position of openings for windows or doors of the building, and
  - (iv) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building, and

- (v) the setbacks of the building, and
  - (vi) the design of the landscaped area of the development site, and
  - (vii) the pattern of any subdivision included in the proposed development,
- are similar to those of contributory items within the conservation area, as a whole and in the immediate vicinity of the proposed development.

(3) (Repealed)

(4) **Required documentation: conservation areas** Before determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority may require the submission of:

- (a) a statement of heritage impact or a conservation management plan, and
- (b) a structural engineer's report.

(5) **Consideration of complete demolition: conservation areas** Consent must not be granted to development involving the complete demolition of a building, work or place within a conservation area, until the consent authority has considered:

- (a) whether the proposed development will adversely affect the character of the neighbourhood and heritage significance of the conservation area, as a whole and in the immediate vicinity of the proposed development, and
- (b) whether the building, work or place is structurally sound and reasonably capable of conservation, and
- (c) whether the proposed building or work intended to replace that being demolished will contribute to the character of the neighbourhood and heritage significance of the conservation area, in particular in terms of subclause (2) (c).

(6) **Required documentation: complete demolition in a conservation area** Consent must not be granted to the complete demolition of a building, work or place within a conservation area until the consent authority has considered:

- (a) a statement of heritage impact, and
- (b) a structural engineer's report, except where the building or work to be demolished is an uncharacteristic element.

(7) **Site redevelopment** Despite any other provision of this plan, the consent authority must not grant consent to an application for the complete demolition of a building, work or place within a conservation area unless the consent authority, at the same time, grants consent to a replacement building or work on the site.

## 50 Development in the vicinity of heritage items

- (1) **Development in vicinity objective** The specific objective of the development in the vicinity of heritage items control is to ensure that development in the vicinity of a heritage item does not adversely affect the heritage significance of the item or its curtilage.
- (2) **Development in vicinity controls** When determining a development application relating to land in the vicinity of a heritage item the consent authority must consider the likely effect of the proposed development on the heritage significance of the heritage item and its curtilage.
- (3) Before determining a development application relating to land in the vicinity of a heritage item, the consent authority may require the submission of a statement of heritage impact on the heritage item and its curtilage.

## 51 Conservation incentives

- (1) **Conservation objectives** The specific objectives of the conservation incentives are to:
  - (a) allow for the flexible use of heritage items, for uses that would otherwise be prohibited, in order to ensure their conservation, and
  - (b) ensure that such use does not reduce residential density or adversely affect amenity.
- (2) **Conservation incentives** Consent may be granted to the use of a heritage item otherwise prohibited by this plan, but only if the consent authority is satisfied that:
  - (a) residential density on the site will be maintained, and
  - (b) the proposed use would not adversely affect the heritage significance of the heritage item, and
  - (c) the proposed use would not adversely affect the amenity of the surrounding area, and
  - (d) the conservation of the heritage item, as identified in the relevant conservation management plan, is ensured by the granting of the consent and could not reasonably otherwise be achieved,
  - (e) the use of the heritage item at the time of lodgement of the application or, if vacant at the time of lodgement of the application, its immediate past use, is not in itself of heritage significance.
- (3) Consent must not be granted to the use of a heritage item pursuant to this clause, unless the consent authority has considered a conservation management plan for the heritage item or, if a statement of heritage impact has been required by the consent

authority under clause 48 (4), a statement of heritage impact for the heritage item.

## Part 5 Site specific provisions

### 52 Operational land

- (1) **Operational land Schedule** The public land described in Schedule 11 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (2) **Removal of public reserve status and other restrictions under amended section 30** In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 11, 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 any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land and any part of the land, except for:
  - (aa) those trusts, estates, interests, dedications, conditions, restrictions and covenants (if any) specified in relation to a parcel of land described in Part 2 of Schedule 11, and
  - (a) any reservations that except land out of a Crown grant relating to the land, and
  - (b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 11 was made, the Governor approved of subclauses (2) and (4) applying to the land.
- (4) In this clause, **the relevant amending plan**, in relation to a parcel of land described in Part 2 of Schedule 11, is the local environmental plan that inserted the description of the parcel of land in that Part.
- (5) **Land classified or reclassified under original section 30** Land described in Part 1 of Schedule 11 is not affected by the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

### 53 Ennis Road Bays

- (1) **Ennis Road Bays under Warringah Freeway** This clause applies to the cubic spaces which comprise Bays 24-44, at 2-28 Ennis Road, Kirribilli, as marked "Ennis Rd Bays" on the map.
- (2) **Objective** The specific objective of the controls in relation to the land is to ensure that the bays can continue to be used for a range of uses consistent with the amenity of surrounding areas.

- (3) **Control** Despite the Table to Part 2, a person may, with development consent, carry out development within the bays for those purposes permissible in the Residential D (Neighbourhood Business) zone.

#### **54 190 Pacific Highway**

Despite the Table to Part 2, the land known as 190 Pacific Highway, North Sydney may, with development consent, be used for the purposes of an instruction centre for unemployed persons participating in job training projects at other sites.

#### **55 St Leonards Park—North Sydney Oval**

- (1) **Subject land** This clause applies to St Leonards Park, North Sydney, and the roadway along Miller Street adjacent to Oval No 1.
- (2) **Objective** The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.
- (3) **Control** Despite the Table to Part 2, but subject to subclause (4), development for the purposes of the following is permitted, with development consent, on the land:
- advertisements; commercial premises; Council depot, educational establishments; professional consulting rooms; public buildings; shops; uses and structures ancillary and incidental to any sporting activity carried out on the land (including television and lighting towers).
- (4) Commercial premises and shops shall be contained within sports grandstand structures on the land and the gross floor area of those commercial premises and shops shall not exceed 2,000 square metres.

#### **56 Hume Street and Alexander Street car parks**

- (1) **Subject land** This clause applies to the following land:
- (a) the Hume Street Car Park, being the land bounded by Hume Street, Clarke Street, Oxley Street and Pole Lane at Crows Nest, and
- (b) the Alexander Street Car Park, being Lots 9-12, section 4, DP 1265, having frontage to Alexander and Burlington Streets, Crows Nest.
- (2) **Objective** The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.
- (3) **Control** Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:
- child care centres; commercial premises; educational establishments; professional

consulting rooms; public buildings; refreshment rooms; shops; take-away food shops.

#### **57 Crows Nest Community Centre**

- (1) **Subject land** This clause applies to the Crows Nest Community Centre, being the land bounded by Ernest Street, Willoughby Lane, Hospital Lane, and the portion of Zig Zag land between Hospital Lane and Ernest Street.
- (2) **Objective** The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.
- (3) **Control** Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:
  - child care centres; commercial premises; educational establishments; places of assembly; professional consulting rooms; public buildings; refreshment rooms; shops; take-away food shops.

#### **58 Hipwood Street Car Park**

- (1) **Subject land** This clause applies to land owned by North Sydney Council at Hipwood Street, Kirribilli, adjacent to 18 Hipwood Street, being Lot 4, DP 740787.
- (2) **Objective** The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a car park consistently with the amenity of surrounding areas.
- (3) **Control** Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:
  - car parking.

#### **59 Luna Park: Glen Street frontage**

- (1) **Subject land** This clause applies to the land in the Luna Park Zone that is shown hatched in black stripes on the map, being land fronting Glen Street.
- (2) **Objectives** The specific objectives of the controls in relation to the land are to:
  - (a) ensure that the bulk and height of new buildings does not detract from the amenity of surrounding areas (including existing views), and
  - (b) minimise traffic generation.
- (3) **Controls** A building must not be erected on the land if:
  - (a) the height of the building, measured vertically above the level of Glen Street, will exceed 14 metres, or

(b) the floor space ratio will exceed 3.5:1.

(4) Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:

car parks (used only in conjunction with Luna Park and the North Sydney Olympic Pool); commercial premises; hotels; serviced apartments.

## **60 (Repealed)**

## **61 Cremorne Point Kiosk**

- (1) **Subject land** This clause applies to Lot 1 in DP 881930, being the land known as the Cremorne Point Kiosk, and being all the land in the residential D zone at Wharf Road, Cremorne Point.
- (2) **Objective** The specific objective of the controls in relation to the Cremorne Point Kiosk are to limit the intensity of use of the land to ensure that:
  - (a) no additional traffic or parking demand is generated from the use of the land, and
  - (b) the heritage item on the land is conserved, and
  - (c) any non-residential use of the land is small in scale and caters to the local population and public transport users.
- (3) **Control** Consent must not be granted to development on land to which this clause applies unless:
  - (a) the existing significant fabric and envelope of the building located on the land on the appointed day will be conserved, and
  - (b) the hours of operation of any non-residential use of the land will be limited to between 7 am and 8 pm, Monday to Friday, and 8 am and 8 pm on Saturday and Sunday, and
  - (c) any seating to be provided on the land will not exceed 5 tables or 20 seats.

## **62 James Milson Village**

- (1) **Subject land** This clause applies to Lots 1 and 2 DP 215942, Lot 1 DP 540282, Lot 2 DP 594966, Lot 8 DP 17717 and Lot 1 DP 524258, Clark Road, North Sydney, being land known as "James Milson Village", shown edged heavy black on the map marked "*North Sydney Local Environmental Plan 2001 (Amendment No 1)*" deposited in the office of the Council.
- (2) **Objectives** The specific objectives of the controls in relation to the land are:
  - (a) to provide aged care accommodation within North Sydney, and

(b) to ensure the site will only be used for housing for aged and disabled persons and nursing homes, and

(c) to provide for increased development of the land shown cross-hatched on the map referred to in subclause (1), while restricting the height of new development on the remainder of the subject land.

(3) **Development that may be carried out on subject land** Despite the Table to Part 2, the only purposes for which development is permitted, with development consent, on the subject land are the following:

housing for aged or disabled persons; nursing homes.

(4) **Controls** A building must not exceed 8 storeys on the part of the land shown cross-hatched on the map referred to in subclause (1).

(5) A building must not be erected on the part of the land not shown cross-hatched on the map referred to in subclause (1) if the building is greater than the existing height of the building approved before the appointed day.

(6) A building must not be erected on the land if the landscaped area is less than 30% of the whole site shown edged heavy black on the map referred to in subclause (1).

(7) Development on the land is prohibited development if:

(a) it is not for a purpose specified in subclause (3), and

(b) it is not in accordance with subclause (4).

(8) Clause 34 (3) (b) does not apply to the land to which this clause applies.

(9) In this clause:

**storey** means any floor, or part of a floor, regardless of use but does not include the following:

(a) an attic,

(b) a parking area that is contained wholly below RL 15.

### 63 Balls Head Road

(1) **Subject land** This clause applies to the part of the land known as 3 Balls Head Road, Waverton, that is shown edged heavy black on the map marked "*North Sydney Local Environmental Plan 2001 (Amendment No 7)—Sheet 1*", deposited in the office of the Council.

(2) **Permissible development** Despite the Table to Part 2, development for the purpose of attached dwellings is permitted, with development consent, on the land.



- (3) **Objectives** The specific objectives of the controls for attached dwellings on the land are:
- (a) to maintain views through the site from nearby residences, and
  - (b) to enhance views of the site from the harbour and foreshores, and
  - (c) to ensure that the height, bulk and scale of new buildings do not have an adverse impact on the amenity of nearby residents or adjacent open space, or when viewed from the harbour or foreshores, and
  - (d) to retain the existing rock outcrop on the site and ensure that it is not built upon, and
  - (e) to ensure that the bulk and scale of the new buildings, when viewed from the harbour or foreshores, have the appearance substantially of two storey dwellings.
- (4) **Controls** Attached dwellings must not be erected on the land unless:
- (a) at least one of the dwellings has its primary frontage and orientation to Balls Head Road, and
  - (b) the height of buildings is less than RL 17.5 where critical to views of nearby residences and less than RL 18.5 otherwise, and
  - (c) a landscaped area of 355 square metres is consolidated at the eastern end of the site and incorporates the rock outcrop and cliff face, and
  - (d) the existing rock outcrop and cliff face are maintained, and
  - (e) the attached dwellings contain only 3 or 4 dwellings, and
  - (f) any buildings between the ground and first floor levels, when viewed from the harbour or foreshores, are substantially screened by landscaping.
- (5) **Development on landscaped area** Development on the landscaped area referred to in subclause (4) (c) is prohibited, except for the purposes of landscaping.

#### **64 1 Bradly Avenue**

- (1) **Subject land** This clause applies to part Lot B, DP 935347, and Lots 12–14 and part Lots 15–17, DP 4416, Stannards Place, Kirribilli (also known as 1 Bradly Avenue, Kirribilli), as shown edged heavy black on the map marked “*North Sydney Environmental Plan 2001 (Amendment No 8)*”.
- (2) **Objective** The specific objective of the control in relation to the land is to allow limited development for non-maritime commercial purposes to ensure that the viability of the land as a working harbour site is maintained.

(3) **Permissible development** Despite the Table to Part 2, development for non-maritime commercial purposes is permitted, with development consent, on the land.

(4) **Control** The gross floor area of all buildings resulting from development for non-maritime commercial purposes on the land must not exceed a total of 325 square metres.

(5) **Definition** In this clause:

***non-maritime commercial purposes*** means commercial purposes that are not directly related to charter or tourist boat facilities, marinas, ship building or repair, or water based transport facilities.

#### **65 34 McLaren Street, North Sydney**

(1) **Subject land** This clause applies to that part of Lot 1, DP 62370 that extends northward for a distance of 38.3 metres from the southern boundary of that lot and which is known as 34 McLaren Street, North Sydney.

(2) **Objective** The specific objective of the control in relation to the subject land is to permit professional consulting rooms on the subject land.

(3) **Control** Despite the Table to Part 2, development for the purposes of professional consulting rooms is permitted, with development consent, on the land.

#### **66 111-115 Chandos Street, Crows Nest**

(1) **Subject land** This clause applies to Lots 28 and 29, Section 6, DP 2872, 111-115 Chandos Street, Crows Nest.

(2) **Objective** The specific objective of the control in relation to the subject land is to permit commercial premises on the subject land.

(3) **Control** Despite the Table to Part 2, development for the purposes of commercial premises is permitted, with development consent, on the land.

#### **67 162 Blues Point Road, McMahons Point**

(1) **Subject land** This clause applies to Lot 2, DP 557873, 162 Blues Point Road, McMahons Point.

(2) **Objective** The specific objective of the control in relation to the subject land is to permit commercial premises on the subject land.

(3) **Control** Despite the Table to Part 2, development for the purposes of commercial premises is permitted, with development consent, on the subject land.

### **68 450 Miller Street and 11 Amherst Street, Cammeray**

- (1) **Subject land** This clause applies to Lots 2-5, DP 1129460, 450 Miller Street and 11 Amherst Street, Cammeray.
- (2) **Objective** The specific objective of the control in relation to the subject land is to permit commercial premises above the ground floor on the subject land.
- (3) **Control** Despite the Table to Part 2, development for the purposes of commercial premises is permitted, with development consent, above the ground floor on the subject land.

### **70 35-51 Mitchell Street, McMahons Point**

- (1) **Subject land** This clause applies to Lot 1, DP 557873 and Lots 4-7, DP 16870, 35-51 Mitchell Street, McMahons Point.
- (2) **Objective** The specific objective of the control in relation to the subject land is to permit commercial premises on the subject land.
- (3) **Control** Despite the Table to Part 2, development for the purposes of commercial premises is permitted, with development consent, on the subject land.

## **Schedule 1 Repeals and amendments**

(Clause 5 (1))

- 1** The following environmental planning instruments are (except to any extent that they apply to land to which this plan does not apply) repealed:
  - (a) the *North Sydney Planning Scheme Ordinance*,
  - (b) *Interim Development Order No 57—Municipality of North Sydney*,
  - (c) *Interim Development Order No 60—Municipality of North Sydney*,
  - (d) North Sydney Local Environmental Plan 1989 (Amendment Nos 2, 3, 4, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 23, 24, 25, 27, 28, 30, 31, 33, 34, 35, 38, 39, 40, 41, 42, 45, 52, 53, 54, 56, 59 and 60).
- 2** [North Sydney Local Environmental Plan 1989](#) is amended as follows:
  - (a) by omitting clause 3 and substituting the following:

### **3 Land to which this plan applies**

This plan applies to the following land within the local government area of North Sydney:

- (a) any land shown as being within the “North Sydney Centre” on the map, within the meaning of [North Sydney Local Environmental Plan 2001](#), and

(b) any land that has been excluded from that plan under section 70 (4) of the Act and that has not been subsequently included in the land to which that plan applies.

(b) by omitting Part 4 (Heritage provisions) and Schedules 2, 3 and 4.

**3** *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting at the end of Schedule 1 the following words:

Clause 41 (5) of *North Sydney Local Environmental Plan 2001*

## Schedule 2 Definitions

(Clause 6)

**Aboriginal site** means any place or relic relating to Aboriginal occupation, even if not currently identified.

**adjoining**, in relation to specified land, means:

- (a) land that immediately joins any boundary of the specified land, or
- (b) land that is separated from the specified land only by a driveway, right-of-way or access way (not being a public road).

**advertisement** means the display by the use of 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.

**apartment building** means a single residential building containing three or more dwellings but does not include attached dwellings.

**apartment building adaption** means the creation of an apartment building substantially within a building (other than an apartment building) that lawfully existed on the appointed day.

**apartment building revision** means:

- (a) the carrying out of alterations for the purpose of an apartment building, or
- (b) the creation of a new apartment building within the envelope of an apartment building,

that lawfully existed on the appointed day.

**appointed day** means the day on which this plan took effect.

**archaeological resource** means any place, deposit, object or material evidence (which may consist of human remains) relating to the use and settlement, not being Aboriginal settlement, of the local government area of North Sydney and which is fifty or more years old.

**arterial road** means:

- (a) a road shown on a map referred to in this plan by:
  - (i) a continuous or intermittent red line on white between firm black lines, or

- (ii) a broken red band on white between intermittent black lines, and
- (b) a main road within the meaning of the *Roads Act 1993*, and
- (c) a secondary road within the meaning of the *Roads Act 1993*.

**attached dwellings** means a building, or buildings, containing more than two dwellings, where each dwelling is attached to another dwelling by a common wall, and where no part of a dwelling is superimposed on any part of another dwelling (except for underground parking).

**attached dwellings revision** means:

- (a) the carrying out of alterations for the purpose of attached dwellings, or
  - (b) the creation of a new attached dwellings within the envelope of attached dwellings,
- that lawfully existed on the appointed day.

**attic** means space wholly contained within the roof space of a dwelling, where the pitch of the roof creating the space does not exceed 36 degrees.

**backpackers' accommodation** means a building or part of a building primarily or principally used to provide short term accommodation for travellers, for tourists or for persons engaged in recreational pursuits, but not used as their principal place of residence.

**boarding house** means a residential building:

- (a) that is wholly or partly let in lodgings, and
  - (b) that provides lodgers with a principal place of residence, and
  - (c) that has shared facilities, such as a communal bathroom, kitchen or laundry,
- but does not include backpackers' accommodation, a serviced apartment or a motel.

**building** has its meaning in the Act.

**building height plane** means a plane projected at an angle of 45 degrees over a site, commencing, at the height specified in this plan, along the boundary of the site or along any other line or boundary specified in this plan for the purpose of establishing a building height plane.

**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.

**bushfire hazard reduction** means a reduction or modification of fuel by burning, or by chemical, mechanical or manual means.

**bushland** means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

**business identification sign** means an advertisement which in respect of any place or premises to which it is fixed contains all or any of the following:

- (a) a reference to the identity or a description of the place or premises,
- (b) a reference to the identity or a description of any person residing or carrying out an occupation or activity at the place or premises,
- (c) such directions or cautions as are usual or necessary relating to the place or premises or any occupation or activity carried out there,
- (d) particulars or notifications required or permitted to be displayed by or under any Act or any Act of the Parliament of the Commonwealth,
- (e) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
- (f) a reference to an affiliation with a trade, professional or other association relevant to the business conducted on the place or premises.

**car park** means a building or place used for the parking of motor vehicles, other than parking which is ancillary to or incidental to development which is permissible either with or without development consent.

**car repair station** means a building or place used for the purpose of servicing or repairing motor vehicles not being:

- (a) body building, or
- (b) panel beating, or
- (c) spray painting.

**carriage development** means three or more dwellings in a row along a side boundary of a site, whether attached to each other or detached.

**character** of a neighbourhood within the North Sydney local government area means the combination of features (including environment, built form, landscape, community and function) that makes the neighbourhood distinctive.

**character statement** means a statement that:

- (a) identifies the desired character for a neighbourhood within the North Sydney local government area described in the statement, and
- (b) has been adopted by the Council as a character statement for the purposes of this plan.

**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 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 or operator).

**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 the 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 (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

**community facilities** means a facility for the provision, management or operation of community services, public health services, employment, legal, housing, cultural, educational and information services, sporting, recreational and entertainment services, environmental conservation, protection and improvement services and public transport services.

**community notice sign** is a notice or display of public information by a public authority giving information or directions about services provided by that authority.

**compatible use** means a use which does not involve change to the culturally significant fabric of a heritage item, but which may involve change that is substantially reversible or change that has a minimal adverse effect on the heritage significance of a heritage item.

**complying development** has its meaning in the Act.

**complying development certificate** has its meaning in the Act.

**conservation** means all the processes of looking after a building or work so as to retain its heritage significance and includes maintenance, preservation, restoration, reconstruction, or adaptation.

**conservation area** means land shown edged in blue on the map.

**conservation area character** in relation to conservation areas, means the combination of features which distinguish each conservation area.

**conservation management plan** means a document, prepared in accordance with the *"New South Wales Heritage Manual"*, that establishes the heritage significance of a heritage item, and that identifies conservation policies and management mechanisms that are appropriate to the retention of the item's significance.

**contaminated land** means land in, on or under which any substance is present at a concentration above that naturally present in, on or under other land in the same locality.

**contributory item** means a building, work or place, or a fixed component thereof, which is located on land coloured yellow on the map, or is included in Schedule 4 (Contributory items).

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

**Council** means the North Sydney Council.

**cultural resource** means places, topography, buildings and their aesthetic qualities that contribute to community cultural life, identity and sense of place, including:

- (a) Aboriginal sites and relics,
- (b) archaeological resources,
- (c) heritage items and conservation areas,
- (d) significant streetscapes and intact street frontages,
- (e) sandstone outcrops and walls,
- (f) public art and monuments,
- (g) lookouts and significant views from lookouts, streets, or public open space,
- (h) community centres, halls, churches, theatres, libraries, museums and galleries,
- (i) recreation and leisure facilities,
- (j) neighbourhood shops and refreshment rooms,
- (k) the network of roads, lanes, footpaths, steps and means of access to the foreshore,
- (l) those aspects of cultural life that utilise, or are presented in, any of the matters specified in paragraphs (a)-(k).

**cultural significance** means aesthetic, archaeological, architectural, natural history, scientific or social value for present and future generations.

**curtilage** means the area of land (including land covered by water) surrounding a heritage item, a conservation area, or building, work or place within a conservation area, which contributes to its heritage significance.

**demolition** of a heritage item or a building, work or place within a conservation area means the complete or partial demolition, destruction, dismantling or removal of any fixed element of the heritage item or the building, work or place within a conservation area.

**duplex** means a single building containing only two dwellings, each dwelling attached to the other by a common wall or by the floor of one to the ceiling of the other.

**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.

**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.

**established apartment building** means an apartment building lawfully in existence on the appointed day.

**established attached dwellings** means attached dwellings lawfully in existence on the appointed day.

**exempt development** has its meaning in the Act.

**existing ground level** means the level of the ground as at December 1997, as shown on the Council's digital photogrammetric maps dated December 1997.

**floor** means that space within a building which is situated between one floor level and the floor level next above or, if there is no floor above, the ceiling or roof above.

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

**foreshore building area** means the area of land between the foreshore building line and the foreshore or mean high water mark.

**foreshore building line** means a black broken line shown on the map.

**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** means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level, excluding:

- (a) columns, 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) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts, and
- (c) car parking needed to meet any requirements of the Council and any internal access thereto, and
- (d) space for the loading and unloading of goods.

**health care professional** means a person who renders professional health services to members of the public and includes a legally qualified medical practitioner, a dentist within the meaning of the [Dentists Act 1934](#), a chiropodist, a chiropractor, an osteopath, a physiotherapist, an optometrist, an acupuncturist, a naturopath, a psychologist, a herbalist, a homoeopath or the like.

**height** in relation to a building, means the greatest distance measured vertically from any point on the building to the existing ground level, or the level of the lowest habitable floor, immediately below that point, whichever is the lower, excluding chimneys.

**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 item** means:

- (a) land shown coloured orange on the map, including buildings, works, places, fixtures and trees on that land, or
- (b) any building, work, place, fixture or tree listed in Schedule 3 (Heritage items),

and includes all parts of the fabric and structure of, and fixed components of, any such building, work or place.

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

**home industry** means an industry carried on in a building (other than a dwelling-house, duplex, attached dwelling or a dwelling in an apartment building), where:

- (a) the building does not have a gross floor area 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, grit or oil, or otherwise, or
  - (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 by the permanent residents which would not have required the registration of the premises under sections 10–13 of the *Factories, Shops and Industries Act 1962* as in force immediately before their repeal and does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood or surrounding residents, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) 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
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, or

(f) restricted premises.

**hospital** means a building or place used as:

- (a) a hospital, or
- (b) a sanatorium, or
- (c) a medical centre, or
- (d) a nursing home, or
- (e) a home for aged persons, infirm persons, incurable persons or convalescent persons,

whether public or private, and includes a shop or dispensary used in conjunction therewith, but does not include an institution.

**hotel** means premises that provide accommodation consisting of rooms, self-contained suites or serviced apartments for guests, as well as facilities such as a restaurant or bar.

**housing for aged or disabled persons** means any form of residential accommodation, used for the permanent residential accommodation of aged persons or disabled persons and which includes one or more of the following facilities provided for use in connection with that accommodation:

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

**industry** means:

- (a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

**institution** means a penal or reformatory establishment.

**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.

**landscaped area** of a site means the part of the site that is generally at existing ground level, that is not occupied at or above or below ground level by any building structure, swimming pool or hard-surfaced tennis court, or the like, that is or is proposed to be predominantly landscaped by way of plantings, gardens, lawns, shrubs or trees and that is available for use and enjoyment by the occupants of the building erected on the site, but does not include any area set aside for driveways and parking.

**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 or oil, or otherwise, and does not include industries commonly known as heavy industries.

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

**local development** has its meaning in the Act.

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

**maintenance** means the ongoing protective care of a heritage item or a building, work or place within a conservation area, in order to prevent damage or deterioration. It does not include the permanent removal of any element of a heritage item or a building, work or place within a conservation area, alterations or additions, or the introduction of new materials or technology.

**major road frontage** in relation to land, means the frontage of that land to:

- (a) a main road or arterial road, or
- (b) a road connecting with a main or arterial road, if the whole or any part of the frontage is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the main or arterial road.

**map** means the map marked “North Sydney Local Environmental Plan 2001” comprised of sheets numbered 1, 2, 3, and 4 and deposited in the office of the Council, as amended by the maps (or the sheets of maps) marked as follows:

**Editorial note—**

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

*North Sydney Local Environmental Plan 2001 (Amendment No 1)*

*North Sydney Local Environmental Plan 2001 (Amendment No 2)*

*North Sydney Local Environmental Plan 2001 (Amendment No 3)*

*North Sydney Local Environmental Plan 2001 (Amendment No 4)*

*North Sydney Local Environmental Plan 2001 (Amendment No 6)*

*North Sydney Local Environmental Plan 2001 (Amendment No 7)—Sheet 2*

*North Sydney Local Environmental Plan 2001 (Amendment No 8)*

*North Sydney Local Environmental Plan 2001 (Amendment No 9)—North Sydney Centre—Sheets 1, 2, 3, 4 and 5*

*North Sydney Local Environmental Plan 2001 (Amendment No 10)*

*North Sydney Local Environmental Plan 2001 (Amendment No 12)—Sheets 1-9*

*North Sydney Local Environmental Plan 2001 (Amendment No 13)*

*North Sydney Local Environmental Plan 2001 (Amendment No 14)*

*North Sydney Local Environmental Plan 2001 (Amendment No 16)*

*North Sydney Local Environmental Plan 2001 (Amendment No 17)*

*North Sydney Local Environmental Plan 2001 (Amendment No 18)*

*North Sydney Local Environmental Plan 2001 (Amendment No 20)*

*North Sydney Local Environmental Plan 2001 (Amendment No 21)—Sheets 1-65, 67, 68, 70 and 72-75*

*North Sydney Local Environmental Plan 2001 (Amendment No 22)*

*North Sydney Local Environmental Plan 2001 (Amendment No 25)—Sheets 1, 2 and 3*

*North Sydney Local Environmental Plan 2001 (Amendment No 27)*

*North Sydney Local Environmental Plan 2001 (Amendment No 36)*

*North Sydney Local Environmental Plan 2001 (Amendment No 38)*

*North Sydney Local Environmental Plan 2001 (Amendment No 39)*

**marina** means a pontoon, jetty, pier or other structure (whether water based or land based) designed to provide moorings or dry storage for boats used primarily for pleasure or recreation, or comprising (whether or not in addition to the foregoing) works such as slipway, hoists or facilities for the repair and maintenance of boats, and the provision of fuel, accessories and parts for boats, and of foodstuffs.

**medical centre** means a building or place used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment, or counselling) to outpatients only, and includes professional consulting rooms.

**mine** means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on, in or by which any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any mode or method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

**mineral sand mine** means a mine for or in connection with the purpose of obtaining ilmenite, monazite, rutile, zircon or similar minerals.

**motel** means a building or buildings (other than a hotel, boarding house, residential flat building, serviced apartment or backpackers' accommodation) substantially used for the over-night 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.

**neighbourhood** means:

- (a) a locality within the local government area of North Sydney, except as provided by paragraph (b), or
- (b) if there is a character statement that identifies land including that locality as a neighbourhood, the land so identified.

**neutral item** means a building, work or place or component thereof located on land shown uncoloured and within a conservation area on the map.

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

**outdoor space** includes landscaped area and any balcony accessible from the living area of a dwelling, or any roof top or above ground level outdoor space accessible to residents of a building, and which is available for their use.

**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 like character used as such and whether used for the purposes 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 building or place used for the purpose of religious worship by a congregation or religious group whether or not the building or place is also used for counselling, social events, instruction or religious training.

**professional consulting rooms** means premises used by not more than 3 health care professionals, who practice therein the profession of medicine, dentistry or health care, and if more than one, practice in partnership, and who employ not more than 3 employees in connection with that practice.

**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 place** has the same meaning as in the [Local Government Act 1993](#).

**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.

**real estate sign** means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the place or premises is or are for sale or letting together with details relating to the sale or letting, and:

- (a) in the case of an advertisement relating to residential premises, or premises containing serviced apartments:
  - (i) does not exceed 2.5m<sup>2</sup> in area,
  - (ii) returns do not exceed 200mm, and
  - (iii) is not illuminated,
- (b) in the case of an advertisement relating to commercial or industrial premises:
  - (i) does not exceed 4.5m<sup>2</sup> in area,
  - (ii) returns do not exceed 200mm, and
  - (iii) is not illuminated.

A sign ceases to be a real estate sign for the purposes of this plan if it is not removed from the place or premises within 14 days after commencement of the letting or completion of the sale.

**recreation area** means:

- (a) a children's playground, or
- (b) an open area used for sporting activities or sporting facilities, or
- (c) an area used by the Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community, or
- (d) an open area used by a body of persons associated for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes, or
- (e) an area or place used for the purpose of temporary private or community functions or entertainment,

but does not include a racecourse or a showground.

**recreation establishment** means a health farm, religious retreat house, youth camp 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 land use elsewhere specifically defined in this Schedule.

**recreation facility** means a building or place used for indoor recreation, table tennis centre, squash court, swimming pool, gymnasium, health studio or any other building of a like character used for recreation and whether used for the purpose of gain or not, but does not include a place of assembly.

**refreshment room** means a restaurant, café, tea room, eating house or the like, but does not include

a building or place elsewhere specifically defined in this Schedule.

**relic** means any deposit, object or material evidence (which may consist of human remains) of any age, relating to Aboriginal habitation of the area of North Sydney.

**remediation** means a work in, on or under contaminated land, that:

- (a) removes the cause of the contamination of the land, or
- (b) disperses, destroys, reduces, mitigates or contains the contamination of the land, or
- (c) eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land.)

**resident medical practice** means a room or number of rooms forming part of a building used as a detached dwelling-house for one permanent resident, who is a health care professional, who practices there in the profession of medicine, dentistry or health care, as a sole practitioner and employs not more than one employee in connection with the practice.

**restricted premises** means a building or place, not including a newsagency, pharmacy or home occupation, where:

- (a) adult sexual acts or services are engaged in (with the exception of live performances) in return for payment or other reward, or
- (b) publications, films and other media classified as Category 2 restricted or X 18+ Restricted, under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or
- (c) a business to which section 578E of the *Crimes Act 1900* applies is conducted.

**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 therein.

**road** means road, street, lane, highway, pathway or thoroughfare, including a bridge, culvert, causeway, road-ferry, ford, crossing and the like on the line of a road through or over a watercourse.

**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.

**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.

**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).

**serviced apartment** means a building containing two or more dwellings which are cleaned and serviced by the owner or manager of the building or the owner's or manager's agent, and which provides short-term accommodation for travellers or tourists but does not include a building or place elsewhere specifically defined in this Schedule.

**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 land use elsewhere specifically defined in this Schedule.

**shop top housing** means mixed use development comprising one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

**showroom** means a building or place primarily used for the display of goods, merchandise or materials.

**site** means the land to which an application for consent under the Act relates, excluding any land upon which the development to which the application relates is not permitted by or under this local environmental plan.

**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, but excludes the area of any access way, right of carriageway or the like, or land which was below the line of maximum tidal reach at 3 December 1982.

**small lot** means a lot of land having an area less than 230m<sup>2</sup>, excluding the area of any access corridor, right of carriageway or the like.

**State heritage significance** means a heritage item which has been identified as being of State heritage significance in Schedule 3 (Heritage items).

**statement of heritage impact** means a statement, prepared in accordance with the New South Wales Heritage Manual, which analyses the history, heritage significance and condition of a heritage item or of a building, work or place within a conservation area and assesses the impact of proposed development on that heritage item or building, work or place within a conservation area.

**structural engineer's report** means a report prepared by a member of the Institute of Engineers Australia, with at least 5 years experience in structural engineering, which includes:

- (a) an assessment of the structural soundness of the heritage item, or building, work or place within a conservation area, and
- (b) a schedule of the work required to repair and restore a heritage item, or building, work or place within a conservation area, and an estimate of the cost of the repairs, and
- (c) an estimate of the cost of demolition and replacement, and

(d) an assessment of the amount of building fabric which, through conservation, could be preserved.

**subdivision** has its meaning in the Act.

**take-away food shop** means a milk bar, sandwich shop or the like, but does not include:

- (a) a drive-in take-away food shop, or
- (b) a building or place elsewhere specifically defined in this Schedule.

**tavern** means any premises specified in a hotelier's licence under the [Liquor Act 1982](#) which does not provide overnight accommodation on a commercial basis.

**telecommunications facility** has the same meaning as **facility** in the Commonwealth [Telecommunications Act 1997](#).

**temporary sign** is an advertisement of a temporary nature which:

- (a) announces any local event of a religious, educational, political, social or recreational character or relates to any temporary matter in connection with such event, and
- (b) does not include advertising of a commercial nature, except for the names of any sponsors of the event provided the sponsors names or logos remain subsidiary to the main announcement, and
- (c) is not displayed earlier than 28 days before the day on which the event is to take place.

A sign ceases to be a temporary sign if it is not removed within 14 days after the event.

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

**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.

**uncharacteristic element** means a building, work or place or a fixed component thereof on land shown coloured red on the map, or included in Schedule 5.

**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.

**visitor facilities** includes pathways and walking tracks, public toilets, seating, picnic and barbecue facilities, and shelters for park users.

**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.

## Schedule 3 Heritage items

(Schedule 2)

### Notes—

- (1) An asterisk symbol (\*) indicates heritage items with interiors of heritage significance.  
 (2) The letter "S" indicates heritage items of State significance.

NSHS No	Address	Heritage significance
0039	3 Adderstone Avenue	
0038	5 Adderstone Avenue	
0047	9 Adderstone Avenue	
0906	23 Albany Street, corner Oxley Street, Electricity Powerhouse	S
0962	103 Alexander Street	
2720	439 Alfred Street North	
0296	Alfred Street South, Alfred Street Entrance to Luna Park	S
1435	22 Alfred Street	
1436	24 Alfred Street	
1437	26A Alfred Street	
1438	26 Alfred Street	
1439	28 Alfred Street	
0036	48-56 Alfred Street	S
0035	100 Alfred Street, Chinese Christian Church	
0875	3 Amherst Street, Tarella	S
0417	3 Ancrum Street	
0418	5 Ancrum Street	
0419	7 Ancrum Street	
0420	9 Ancrum Street	
0421	23 Ancrum Street	
0423	27-29 Ancrum Street	
0424	31 Ancrum Street	
0425	39 Ancrum Street	

0426	41 Ancrum Street	
0413	2 Ancrum Street	
0412	8 Ancrum Street	
0411	10 Ancrum Street	
0415	38 Ancrum Street	
0416	58 Ancrum Street	
1187	Anderson Park	S
1018	11 Armstrong Street	
0359	Arthur Street and Arthur Lane Corner, Electricity Substation No 219	
0361	23 Arthur Street	
1443	25 Arthur Street	
0362	27 Arthur Street	
1444	29 Arthur Street	
0363	31 Arthur Street	
1445	33 Arthur Street	
0364	24 Arthur Street	
0365	26 Arthur Street	
1440	28 Arthur Street	
0366	30 Arthur Street	
1441	32 Arthur Street	
1442	34 Arthur Street	
0964	114 Atchison Street	
1302	37 Aubin Street, Aubin Cottage	
1301	39 Aubin Street	
2710	10 Aubin Street	
2711	12 Aubin Street	
2712	14 Aubin Street	
1300	36 Aubin Street	
1225	44 Aubin Street, Clarence	
1446	46 Aubin Street, Grafton	

1228	2 Baden Road	
2510	6 Baden Road	
2509	8 Baden Road	
0995	15 Balfour Street	
0996	22 Balfour Street	
0699	Balls Head Drive, former Coal Loader	S
0697	Balls Head Drive, former Quarantine Boat Depot	S
1133	Balls Head Drive, Balls Head Reserve	S
0769	Balls Head Reserve, Uncle Tom's Cabin	
0691	Balls Head Foreshore Relics Group, Balls Head Drive	
0695	Balls Head Drive, Steps to former harbour pool	
0694	Balls Head Drive, Ring Bolt	
0693	Balls Head Drive, Ring bolt and iron screen	
0692	Balls Head Drive, remains of windlass spindle	
0823	Balls Head Drive, HMAS Waterhen Cliff-face	
0690	Balls Head Road, Woodleys	
	3a Balls Head Road, BP site	
0927	39 Balls Head Road	
0571	27 Bank Street	
0572	29 Bank Street	
0573	51 Bank Street	
1448	53 Bank Street	
0574	59 Bank Street	
0575	61 Bank Street	
0532	18 Bank Street	
0533	22 Bank Street	
0534	26 Bank Street	

0540	50 Bank Street	
0544	60 Bank Street	
0545	62 Bank Street	
0546	64 Bank Street	
0547	66 Bank Street	
1452	68 Bank Street	
0550	74 Bank Street	
1453	76 Bank Street	
0419	82 Bank Street	
0563	100 Bank Street	
1463	7 Bannerman Street	S
1464	9 Bannerman Street	
1455	15 Bannerman Street, Arden Cottage	
1456	17 Bannerman Street, Gunida	
1457	19 Bannerman Street, Knoyle	
1458	21 Bannerman Street, Kyuna	
1458	21A Bannerman Street	
1459	23 Bannerman Street, Kinnell	
1460	25 Bannerman Street, Kapai	
1461	27 Bannerman Street, Kantara	
1462	29 Bannerman Street	
1022	8 Bannerman Street, Dalkeith	S
1142	Bay Road, Palm Trees, opposite Railway Station	
0822	Bay Road, Waverton Railway Station group, booking office, hut and tunnel	S
	75 Bay Road	
1953	122 Bay Road, Waverton	
0557	Bayview Street stone retaining wall	
0554	1 Bayview Street	
0554	3 Bayview Street	
0554	5 Bayview Street	

0554	7 Bayview Street	
0554	9 Bayview Street	
0527	11 Bayview Street, Ildemere	S
0601	11A Bayview Street, Ildemere Boathouse	S
0554	23A Bayview Street	
0554	1/23B Bayview Street	
0554	2/23B Bayview Street	
0530	25 Bayview Street	
1466	27 Bayview Street	
1467	29 Bayview Street	
1468	31 Bayview Street	
1469	33 Bayview Street	
0902	135 Bellevue Street	
0907	143 Bellevue Street, Electricity Substation	
1306	41 Ben Boyd Road	
1470	43 Ben Boyd Road	
1307	43A Ben Boyd Road	
1309	45 Ben Boyd Road	
1308	47 Ben Boyd Road	
1348	107 Ben Boyd Road	
1339	179 Ben Boyd Road, Neutral Bay Public School	
1303	6 Ben Boyd Road, Plaques commemorating Ben Boyd	
1921	8 Ben Boyd Road	
1924	12A Ben Boyd Road	
1226	16 Ben Boyd Road, Bengallala (14 Ben Boyd Road)	
1311	18 Ben Boyd Road	
1471	20 Ben Boyd Road	
1312	22 Ben Boyd Road	

1472	24 Ben Boyd Road	
1313	26 Ben Boyd Road	
1473	28 Ben Boyd Road	
1314	30 Ben Boyd Road	
1474	32 Ben Boyd Road	
1315	34 Ben Boyd Road	
1475	36 Ben Boyd Road	
1227	56 Ben Boyd Road, Mt. Edgecombe	
2000	Ben Boyd Road (Customs Marine Centre)	
1041	19 Bennett Street, Ingleneuk	
2634	33 Bennett Street	
1023	36 Bennett Street	
1024	38 Bennett Street	
1025	40 Bennett Street	
1026	42 Bennett Street	
1040	5 Bertha Road	
1405	17 Bertha Road	
1028	4 Bertha Road	
1027	24 Bertha Road	
0020	Bligh Street, Electricity Substation No 217	
0763	36 Blue Street (refer to 103 Miller Street, Greenwood) (North Sydney Technical High School, former)	S
0678	Blues Point foreshore shelf	
0677	Blues Point Waterfront Group, Blues Point Road and Henry Lawson Drive	S
0686	Blues Point, World War II Observation Post and stone stair	
0681	Blues Point vehicular ferry dock, Blues Point Road, south end cul-de-sac	
0684	Blues Point Road, bollard	
0685	Blues Point Road, bollard with chain	



0687	Blues Point Road, excavation	
0688	Blues Point Road, steps with bollards	
0683	Blues Point Road, stone retaining wall	
0308	Blues Point Road (No 179), St Peter's Presbyterian School Hall	
0309	Blues Point Road (12 Miller Street), St Peter's Presbyterian School House	
0604	33 Blues Point Road	
0605	37 Blues Point Road	
0606	39 Blues Point Road	
0607	43 Blues Point Road	
0619	101 Blues Point Road (house excluding shop)	
0634	143-147 Blues Point Road	
0635	149-151 Blues Point Road	
0636	163 Blues Point Road	
0637	167 Blues Point Road	
1484	169 Blues Point Road	
0638	193 Blues Point Road	
1485	195 Blues Point Road	
1486	197 Blues Point Road	
0639	201 Blues Point Road	
1487	203 Blues Point Road	
1488	205 Blues Point Road	
1489	207 Blues Point Road	
0599	14-28 Blues Point Road (Blues Point Tower)	S
2041	30-40 Blues Point Road	
0643	54-56 Blues Point Road	
0644	58 Blues Point Road	
0645	74 Blues Point Road	
0647	80 Blues Point Road	

1500	112 Blues Point Road	
1501	114 Blues Point Road	
0649	120 Blues Point Road	
0650	124 Blues Point Road	
1502	124A Blues Point Road	
0653	136 Blues Point Road	
1508	138 Blues Point Road	
0654	140 Blues Point Road	
0656	142 Blues Point Road	
1508	144 Blues Point Road	
1510	148 Blues Point Road	
1511	150 Blues Point Road	
0661	152 Blues Point Road	
1512	154 Blues Point Road	
1513	156 Blues Point Road	
0662	176 Blues Point Road (Clifton Flats)	
0663	178-180 Blues Point Road (La Potiniere Restaurant)	
1330	182 Blues Point Road	
0664	208-210 Blues Point Road	
0310	218 Blues Point Road (St Peters Presbyterian Church and grounds)	
0311	218 Blues Point Road (St Peters Presbyterian Church Manse)	
1140	Bogota Avenue, Head of Shell Cove	
1210	15 Bogota Avenue, Sydney Ancher House	S
1215	17 Bogota Avenue, Arden	
1465	29 Bogota Avenue	
1059	33 Boyle Street	
0028	Bradfield Park	S
0217	Bradley Avenue, east end, Careening Cove slipways and seawall	

0222	3 Bray Street	
1520	5 Bray Street	
0223	7 Bray Street	
1521	9 Bray Street	
0224	11 Bray Street	
1522	11A Bray Street	
0225	15 Bray Street	
0226	17 Bray Street	
0227	21 Bray Street	
0228	23 Bray Street	
0229	25 Bray Street	
0230	2 Bray Street	
0231	4 Bray Street	
0232	6 Bray Street	
0233	8 Bray Street	
0234	10 Bray Street	
0235	16 Bray Street	
1523	18 Bray Street	
1132	Brennan Park	
1045	5 Bromley Avenue, Balangowan	
1043	2 Bromley Avenue	
1046	4 Bromley Avenue, Roslyn	
1044	6 Bromley Avenue	
0015	Broughton and McDougall Street Corner, Greenway Flats	S
*0016	7-9 Broughton Street, St John The Baptist Church	S
0021	11 Broughton Street, The Fantasia Preschool	
1344	5 Burroway Street	
1345	7 Burroway Street	

0018	29 Burton Street—St Aloysius (14-24 Bligh Street)	S
1376	1 Byrnes Avenue	
1524	3 Byrnes Avenue	
1525	5 Byrnes Avenue	
1375	7 Byrnes Avenue	
1526	9 Byrnes Avenue	
1374	2 Byrnes Avenue	
1527	4 Byrnes Avenue	
1528	6 Byrnes Avenue	
1373	8 Byrnes Avenue	
1529	10 Byrnes Avenue	
1530	12 Byrnes Avenue	
1389	14 Byrnes Avenue	
1531	16 Byrnes Avenue	
1146	Cammeray Park including golf course	
0010	11-27 Carabella Street, Ormiston	
0011	31 Carabella Street, Keston	
0022	45 Carabella Street, Kirribilli Court Private Hotel	
0002	69 Carabella Street, Fairhaven	S
0007	71 Carabella Street, Araluen House	S
0066	73-87 Carabella Street, Elemang	S
	113 Carabella Street	
2007	119 Carabella Street	
0151	135 Carabella Street	
0019	8 Carabella Street	
0003	10 Carabella Street	
0005	12A Carabella Street, Glenferrie Private Hotel	
0023	28 Carabella Street	
0004	40 Carabella Street	

1532	42 Carabella Street	
0006	44 Carabella Street	
0014	48 Carabella Street, Burnleigh	S
0013	54 Carabella Street	S
0012	56 Carabella Street	S
1533	58 Carabella Street	S
0008	64 Carabella Street	
0009	66 Carabella Street	
0153	100 Carabella Street	
1577	102 Carabella Street	
1578	104 Carabella Street	
1579	106 Carabella Street	
1580	108 Carabella Street	
2721	37 Carr Street	
1952	47 Carr Street	
2713	22 Carr Street	
2714	24 Carr Street	
0904	5-7 Carter Street, All Saints Church	
1328	1-9 Chandos Street	
0807	Church and West Streets corner, St Thomas' Church Rectory	
0808	Church and McLaren Streets corner, St Thomas' Kindergarten Hall	
*0809	34 Church St (corner West and Church Streets) St Thomas' Church	S
0460	9 Chuter Street	
1534	11 Chuter Street	
0453	2 Chuter Street	
1535	4 Chuter Street	
1536	6 Chuter Street	
1537	8 Chuter Street	
1538	10 Chuter Street	

1421	Clark Park	
2049	14 Clark Road	
2050	16 Clark Road	
0302	28 Clark Road, Chamonix	
1544	30 Clark Road	
2048	32 Clark Road	
0301	34 Clark Road	
1545	36 Clark Road	
1335	28-34 Clarke Street, The St Leonards Centre	
1053	13 Claude Avenue	
1047	6 Claude Avenue	
1048	8 Claude Avenue	
1049	10 Claude Avenue	
1050	12 Claude Avenue	
1051	14 Claude Avenue	
0405	21 Clifton Street	
0407	35 Clifton Street	
0404	22 Clifton Street	
1551	24 Clifton Street	
0901	12 Colin Street, Heatherbrae and stables	
0256	Commodore Crescent, east side, south side of railway, Down Waverton Home signal with calling on arm	
0260	Commodore Crescent, Waverton rail underbridges	S
0700	3 Commodore Crescent, Monte Cristo	
1054	7 Cranbrook Avenue, Belvedere	S
1055	11 Cranbrook Avenue, Egglemont	S
1056	24 Cranbrook Avenue	
1057	32 Cranbrook Avenue	
1058	34 Cranbrook Avenue	

1060	Cremorne Point, Robertsons Point Lighthouse	S
1141	Cremorne Reserve, including Robertsons Point	
1061	1 Cremorne Road, Lang Warren Flats	
1062	9 Cremorne Road	
3094	15 Cremorne Road	
3093	17 Cremorne Road	
1063	27 Cremorne Road	
1064	45 Cremorne Road	
1066	53 Cremorne Road, Glen Isla	
1937	55 Cremorne Road	
	57 Cremorne Road	
1067	83 Cremorne Road	
1070	14 Cremorne Road	
1071	18-20 Cremorne Road	
1072	26 Cremorne Road	
1074	56 Cremorne Road	
1073	58 Cremorne Road	
1092	60 Cremorne Road	
1552	62 Cremorne Road	
1581	5 Darley Street	
1582	7 Darley Street	
1583	9 Darley Street	
1584	11 Darley Street	
1585	13 Darley Street	
1586	15 Darley Street	
1587	17 Darley Street	
1588	19 Darley Street	
1589	31 Darley Street	
1590	35 Darley Street	
1591	37 Darley Street	

1592	6 Darley Street
1593	10 Darley Street
1594	12 Darley Street
1595	14 Darley Street
1596	16 Darley Street
1597	18 Darley Street
1598	20 Darley Street
1599	22 Darley Street
1600	24 Darley Street
1601	26 Darley Street
1602	28 Darley Street
1603	30 Darley Street
1075	9 Davidson Parade, Dunbrody
0198	3 Doris Street
1553	5 Doris Street
0199	7 Doris Street
1554	9 Doris Street
0200	11 Doris Street
0201	11A Doris Street
0202	15 Doris Street
1950	17 Doris Street
0203	19 Doris Street
0204	23 Doris Street
0205	25 Doris Street
0206	27-29 Doris Street
0207	31 Doris Street
0208	33 Doris Street
0209	35 Doris Street
0210	4 Doris Street
0211	8 Doris Street
0212	10 Doris Street



0213	12 Doris Street, Dorking
0214	14 Doris Street
0215	18 Doris Street
0812	1 Doohat Avenue
0709	25 Dumbarton Street, Randall Cottage
0484	50 Dumbarton Street (53 Union Street)
0680	Between 1 and 3 East Crescent Street, ferry access steps
0622	3 East Crescent Street
0623	5 East Crescent Street
0624	7 East Crescent Street, ADEA Court Apartment Building
	9 East Crescent Street, seawall
0625	11 East Crescent Street
0626	15 East Crescent Street
0627	19 East Crescent Street
	21 East Crescent Street, seawall
0590	23-25 East Crescent Street
0591	29 East Crescent Street
	33 East Crescent Street, seawall
1408	43 East Crescent Street, Lurline
0598	47 East Crescent Street
0597	49 East Crescent Street
0592	6 East Crescent Street
0593	12 East Crescent Street
0594	14 East Crescent Street
0595	24 East Crescent Street
0596	26 East Crescent Street
1407	9 Eaton Street, Henbury Villa
0811	11 Edward Street
1555	13 Edward Street
0805	45 Edward Street

0771	49 Edward Street	
0772	51 Edward Street	
0773	53 Edward Street	
0774	55 Edward Street	
0775	57 Edward Street	
0776	59 Edward Street	
0777	61 Edward Street	
0778	63 Edward Street	
0779	65 Edward Street	
0780	67 Edward Street, Kenilworth	
*0830	20 Edward Street, Graythwaite, including outbuildings and grounds	S
0831	22 Edward Street, Upton Grange	S
0829	28 Edward Street	
0828	32 Edward Street	
0810	40 Edward Street, Rockleigh Grange	
0827	46 Edward Street, Whare Aroha	
0826	48 Edward Street	
0073	5 Elamang Avenue	
2009	15 Elamang Avenue	
2008	17 Elamang Avenue	
0074	29 Elamang Avenue	S
0075	47 Elamang Avenue	
	8 Elamang Avenue	
0092	10 Elamang Avenue, Vandaura	
1100	1 Ellalong Road	
1099	7 Ellalong Road	
1567	317 Ernest Street	
1568	319 Ernest Street	
1569	321 Ernest Street	
1570	323 Ernest Street	

1571	325 Ernest Street
0432	3 Eureka Street
0433	5 Eureka Street
0434	7 Eureka Street
1572	9 Eureka Street
0435	11 Eureka Street
1573	13 Eureka Street
0440	61 Eureka Street
0443	26 Eureka Street
1606	28 Eureka Street
1607	30 Eureka Street
0444	34 Eureka Street
0445	36 Eureka Street
1608	38 Eureka Street
0446	40 Eureka Street, Ferryman
0447	42 Eureka Street
0448	44 Eureka Street
0449	50 Eureka Street
0764	Falcon Street, Sewer Vent, southwest of Warringah Freeway S
1008	69 Falcon Street, former Church of Christ
0925	127 Falcon Street, North Sydney Boy's High
0978	182 Falcon Street, Winstone
0979	184 Falcon Street
0980	186 Falcon Street
0981	188 Falcon Street
0893	210 Falcon Street
1610	212 Falcon Street
1611	214 Falcon Street
1612	216 Falcon Street

1101	12 Fifth Avenue	
0017	14 Fitzroy Street, Illingullin	S
0001	16-18 Fitzroy Street, Kirribilli Neighbourhood Centre	
0117	20 Fitzroy Street	
1613	22 Fitzroy Street	
1614	24 Fitzroy Street	
1615	26 Fitzroy Street	
0118	28 Fitzroy Street	
1616	30 Fitzroy Street	
1617	32 Fitzroy Street	
0119	34 Fitzroy Street	
0120	36 Fitzroy Street	
0121	38 Fitzroy Street, Morookra	
0122	40 Fitzroy Street, Oakdene	
0123	42 Fitzroy Street	
0124	44 Fitzroy Street	
1618	46 Fitzroy Street	
0125	48 Fitzroy Street	
1619	50 Fitzroy Street	
1102	1 Florence Lane	
1103	7 Florence Street	
1197	Forsyth Park, two former oil tanks	
0713	5 French Street	
1620	7 French Street	
1621	9 French Street	
1622	11 French Street	
1623	13 French Street	
0711	2 French Street	
0712	16 French Street	
1104	22 Gerard Street	

1105	24 Gerard Street	
0949	13 Gillies Street	
0950	20 Gillies Street, Astley Bank	
0264	Glen Street, north of Dind Street, former Glen Street tram terminus	
	2-2A Glen Street	
1188	Grafton Street, opposite Fall Street, remains of Willoughby Falls	
1110	Green Street, Site of Cremorne smelter, east of No 5 Green Street	S
1107	3 Green Street	S
1108	5 Green Street, The Laurels	S
1109	6 Green Street	S
1111	8 Green Street, Sydney Amateur Sailing Club	
1113	7 Guthrie Avenue	
1112	10 Guthrie Avenue, Bundabulla	
1114	6 Hampden Avenue	
1624	2 Hampden Street	
1625	4 Hampden Street	
1626	6 Hampden Street	
1627	8 Hampden Street	
1628	10 Hampden Street	
1629	12 Hampden Street	
1630	14 Hampden Street	
1269	3-5 Harriette Street	
1268	27 Harriette Street	
1632	18 Harriette Street, Ben Nevis	
1265	34 Harriette Street	
1351	4 Harrison Street	
1352	6 Harrison Street	
1353	8 Harrison Street	

1354	10 Harrison Street	
1355	12 Harrison Street	
1336	14 Harrison Street	
1019	23 Hayberry Street	
1010	14 Hayberry Street, former hall	
0966	82 Hayberry Street	
1020	104 Hayberry Street	
1296	1-7 Hayes Street	
1218	19-21 Hayes Street former Neutral Bay Post Office	
1377	Hayes Street, Neutral Bay Wharf	
1379	2 Hayes Street, The Hastings	S
1378	4 Hayes Street	
1172	Hazelbank Road, Plane Trees, north of intersection with Gillies Street	
0679	Henry Lawson Drive, former tram turning circle and McMahons Point ferry wharf	
0682	1/1A Henry Lawson Drive, Former Holmes' residence and slipway	
0554	2A Henry Lawson Drive, seawall	
1174	High Street, east end, Kesterton Park	
0045	119 High Street, Rocklea	
0046	123 High Street, Kenilworth	
2025	141 High Street	
2027	145 High Street	
2028	151 High Street	
*2032	165 High Street	
0219	68 High Street	
0218	100-108 High Street	
2022	110 High Street	
0042	114 High Street, Cliff Bank	
0042	114A High Street	

0041	116 High Street, Heatherlie	
0037	118-138 High Street, gasworks remains, HMAS Platypus	S
0064	142 High Street	
0044	144 High Street, Rockcliff Mansions	
0049	11 Hipwood Street, Newton	
0040	23 Hipwood Street, Newton	
1634	2 Hipwood Street	
1635	4 Hipwood Street	
1636	6 Hipwood Street	
1637	8 Hipwood Street	
1638	10 Hipwood Street	
1639	12 Hipwood Street	
1115	Hodgson Avenue, site of Cremorne coal bore	
1128	14 Hodgson Avenue	
0133	11 Holbrook Avenue, Sunnyside	S
0128	17 Holbrook Avenue	
0129	19 Holbrook Avenue, The Walder Apartments	
0130	21 Holbrook Avenue, The Mayfair Apartments	
0131	23 Holbrook Avenue, Renown	
0132	25 Holbrook Avenue	
0127	2 Holbrook Avenue, Mt Warwick Apartments	
0063	6 Holbrook Avenue, Huntingdon Apartments	
1116	125 Holt Avenue	
0958	6 Holtermann Street, Crows Nest performing arts centre	
0959	8 Holtermann Street, Uniting Church Hall	
0960	10 Holtermann Street, Uniting Church Parsonage	

1032	86 Holtermann Street
1266	1 Honda Road
1267	3 Honda Road
1117	20 Iredale Avenue
0989	19 Ivy Street, Kyneton Apartments
0079	Jeffreys Street, Copes Lookout, east side of wharf
0083	18 Jeffreys Street
1640	20 Jeffreys Street
1641	22 Jeffreys Street
1642	24 Jeffreys Street
0084	26 Jeffreys Street
1643	28 Jeffreys Street
1644	30 Jeffreys Street
1645	32 Jeffreys Street
0085	34 Jeffreys Street
1646	36 Jeffreys Street
1647	38 Jeffreys Street
1648	40 Jeffreys Street
1649	42 Jeffreys Street
0086	44 Jeffreys Street
1650	46 Jeffreys Street
1651	48 Jeffreys Street
1652	50 Jeffreys Street
1120	Kareela Road foreshore of Mosman Bay, Old Cremorne Wharf
1121	15 Kareela Road, Lilienfels
0607	43 Kareela Road
1127	63 Kareela Road, Coomera
2688	26 Kareela Road
1119	28 Kareela Road, Nenagh
	68 Kareela Road



0037	1 Kiara Close—gasworks remains	S
0689	King Street, Former King Street wharf	
0696	King/Ross Street, Oyster Cove Gasworks Buildings	S
0993	25 King Street	
0994	27 King Street	
0792	31 King Street, Rinaultrie	
1390	33 King Street, St Elmo	
0990	35 King Street	
0991	37 King Street, Miroma	
0253	King George Street/Lavender Crescent, Blues Point: Lavender Bay Railway Tunnel	S
0556	King George Street, Lavender Bay Low-Level Sewerage Pumping Station	
0528	3 King George Street	
1653	5 King George Street	
1654	7 King George Street	
1655	9 King George Street	
0559	11 King George Street	
0558	15 King George Street	
1656	17 King George Street	
0553	23A King George Street, Sail Australia Boatsheds	
0134	Kirribilli Avenue, foreshore in front of Mary Booth Park and 55 and 59 Kirribilli Avenue, boatslips, sandstone walling, cliff face	
0135	55 Kirribilli Avenue, Elsiemere	
0136	59 Kirribilli Avenue, Studley Royal	
0137	83 Kirribilli Avenue, Rydal	
0093	107 Kirribilli Avenue, St Julian	
0101	109 Kirribilli Avenue, Kirribilli Point Fortifications	S
0103	109 Kirribilli Avenue, Admiralty House	S

0104	111 Kirribilli Avenue, Kirribilli House	S
0102	40 Kirribilli Avenue	
1657	42 Kirribilli Avenue	
2716	88 Kirribilli Avenue	
0105	106 Kirribilli Avenue, Cabana Apartments	
0106	126 Kirribilli Avenue, Soma	
1135	Site and remains of Port Jackson and Manly Steamship Company depot, Kurraba Road, Kurraba Point Reserve including Hodgson and Spains Lookouts	S
0315	1 Kurraba Road	
1661	3 Kurraba Road	
0316	5 Kurraba Road	
1662	7 Kurraba Road	
0317	9 Kurraba Road	
1663	11 Kurraba Road	
0318	13 Kurraba Road	
1664	15 Kurraba Road	
0319	17 Kurraba Road	
1665	19 Kurraba Road	
0320	23 Kurraba Road	
0322	25 Kurraba Road	
0324	31 Kurraba Road, Kurraba Cottage	
0325	33 Kurraba Road	
1234	47 Kurraba Road	
1235	49 Kurraba Road	
1236	51 Kurraba Road	
1666	53 Kurraba Road	
1237	55 Kurraba Road	
1238	57 Kurraba Road	
1667	59 Kurraba Road	

1239	65 Kurraba Road, Wavertree	
1240	67 Kurraba Road	
1668	69 Kurraba Road	
1324	71 Kurraba Road	
1387	75 Kurraba Road	
1386	77 Kurraba Road	
1388	95 Kurraba Road	
1382	115A Kurraba Road, Once Upon A Time	
0326	2 Kurraba Road	
1669	4 Kurraba Road	
0321	6 Kurraba Road	
1670	8 Kurraba Road	
0327	10 Kurraba Road	
1671	12 Kurraba Road	
0328	16 Kurraba Road	
0329	18 Kurraba Road	
1672	20 Kurraba Road	
0330	28 Kurraba Road	
1673	30 Kurraba Road	
0331	38 Kurraba Road	
1304	68 Kurraba Road	
1385	72 Kurraba Road, Lucellen	
1320	102 Kurraba Road	
1370	130 Kurraba Road	
1369	132 Kurraba Road, Mona	
1384	142 Kurraba Road	
1383	144 Kurraba Road	
1244	146 Kurraba Road, Hollowforth	S
1323	168 Kurraba Road, Casa Madrona	
1229	172 Kurraba Road, Edzell House	
1230	174B Kurraba Road	

1231	176 Kurraba Road, Gingie
0986	24 Larkin Street
0928	40 Larkin Street, Oakhill
0987	44 Larkin Street, Cheltenham
0371	Lavender Bay, Neptune Engineering Site
0236	Lavender Bay Railway Line, between Luna Park and Waverton Railway Station, including the following:
0258	Footbridge between Union Street and Commodore Crescent
0261	Mile post between Woolcott Street and Union Street SW side of line
0257	John Street Railway Bridge, John Street
0239	Original Milson's Point Station Line, NE of Luna Park
0245	Railway viaduct, Lavender Bay S
0241	Railway Marshalling Yards, Lavender Bay
0254	Manual quadrant signal, north side 40m east of railway tunnel
0243	Steps leading from marshalling yard to tram terminus, north edge of Lavender Bay Marshalling yards
0259	Lavender Bay Up Landmark, Lavender Bay Line, north side
0237	Rubble seawall, railway marshalling yard, Lavender Bay
0255	Brick retaining wall, south of John Street S
0249	Working platform, south of John Street
0247	Signal box, south of tunnel, Lavender Bay
0248	Lavender Bay starting signal, 40m east of Railway Tunnel, Lavender Bay
0554	Lavender Bay seawalls and boat slips
0552	Lavender Crescent, Lavender Crescent stone wall
0369	19-21 Lavender Street

0312	23 Lavender Street, Quibree
0402	41 Lavender Street
0374	43 Lavender Street
0375	45 Lavender Street
0389	10 Lavender Street
1674	12 Lavender Street
1675	14 Lavender Street
1676	16 Lavender Street
1677	18 Lavender Street
1678	20 Lavender Street
1679	22 Lavender Street
1680	24 Lavender Street
0385	26 Lavender Street, Gateposts and fence of former Folkestone House
0313	28 Lavender Street, Christ Church Rectory
1356	16 Lindsay Street—former St Josephs Catholic Church (now hall)
1357	16 Lindsay Street—St Josephs Catholic Church
1129	6 Lodge Road, Warringah Lodge
1337	11 Lord Street
0760	32 Lord Street
1686	34 Lord Street
1687	36 Lord Street
1688	38 Lord Street
0761	40 Lord Street
1689	42 Lord Street
1690	44 Lord Street
1691	46 Lord Street
0762	48 Lord Street
1692	50 Lord Street

1693	52 Lord Street
0891	1 Lytton Street
1694	3 Lytton Street
0976	11 Lytton Street
0931	8 Lytton Street
1695	10 Lytton Street
1696	22 Lytton Street
0932	26 Lytton Street
1697	28 Lytton Street
1698	30 Lytton Street
	7 Manns Avenue
1294	9-11 Manns Avenue
1295	2 Manns Avenue, Elevera
0194	1 Margaret Street, Carlettie
1700	3 Margaret Street
0195	5 Margaret Street
1699	7 Margaret Street
1329	4-6 Margaret Street
0188	8 Margaret Street, Albert House
0189	10 Margaret Street, Inglewood Cottage
0190	12 Margaret Street
0191	18 Margaret Street
0192	20 Margaret Street
1710	22 Margaret Street
0193	24 Margaret Street
0108	17 McDougall Street
1702	19 McDougall Street
0109	21 McDougall Street
1703	23 McDougall Street
0110	25 McDougall Street
1704	27 McDougall Street

0111	31 McDougall Street	
1705	33 McDougall Street	
0112	35 McDougall Street	
1706	37 McDougall Street	
1707	39 McDougall Street	
0113	74 McDougall Street, Low Level Sewerage Pumping Station No 33	
1708	76 McDougall Street, Sydney Flying Squadron Ltd	
1709	78 McDougall Street, Ensemble Theatre	
*0305	19 Mackenzie Street	
0370	19 Mackenzie Street, St Francis Xaviers School Hall	
0304	20 Mackenzie Street St Francis Xaviers Presbytery	S
0781	32 McHatton Street	
0857	3 McLaren Street, Torwood	
0866	8 McLaren Street	
0858	9 McLaren Street, Grahwey	
0867	10 McLaren Street	
0859	11 McLaren Street, Kelvin	
0860	21-23 McLaren Street	
0861	25 McLaren Street, Tara	
0862	27 McLaren Street, Stormanston	
0863	29 McLaren Street, Fairhaven	
0864	31-33 McLaren Street	
0868	12 McLaren Street	
0855	34 McLaren Street, Memorial Hall of St Thomas	
0869	34 McLaren Street	
1326	41 McLaren Street, Simsmetal House	
0670	48 Middle Street	

0030	2-74 Middlemiss St (bays under expressway) refer to Sydney Harbour Bridge and approach viaducts	S
0714	1 Mil Mil Street	
0716	5 Mil Mil Street	
1205	219 Military Road, Former Cremorne Post Office/telephone exchange	
1206	221 Military Road, Watersleigh Court Flats	
1245	116 Military Road, former Neutral Bay Tram Depot and Water Tower	
1338	194 Military Road	
1713	196 Military Road	
1346	228 Military Road, former CBC Bank	
1334	274 Military Road, SCEGGS Redlands	
1198	386 Military Road, Cremorne Orpheum Theatre	S
0922	Miller Street, The North Bridge	S
0763	103 Miller Street (refer to 36 Blue Street, Greenwood) (North Sydney Technical High School, former)	S
0854	105-153 Miller Street, MLC Centre	S
0834	187 Miller Street	
0852	199 Miller Street, The Rag & Famish Hotel	
1331	201 Miller Street	
1423	232-232A Miller Street, Jago's Cafe	
0870	240 Miller Street, Trewyn Terraces	
1714	242 Miller Street, Trewyn Terraces	
0850	243 Miller Street, Four Seasons Gallery	
1715	244 Miller Street, Trewyn Terraces	
1716	246 Miller Street, Trewyn Terraces	
0871	248 Miller Street, Trewyn Terraces	
0849	255-257 Miller Street	
1009	263 Miller Street	



0843	269 Miller Street, The Independent Theatre
0307	10 Miller Street
0309	12 Miller Street, St Peters Presbyterian School House
0894	128 Miller Street, Monte Sant Angelo College Including:
0845	Masalou
*0846	Monte Sant Angelo Chapel
0847	Monte Sant Angelo Mercy Hall
0848	192 Miller Street, O'Regan
0865	196 Miller Street, Lincontro Restaurant
0851	200 Miller Street North Sydney Council Chambers Fountain in park adjacent to Council Chambers
1422	200 Miller Street, Wyllie Wing
1013	292-294 Miller Street, The North Sydney Hotel
1925	336 Miller Street, Wieewa
1926	338 Miller Street, Franklea
1006	9 Milner Crescent
0935	13 Milner Crescent
0933	17 Milner Crescent
0937	27 Milner Crescent
1007	29 Milner Crescent, Morville
1005	54 Milner Crescent, Wyagdon
0936	56 Milner Crescent
0942	3 Milray Avenue
1139	Milson Park
0026	Milson's Point, seawall and wharf site S
1166	Milson Road, Low Level Sewerage Pumping Station No 57
1148	Milson Road/Wharf Road, Former tram turning loop and ferry interchange

1149	Milson Road/Wharf Road, former Tram terminus shed	
1181	1 Milson Road, Wallenundgal	
1182	3 Milson Road, The Waldorf Apartments	
1183	11 Milson Road, The Oriental Flats	
1150	13 Milson Road, Warrigal Flats	
1152	33 Milson Road	
1152	37 Milson Road	
1155	59 Milson Road, Blackwood	
1156	61 Milson Road, Mobarik	
1157	63 Milson Road, Eventide	
1159	67 Milson Road, Coolooba	
1160	73 Milson Road, Riviera Flats	
1161	101 Milson Road	
1158	119 Milson Road	
1162	14 Milson Road	
1163	16 Milson Road	
1164	18 Milson Road, Woollooware	
1184	32 Milson Road	
1189	82 Milson Road	
1190	84 Milson Road	
1191	86 Milson Road, Mayfair Court	
1192	88 Milson Road	
1193	90 Milson Road	
1194	96 Milson Road	
1195	136 Milson Road	
1196	138 Milson Road	
	146 Milson Road	
	Milsons Point Railway Station group, North Shore Railway	S
0718	1 Mitchell Street, Farinbourne	
0720	7 Mitchell Street	

0721	11 Mitchell Street
0722	13 Mitchell Street
0723	2 Mitchell Street, Waterview
0724	10 Mitchell Street, Tamas
0725	12 Mitchell Street
0726	48-50 Mitchell Street
1349	Montpelier Street, horse trough
1168	8 Montague Road
1546	18 Morton Street
1547	20 Morton Street
1548	22 Morton Street
1549	24 Morton Street
1550	26 Morton Street
0838	Mount Street Plaza, Old GPO Column
0765	7-11 Mount Street, St Josephs Convent School and Chapel
0806	16 Mount Street, North Sydney Telephone Exchange—two storey building corner Mount & William Sts
0839	51 Mount Street, Former Bank of NSW
0836	67 Mount Street
0835	67-69 Mount Street (No 67A) façade of S. Thompson Building
1556	2A Mount Street (aka 9 Edward Street)
0250	Munro and John Streets, Sandstone cliff behind boat yard east side of Berry's Bay
0702	Munro Street and John Street, Stannard Bros Shipyard and Associated industrial buildings
0706	10 Munro Street
	16-18 Munro Street
1167	7 Murdoch Street
1021	57 Murdoch Street (2 Allister Street) former Cremorne Hall

1143	57 Murdoch Street, Cremorne Girls High School	
1171	59 Murdoch Street	
1170	61 Murdoch Street	
1169	58 Murdoch Street	
1224	82 Murdoch Street, Willsdene Hall	
0798	1 Napier Street	
1717	3 Napier Street	
1718	5 Napier Street	
1719	7 Napier Street	
*0796	6 Napier Street, Don Bank	S
0340	3 Neutral Street	
1720	5 Neutral Street	
0341	7 Neutral Street	
1721	9 Neutral Street	
0342	11 Neutral Street	
0343	13 Neutral Street	
0344	15 Neutral Street	
0345	17 Neutral Street	
0346	19 Neutral Street	
1722	21 Neutral Street	
1723	23 Neutral Street	
0347	31 Neutral Street	
1724	33 Neutral Street	
1725	35 Neutral Street	
1726	37 Neutral Street	
0349	39 Neutral Street	
0350	41 Neutral Street	
1727	41A Neutral Street	
0351	43 Neutral Street	
0352	45 Neutral Street	

0353	47 Neutral Street
0354	49 Neutral Street
1728	51 Neutral Street
0355	53 Neutral Street
1729	55 Neutral Street
0356	57 Neutral Street
0357	59 Neutral Street
0358	65 Neutral Street
1730	67 Neutral Street
1731	69 Neutral Street
1732	71 Neutral Street
0333	4 Neutral Street
1733	6 Neutral Street
0334	8 Neutral Street, Warringulla
0335	10 Neutral Street
0336	14 Neutral Street
0337	16 Neutral Street
0338	18 Neutral Street
1734	20 Neutral Street
0339	24 Neutral Street
1735	26 Neutral Street
0974	2 Nicholson Street
1325	North Sydney bus shelters
0033	15 Northcliff Street
1736	17 Northcliff Street
0034	19 Northcliff Street
1737	21 Northcliff Street
0800	1 Oak Street
1738	3 Oak Street
1739	5 Oak Street
1740	7 Oak Street

1741	9 Oak Street	
1742	11 Oak Street	
1743	13 Oak Street	
0801	2 Oak Street, "Two Oak"	
0802	4 Oak Street	
0803	6 Oak Street	
1744	8 Oak Street	
0804	10 Oak Street	
1745	12 Oak Street	
0269	Olympic Drive, Luna Park	S
0027	1 Olympic Place, North Sydney Olympic Pool	S
0158	1 Ormiston Avenue	
0159	3 Ormiston Avenue	
0160	4 Ormiston Avenue	
0899	Pacific Highway, (between David and Myrtle Streets) North Sydney Girls High School	
0766	265 Pacific Highway, The Cloisters Antiques	
1938	271 Pacific Highway, Union Hotel	
0897	317 Pacific Highway, Former Masonic Temple	
0956	429 Pacific Highway, Willoughby House, former OJ Williams store	
0900	583 Pacific Highway, Former Marco Building	
*0837	92-96 Pacific Highway, North Sydney Post Office—Court House—former Police Station	S
0767	168 Pacific Highway	
1746	170 Pacific Highway	
0782	172 Pacific Highway, Woodstock	
0783	182 Pacific Highway, Gates and fence of former Crows Nest House	

0898	192 Pacific Highway, Bradfield TAFE College
0930	286 Pacific Highway, Former North Shore Gas Co Office
0896	306 Pacific Highway, Westpac Bank
1003	308 Pacific Highway, former National Australia Bank
0998	312 Pacific Highway
1747	314 Pacific Highway
1748	316 Pacific Highway
1749	318 Pacific Highway
1750	320 Pacific Highway
1751	322-324 Pacific Highway
0999	326 Pacific Highway
1000	330 Pacific Highway
1752	332 Pacific Highway
1753	334 Pacific Highway
1754	336 Pacific Highway
1001	338 Pacific Highway
1002	366 Pacific Highway, Higgins Buildings
1755	368 Pacific Highway
1756	370 Pacific Highway
1757	372 Pacific Highway
1758	374 Pacific Highway
1759	376 Pacific Highway
0905	68 Palmer Street, corner Bellevue Street, Cammeray Public School
0672	4 Parker Street
0077	8 Parkes Street
0095	12 Parkes Street
1760	9 Peel Street
1761	11 Peel Street

1762	13 Peel Street	
1763	15 Peel Street	
1764	17 Peel Street	
1765	19 Peel Street	
1766	21 Peel Street	
1767	23 Peel Street	
1768	25 Peel Street	
0089	27 Peel Street	
0090	29 Peel Street	
0091	31 Peel Street	
0099	33 Peel Street, Carabella	
0138	20 Peel Street	
1418	24 Peel Street	
1216	12 Phillips Street, Derry	
1769	14 Phillips Street, Douglas	
0082	41 Pitt Street	
1770	43 Pitt Street	
1771	45 Pitt Street	
0081	38 Pitt Street, Bratton	
0139	1 Plunkett Street	
1138	Primrose Park	
1200	2 Prior Avenue	
1201	3 Prior Avenue	
1202	4 Prior Avenue	
1203	5 Prior Avenue	
2094	7A Prior Avenue	
1204	6 Prior Avenue	
0768	5 Priory Road, The Priory	S
2045	2 Queens Avenue	
2046	4 Queens Avenue	
2044	8 Queens Avenue	



2043	10 Queens Avenue
1144	19 Rangers Road, Neutral Bay House
1633	14 Raymond Road (20 Harriette Street), Beaumont
0877	11 Ridge Street
0876	63 Ridge Street
0883	71 Ridge Street
1793	73 Ridge Street
0884	75 Ridge Street
0885	81 Ridge Street
0880	85 Ridge Street
1794	87 Ridge Street
0881	89 Ridge Street
0879	91 Ridge Street, St Helens
0878	95 Ridge Street, St Malo
0970	2 Ridge Street, Playfair House
1795	4 Ridge Street
1796	6 Ridge Street
1797	8 Ridge Street
1798	10 Ridge Street
1799	12 Ridge Street
1800	14 Ridge Street
0971	45 Ridge Street
1790	47 Ridge Street
1012	48 Ridge Street, St Mary's Presbytery
0841	48 Ridge Street, (Miller St) St Mary's Church
0840	48 Ridge Street, St Marys Primary School
1791	49 Ridge Street
1792	51 Ridge Street
0391	8 Riley Street

2715	2 Rose Avenue	
	4 Rose Avenue (sandstone rock wall and cliff face)	
0983	17 Ross Street	
0984	21 Ross Street	
0704	Sawmiller's Reserve	
0911	St Leonards Park	
1279	11 Shellcove Road, "Englemere"	
1213	13 Shellcove Road	
1247	27 Shellcove Road	
1248	29 Shellcove Road, Keynsham	
1249	31 Shellcove Road, Brent Knowle	S
1250	33 Shellcove Road, Ailsa	
1251	37 Shellcove Road, St Anne's	
1252	39 Shellcove Road, Gundamine	
1253	49 Shellcove Road, The Cobbles	S
1299	55 Shellcove Road, Honda	
1298	61 Shellcove Road	
1291	73 Shellcove Road	
1222	75-77 Shellcove Road, St Augustine's Church of England	
1321	4 Shellcove Road, Casa Loma	
1254	36 Shellcove Road, Roun	
1297	42 Shellcove Road	
1293	52 Shellcove Road	
1292	54 Shellcove Road	
1271	56 Shellcove Road	
1278	60A Shellcove Road, San Michele	
1281	64 Shellcove Road	
1220	66 Shellcove Road, Bovington	
1282	70 Shellcove Road, Cossington	
1283	72 Shellcove Road, Trequean	

1287	80 Shellcove Road	
1288	84 Shellcove Road	
1137	Shirley Road, Berry Island Reserve	S
0944	25 Shirley Road, Carpenter House	
0895	99 Shirley Road, Crows Nest Fire Station	
0816	8 Shirley Road	
0811	26 Shirley Road	
0945	36 Shirley Road	
0946	40 Shirley Road	
0947	42 Shirley Road	
0948	46 Shirley Road	
0943	62 Shirley Road	
0955	96 Shirley Road, Illaroo	
0888	122 Shirley Road, Corner Nicholson Street, Uniting Church	
0910	7 Sinclair Street Former Mater Misericordiae Maternity Hospital	S
1270	Spains Wharf Road, Site of Spains Wharf	
1145	10 Spofforth Street, Mount Pleasant	
1173	14 Spofforth Street	
1276	15 Spruson Street	
1274	17 Spruson Street	
1803	19 Spruson Street	
1273	21 Spruson Street	
1804	23 Spruson Street	
1272	31 Spruson Street	
1207	16 Spruson Street, The Gables	
*0894	St Thomas Rest Park including Sexton's Cottage and cemetery fence	
0030	Sydney Harbour Bridge and approach viaducts	S
0030	2-4 Ennis Road bays	

0030	2-74 Middlemiss Street bays
0076	Sydney Harbour Bridge, north pylons S
0954	1 Telopea Street, former Stationmaster's cottage
0953	3 Telopea Street, The Briars
0952	11 Telopea Street, Tullamore
0951	2 Telopea Street
0941	4A Telopea Street
1039	5 The Boulevarde
0908	49 The Boulevarde
0502	4 Thomas Street
1807	6 Thomas Street
0505	16 Thomas Street
0507	22 Thomas Street
0508	26 Thomas Street
0509	28 Thomas Street
1406	18 Thrupp Street
1322	22 Thrupp Street, Nazareth
	26 Toongarah Road
0903	Tunks Park, sewerage viaduct
0929	2 Tunks Street
0988	16 Tunks Street, Luton
1431	23 Undercliff Street
1936	25 Undercliff Street
1432	27 Undercliff Street
1433	29 Undercliff Street
1434	29A Undercliff Street
1342	4 Undercliff Street
	6 Undercliff Street
1424	8 Undercliff Street
1425	10 Undercliff Street

1426	12 Undercliff Street	
1427	14 Undercliff Street	
1428	16 Undercliff Street	
1429	18 Undercliff Street	
1430	20 Undercliff Street	
1217	22 Undercliff Street, Hermon	
0481	35 Union Street	
0490	77 Union Street	
1816	79 Union Street	
0491	81 Union Street	
0493	93 Union Street	
0463	2 Union Street	
0469	20A Union Street	
0470	20 Union Street	
1828	22 Union Street	
1829	24 Union Street	
0471	26 Union Street	
0472	28 Union Street	
1830	30 Union Street	
0473	32 Union Street	
0474	34 Union Street	
1831	36 Union Street	
0475	38 Union Street	
1832	40 Union Street	
0476	42 Union Street	
0832	44 Union Street, Kailoa	S
0784	70-76 Union Street	
2716	49 Upper Pitt Street	
2038	59 Upper Pitt Street	
	61 Upper Pitt Street	
0142	67 Upper Pitt Street, Greenmount	S

0143	69 Upper Pitt Street, The Grange
0141	46 Upper Pitt Street, Wyalla
0975	2 Vale Street
0252	Victoria Street, adjacent to bridge, Signal footing
2063	7 Victoria Street
0749	11 Victoria Street
0750	13 Victoria Street
0751	37 Victoria Street
0752	43 Victoria Street
1839	45 Victoria Street
0753	51 Victoria Street, Kilmorey Terrace
1840	53 Victoria Street
1841	55 Victoria Street
0742	8 Victoria Street
1842	10 Victoria Street
1843	12 Victoria Street
1844	14 Victoria Street
1845	16 Victoria Street
0743	26 Victoria Street
0745	36 Victoria Street
0746	38 Victoria Street
0747	40 Victoria Street
0748	62 Victoria Street
1846	64 Victoria Street
1847	66 Victoria Street
1848	68 Victoria Street
0588	1 Waiwera Street
0589	3 Waiwera Street
1849	5 Waiwera Street
0560	15 Waiwera Street

0555	23 Waiwera Street, Bellarion Court	
0583	4 Waiwera Street	
0584	6 Waiwera Street	
1850	8 Waiwera Street	
1851	10 Waiwera Street	
1852	12 Waiwera Street	
1853	14 Waiwera Street	
0585	16 Waiwera Street	
0586	18 Waiwera Street	
1854	20 Waiwera Street	
1855	22 Waiwera Street	
0587	24 Waiwera Street	
1856	26 Waiwera Street	
1857	28 Waiwera Street	
	Walker Street, Lavender Bay Ferry Wharf	
0921	Walker Street, stone wall near Hampden Street	
0373	1 Walker Street	
0373	3 Walker Street	
0303	9 Walker Street, Mercedes	S
0377	11 Walker Street, Brenda	
1858	11A Walker Street, Glenlewis	
0378	15 Walker Street, Merryula	
1859	17 Walker Street, Kiengal	
0380	19 Walker Street	
0379	21 Walker Street	
0381	23 Walker Street	
0382	25–27 Walker Street, Royal Art Society of NSW	
1860	29 Walker Street	
1861	31 Walker Street	
1862	33 Walker Street	

1863	35 Walker Street	
1864	37 Walker Street	
0874	189 Walker Street	
1038	207 Walker Street	
1037	209 Walker Street	
0244	2 Walker Street, Berowra	
*0306	10 Walker Street, Christchurch Anglican Church Lavender Bay	S
0383	20 Walker Street	
0384	22 Walker Street	
1865	24 Walker Street	
1866	26 Walker Street	
1867	28 Walker Street	
1868	30 Walker Street	
0872	86 Walker Street, former fire station	
1932	144 Walker Street	
1933	146 Walker Street	
1934	148 Walker Street	
1935	150 Walker Street	
1930	179 Walker Street	
2717	185 Walker Street	
0923	186 Walker Street, Wenona—part of Wenona Girls School (179 Walker Street)	
1035	186 Walker Street (184 Walker Street), Ralston House—part of Wenona Girls School	
0886	186 Walker Street (79 Ridge Street)	
0887	186 Walker Street (83 Ridge Street)	
1036	186 Walker Street, Karakatta—part of Wenona Girls School	
*1243	5 Wallaringa Avenue, Nutcote	S
1381	7 Wallaringa Avenue	
1380	9 Wallaringa Avenue	



0065	29 Waruda Street, The Regent Apartments
0145	8 Waruda Street, Redlynn
0071	10 Waruda Street
1869	12 Waruda Street
0674	3 Warung Street
0675	5 Warung Street
0676	7 Warung Street
1870	9 Warung Street
1175	29 Waters Road, St Peters Anglican Church (corner Gerard and Winnie Streets)
1208	7 Watson Street
1871	9 Watson Street
1136	Watt Park
0754	1 Webb Street
1872	3 Webb Street
0755	5 Webb Street
0756	7 Webb Street
0757	9 Webb Street
0758	8 Webb Street
1029	33 West Street
1873	35 West Street
1030	41 West Street
1874	43 West Street
1875	45 West Street
1034	67 West Street
1404	87 West Street
1565	89 West Street
1566	89A West Street
1015	169 West Street
1016	179 West Street

0969	205 West Street
1017	36 West Street, Courtney Creche
1031	44 West Street, Vera Loblay House
0965	58A West Street
1876	58 West Street
1014	192 West Street
0972	220 West Street
0967	236 West Street
0889	280 West Street
	7 West Crescent Street
0708	12 West Crescent Street
0162	1 Whaling Road
1877	3 Whaling Road
0163	5 Whaling Road
1878	7 Whaling Road
0164	9 Whaling Road
1879	11 Whaling Road
0165	15 Whaling Road
0166	17 Whaling Road
1880	19 Whaling Road
0167	21 Whaling Road
1881	23 Whaling Road
016	825 Whaling Road
1882	27 Whaling Road
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1883	31 Whaling Road
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1884	35 Whaling Road
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0174	45 Whaling Road
1886	47 Whaling Road
0175	49 Whaling Road
1887	51 Whaling Road
1888	53 Whaling Road
1889	55 Whaling Road
1890	57 Whaling Road
0176	2 Whaling Road
0177	12 Whaling Road
1891	14 Whaling Road
0178	20 Whaling Road
0179	22 Whaling Road
1892	24 Whaling Road
0180	26 Whaling Road
0181	28 Whaling Road
0182	30 Whaling Road
1893	32 Whaling Road
0183	34 Whaling Road
1894	36 Whaling Road
0184	38 Whaling Road
1895	40 Whaling Road
0185	42 Whaling Road
1896	44 Whaling Road
0186	46 Whaling Road
1897	48 Whaling Road
1149	Wharf Road, former Tram terminus shed
0784	William Street, Shore Sydney Church of England Grammar School
0551	6 William Street, Waiweer
1898	8 William Street

1004	1-3 Willoughby Road, Crows Nest Hotel
0961	63 Willoughby Road, Northside Baptist Church
0147	29 Willoughby Street
1899	31 Willoughby Street
0149	45 Willoughby Street
0154	58 Willoughby Street
0155	60 Willoughby Street
0115	62 Willoughby Street, Patons Slipways
2462	28 Wilson Street
0056	6 Winslow Street, Fern Lodge
0061	22 Winslow Street
2718	2 Winter Avenue
1134	Wollstonecraft foreshore reserves—east and west of peninsula
0926	11 Woolcott Avenue, Robs Cottage
0789	2 Woolcott Street
1178	3 Wulworra Avenue, The Gloucester Flats
1177	5 Wulworra Avenue, The Windsor Flats
1180	8 Wulworra Avenue, 2 Storey Residence
1179	8 Wulworra Avenue, The Montana Flats
2719	17 Wyagdon Street (sandstone rock wall and cliff face)
1242	19 Wycombe Road, Wallaringa Mansions
1365	21 Wycombe Road
1363	23 Wycombe Road, St Julians
1371	23A Wycombe Road
1361	31 Wycombe Road, Tenalba
1360	49 Wycombe Road, Tendring
0924	59 Wycombe Road
1358	75 Wycombe Road

1223	89 Wycombe Road, St Augustine's Rectory and Curate's Lodge	
1368	89 Wycombe Road, Isla	
1221	95 Wycombe Road, Arlington	
1256	143 Wycombe Road	
1257	145 Wycombe Road	
1258	149 Wycombe Road	
1259	151 Wycombe Road	
1260	153 Wycombe Road	
1367	2-4 Wycombe Road	
1364	18 Wycombe Road	
1366	28 Wycombe Road, Wycombe Private Hotel	
1341	40 Wycombe Road, Rilstone	
1359	56 Wycombe Road	
1219	68 Wycombe Road, Dartmouth	
2667	82 Wycombe Road	
1340	104 Wycombe Road, Yarran	
1261	120 Wycombe Road	
1262	122 Wycombe Road	
1263	124 Wycombe Road	
1264	126 Wycombe Road	
1919	128 Wycombe Road	
1211	130 Wycombe Road	
1920	132 Wycombe Road	
1212	134 Wycombe Road	
1214	144 Wycombe Road	
1277	28 Yeo Street, Neutral Bay Fire Station	
*1209	49 Yeo Street, St John's Uniting Church, formerly Presbyterian Church and Pipe Organ	S
1095	Young Street, Folly Point Sewage Works (within Primrose Park)	S

## Schedule 4 Contributory items

(Schedule 2)

### Contributory item—address

90 Albany Street, Crows Nest  
92 Albany Street, Crows Nest  
94 Albany Street, Crows Nest  
96 Albany Street, Crows Nest  
120 Alexander Street, Crows Nest  
122 Alexander Street, Crows Nest  
126 Alexander Street, Crows Nest  
130 Alexander Street, Crows Nest  
132 Alexander Street, Crows Nest  
134 Alexander Street, Crows Nest  
136 Alexander Street, Crows Nest  
141 Alexander Street, Crows Nest  
143 Alexander Street, Crows Nest  
145 Alexander Street, Crows Nest  
159 Alexander Street, Crows Nest  
161 Alexander Street, Crows Nest  
163 Alexander Street, Crows Nest  
165 Alexander Street, Crows Nest  
167 Alexander Street, Crows Nest  
59 Amherst Street, Cammeray  
61 Amherst Street, Cammeray  
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84 Amherst Street, Cammeray  
86 Amherst Street, Cammeray  
98 Amherst Street, Cammeray  
100 Amherst Street, Cammeray  
102 Amherst Street, Cammeray  
25 Ancrum Street, Waverton  
34 Ancrum Street, Waverton  
36 Ancrum Street, Waverton

37 Ancrum Street, Waverton  
59 Ancrum Street, Waverton  
63 Atchison Street, Crows Nest  
65 Atchison Street, Crows Nest  
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73 Atchison Street, Crows Nest  
75 Atchison Street, Crows Nest  
77 Atchison Street, Crows Nest  
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1 Bank Lane, North Sydney  
1 Bank Street, North Sydney  
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96–98 Bank Street, North Sydney  
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17 Bay Road, Waverton  
15 Bay Road, Waverton  
11A Bay Road, Waverton  
21 Bay Road, Waverton  
22 Bay Road, Waverton  
24 Bay Road, Waverton  
26 Bay Road, Waverton  
38 Bay Road, Waverton  
40–42 Bay Road, Waverton  
46 Bay Road, Waverton  
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44 Bellevue Street, Cammeray  
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107 Bellevue Street, Cammeray  
113 Bellevue Street, Cammeray  
125 Bellevue Street, Cammeray  
133 Bellevue Street, Cammeray  
137 Bellevue Street, Cammeray  
214 Ben Boyd Road, Cremorne  
216 Ben Boyd Road, Cremorne  
3 Bennett Street, Neutral Bay  
21 Bennett Street, Cremorne  
25 Bennett Street, Cremorne  
31 Bennett Street, Cremorne  
41 Bennett Street, Cremorne  
43 Bernard Lane, Crows Nest  
2 Bertha Road, Cremorne

35 Blues Point Road, McMahons Point  
42 Blues Point Road, McMahons Point  
45 Blues Point Road, McMahons Point  
46 Blues Point Road, McMahons Point  
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34 Boyle Street, Cremorne  
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4 Bradly Avenue, North Sydney  
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14 Bradly Avenue, North Sydney  
1 Bromley Avenue, Cremorne Point  
27 Burlington Street, Crows Nest  
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128 Burlington Street, Crows Nest  
130 Burlington Street, Crows Nest  
132 Burlington Street, Crows Nest  
134 Burlington Street, Crows Nest  
140 Burlington Street, Crows Nest  
18 Burroway Street, Neutral Bay  
1 Burroway Street, Neutral Bay  
6 Burroway Street, Neutral Bay  
10 Burroway Street, Neutral Bay  
14 Burroway Street, Neutral Bay  
1 Cable Street, Wollstonecraft  
2 Cable Street, Wollstonecraft  
4 Cable Street, Wollstonecraft  
5 Cable Street, Wollstonecraft  
9 Cable Street, Wollstonecraft  
46 Cairo Street, Cammeray  
48 Cairo Street, Cammeray  
57 Cairo Street, Cammeray  
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60 Cairo Street, Cammeray  
64 Cairo Street, Cammeray  
66 Cairo Street, Cammeray  
14 Carabella Street, Kirribilli  
49 Carabella Street, Kirribilli  
63 Carabella Street, Kirribilli  
74 Carabella Street, Kirribilli  
76 Carabella Street, Kirribilli  
78 Carabella Street, Kirribilli  
90 Carabella Street, Kirribilli  
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94 Carabella Street, Kirribilli  
96 Carabella Street, Kirribilli  
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110 Carabella Street, Kirribilli  
117 Carabella Street, Kirribilli  
121-123 Carabella Street, Kirribilli  
129 Carabella Street, Kirribilli  
131 Carabella Street, Kirribilli  
137 Carabella Street, Kirribilli  
139 Carabella Street, Kirribilli  
141 Carabella Street, Kirribilli  
143 Carabella Street, Kirribilli  
6 Carlow Street, North Sydney  
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36 Carlow Street, North Sydney  
27 Carr Street, Waverton  
33 Carr Street, Waverton  
35 Carr Street, Waverton  
39 Carr Street, Waverton

39A Carr Street, Waverton  
41 Carr Street, Waverton  
5-7 Carter Street, Cammeray  
6 Carter Street, Cammeray  
8 Carter Street, Cammeray  
117 Chandos Street, Crows Nest  
124 Chandos Street, Crows Nest  
125 Chandos Street, Crows Nest  
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12 Chuter Street, McMahons Point  
14 Chuter Street, McMahons Point  
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18 Chuter Street, McMahons Point  
20 Chuter Street, McMahons Point  
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26 Chuter Street, McMahons Point  
28 Chuter Street, McMahons Point  
30 Chuter Street, McMahons Point  
32 Chuter Street, McMahons Point  
1 Claude Avenue, Cremorne  
3 Claude Avenue, Cremorne  
7 Claude Avenue, Cremorne  
25 Clifton Street, Waverton  
39 Clifton Street, Waverton  
6 Colin Street, Cammeray  
15 Colin Street, Cammeray  
16 Colin Street, Cammeray  
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36 Colin Street, Cammeray  
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42 Colin Street, Cammeray  
50 Colin Street, Cammeray  
51 Colin Street, Cammeray  
62 Colin Street, Cammeray  
69 Colin Street, Cammeray  
71 Colin Street, Cammeray  
3 Cremorne Road, Cremorne Point  
6 Cremorne Road, Cremorne Point  
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93-95 Cremorne Road, Cremorne Point  
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109 Cremorne Road, Cremorne Point  
115 Cremorne Road, Cremorne Point  
125 Cremorne Road, Cremorne Point  
127 Cremorne Road, Cremorne Point  
32 Crows Nest Road, Waverton  
33 Crows Nest Road, Waverton  
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39A Crows Nest Road, Waverton  
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1 Devonshire Street, Crows Nest  
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47 Devonshire Street, Crows Nest  
49 Devonshire Street, Crows Nest  
1 Doris Street, North Sydney  
11 Dumbarton Street, McMahons Point  
45 East Crescent Street, Lavender Bay  
4 Echo Street, Cammeray  
8 Echo Street, Cammeray  
15 Edward Street, North Sydney  
17 Edward Street, North Sydney  
19 Edward Street, North Sydney  
21 Edward Street, North Sydney  
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24 Edward Street, North Sydney  
25 Edward Street, North Sydney  
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27 Edward Street, North Sydney  
29 Edward Street, North Sydney  
36 Edward Street, North Sydney  
3 Ellalong Road, Cremorne  
5 Ellalong Road, Cremorne  
8 Emmett Street, Crows Nest  
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131 Ernest Street, Crows Nest  
1 Eureka Street, Waverton  
25 Eureka Street, Waverton  
27 Eureka Street, Waverton  
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31 Eureka Street, Waverton  
33 Eureka Street, Waverton

56 Eureka Street, North Sydney  
58 Eureka Street, North Sydney  
60 Eureka Street, North Sydney  
63-65 Eureka Street, Waverton  
67 Eureka Street, Waverton  
11 Fifth Avenue, Cremorne  
13 Fifth Avenue, Cremorne  
15 Fifth Avenue, Cremorne  
16 Fifth Avenue, Cremorne  
18 Fifth Avenue, Cremorne  
19 Fifth Avenue, Cremorne  
10 Florence Street, Cremorne  
12 Florence Street, Cremorne  
18 Florence Street, Cremorne  
42 Harriette Street, Neutral Bay  
44 Harriette Street, Neutral Bay  
1-3 Harrison Street, Cremorne  
7 Harrison Street, Cremorne  
9 Harrison Street, Cremorne  
11 Hayberry Street, Crows Nest  
13 Hayberry Street, Crows Nest  
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16 Hayberry Street, Crows Nest  
17 Hayberry Street, Crows Nest  
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47-49 Hayberry Street, Crows Nest  
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98 Hayberry Street, Crows Nest  
100 Hayberry Street, Crows Nest  
110 Hayberry Street, Crows Nest  
112 Hayberry Street, Crows Nest  
114 Hayberry Street, Crows Nest  
11 Hayes Street, Neutral Bay  
13 Hayes Street, Neutral Bay  
14 Hayes Street, Neutral Bay  
15 Hayes Street, Neutral Bay  
17 Hayes Street, Neutral Bay  
31 Hayes Street, Neutral Bay  
33 Hayes Street, Neutral Bay  
3 Hazelbank Road, Wollstonecraft  
9 Hazelbank Road, Wollstonecraft  
11 Hazelbank Road, Wollstonecraft  
11A Hazelbank Road, Wollstonecraft  
15 Hazelbank Road, Wollstonecraft  
17 Hazelbank Road, Wollstonecraft  
19 Hazelbank Road, Wollstonecraft  
21 Hazelbank Road, Wollstonecraft  
23 Hazelbank Road, Wollstonecraft  
27 Hazelbank Road, Wollstonecraft  
115 High Street, North Sydney  
127 High Street, North Sydney  
143 High Street, North Sydney  
147 High Street, North Sydney  
149 High Street, North Sydney  
12 Hodgson Avenue, Cremorne Point

16 Hodgson Avenue, Cremorne Point  
18 Hodgson Avenue, Cremorne Point  
20 Hodgson Avenue, Cremorne Point  
24 Hodgson Avenue, Cremorne Point  
4 Holbrook Avenue, Kirribilli  
16 Holtermann Street, Crows Nest  
18 Holtermann Street, Crows Nest  
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24 Holtermann Street, Crows Nest  
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145 Holtermann Street, Crows Nest  
147 Holtermann Street, Crows Nest  
149 Holtermann Street, Crows Nest  
2 Honda Road, Neutral Bay  
11 Huntington Street, Crows Nest  
31 Huntington Street, Crows Nest  
32 Huntington Street, Crows Nest  
33 Huntington Street, Crows Nest  
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43 Huntington Street, Crows Nest  
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57 Huntington Street, Crows Nest  
59 Huntington Street, Crows Nest  
61 Huntington Street, Crows Nest  
6 Iredale Avenue, Cremorne  
10 Iredale Avenue, Cremorne  
12-14 Iredale Avenue, Cremorne  
16 Iredale Avenue, Cremorne  
18 Iredale Avenue, Cremorne  
22 Iredale Avenue, Cremorne  
24 Iredale Avenue, Cremorne  
26 Iredale Avenue, Cremorne  
28 Iredale Avenue, Cremorne  
3 Kareela Road, Cremorne Point  
7 Kareela Road, Cremorne Point  
20 Kareela Road, Cremorne Point  
22 Kareela Road, Cremorne Point  
25 Kareela Road, Cremorne Point  
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53 Kareela Road, Cremorne Point  
55 Kareela Road, Cremorne Point  
57 Kareela Road, Cremorne Point  
59 Kareela Road, Cremorne Point  
1 King George Street, McMahons Point  
85 Kirribilli Avenue, Kirribilli  
87 Kirribilli Avenue, Kirribilli  
89 Kirribilli Avenue, Kirribilli  
91 Kirribilli Avenue, Kirribilli  
93 Kirribilli Avenue, Kirribilli  
95 Kirribilli Avenue, Kirribilli  
112 Kirribilli Avenue, Kirribilli  
114 Kirribilli Avenue, Kirribilli  
116 Kirribilli Avenue, Kirribilli  
118 Kirribilli Avenue, Kirribilli  
120 Kirribilli Avenue, Kirribilli  
124 Kirribilli Avenue, Kirribilli  
45 Kurraba Road, Neutral Bay  
83 Kurraba Road, Neutral Bay  
42 Lavender Street, Lavender Bay  
44 Lavender Street, Lavender Bay  
46 Lavender Street, Lavender Bay  
48 Lavender Street, Lavender Bay  
50 Lavender Street, Lavender Bay  
52 Lavender Street, Lavender Bay  
54 Lavender Street, Lavender Bay  
56 Lavender Street, Lavender Bay



58 Lavender Street, Lavender Bay  
1 Little Alfred Street, North Sydney  
9 Little Alfred Street, North Sydney  
1 Lumsden Street, Cammeray  
2 Lumsden Street, Cammeray  
3 Lumsden Street, Cammeray  
9 Lumsden Street, Cammeray  
11 Lumsden Street, Cammeray  
12 Lumsden Street, Cammeray  
13 Lumsden Street, Cammeray  
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21 Lumsden Street, Cammeray  
22 Lumsden Street, Cammeray  
24 Lumsden Street, Cammeray  
26 Lumsden Street, Cammeray  
28 Macpherson Street, Cremorne  
30 Macpherson Street, Cremorne  
32 Macpherson Street, Cremorne  
46 Macpherson Street, Cremorne  
1 Mchatton Street, Waverton  
1A Mchatton Street, Waverton  
5 Mchatton Street, Waverton  
6 Mchatton Street, Waverton  
8 Mchatton Street, Waverton  
10 Mchatton Street, Waverton  
12 Mchatton Street, Waverton  
18 Mchatton Street, Waverton  
22 Mchatton Street, North Sydney  
28 Mchatton Street, North Sydney  
30 Mchatton Street, North Sydney  
28 Middle Street, McMahons Point  
30 Middle Street, McMahons Point  
56 Middle Street, McMahons Point  
58 Middle Street, McMahons Point  
68 Middle Street, McMahons Point  
2 Mil Mil Street, McMahons Point  
3 Mil Mil Street, McMahons Point  
5 Milray Avenue, Wollstonecraft  
7 Milson Road, Cremorne Point  
9 Milson Road, Cremorne Point  
20 Milson Road, Cremorne Point  
23 Milson Road, Cremorne Point  
24 Milson Road, Cremorne Point  
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36 Milson Road, Cremorne Point

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111 Milson Road, Cremorne Point  
113 Milson Road, Cremorne Point  
125 Milson Road, Cremorne Point  
129 Milson Road, Cremorne Point  
148 Milson Road, Cremorne Point  
2 Montague Road, Cremorne  
6 Montague Road, Cremorne  
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42 Montague Road, Cremorne  
44 Montague Road, Cremorne  
5 Morden Street, Cammeray  
6 Morden Street, Cammeray

7 Morden Street, Cammeray  
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5 Murdoch Street, Cremorne  
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28 Murdoch Street, Cremorne  
30–34 Murdoch Street, Cremorne  
31 Murdoch Street, Cremorne  
37 Murdoch Street, Cremorne  
38 Murdoch Street, Cremorne  
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42 Murdoch Street, Cremorne  
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56 Murdoch Street, Cremorne  
20 Myrtle Street, North Sydney  
22 Myrtle Street, North Sydney  
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40 Myrtle Street, North Sydney  
46 Myrtle Street, North Sydney  
1 Oaks Avenue, Cremorne

3 Oaks Avenue, Cremorne  
4 Oaks Avenue, Cremorne  
5 Oaks Avenue, Cremorne  
6 Oaks Avenue, Cremorne  
7 Oaks Avenue, Cremorne  
9 Oaks Avenue, Cremorne (excludes 2 houses at rear of property)  
8 Oaks Avenue, Cremorne  
14 Oaks Avenue, Cremorne  
19 Oaks Avenue, Cremorne  
21 Oaks Avenue, Cremorne  
190 Pacific Highway, North Sydney  
69–71 Palmer Street, Cammeray  
37 Park Avenue, Cremorne  
39 Park Avenue, Cremorne  
43 Park Avenue, Cremorne  
45 Park Avenue, Cremorne  
49 Park Avenue, Cremorne  
1 Parker Street, McMahons Point  
2 Peel Street, Kirribilli  
4 Peel Street, Kirribilli  
18 Peel Street, Kirribilli  
4 Penshurst Avenue, Neutral Bay  
2 Penshurst Avenue, Neutral Bay  
4 Princes Street, McMahons Point  
6 Princes Street, McMahons Point  
8 Princes Street, McMahons Point  
9 Princes Street, McMahons Point  
10 Princes Street, McMahons Point  
11 Princes Street, McMahons Point  
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13 Princes Street, McMahons Point  
14 Princes Street, McMahons Point  
15 Princes Street, McMahons Point  
16 Princes Street, McMahons Point  
17 Princes Street, McMahons Point  
18 Princes Street, McMahons Point  
19 Princes Street, McMahons Point  
20 Princes Street, McMahons Point  
21 Princes Street, McMahons Point  
22 Princes Street, McMahons Point  
24 Princes Street, McMahons Point  
26 Princes Street, McMahons Point  
28 Princes Street, McMahons Point  
30 Princes Street, McMahons Point  
32 Princes Street, McMahons Point  
34 Princes Street, McMahons Point  
36 Princes Street, McMahons Point  
38 Princes Street, McMahons Point

40 Princes Street, McMahons Point  
1 Priory Road, Waverton  
2 Priory Road, Waverton  
5A Priory Road, Waverton  
6 Priory Road, Waverton  
7 Priory Road, Waverton  
8 Priory Road, Waverton  
9 Priory Road, Waverton  
11 Priory Road, Waverton  
15 Priory Road, Waverton  
1 Queens Avenue, McMahons Point  
3 Queens Avenue, McMahons Point  
5 Queens Avenue, McMahons Point  
7 Queens Avenue, McMahons Point  
9 Queens Avenue, McMahons Point  
11 Queens Avenue, McMahons Point  
13 Queens Avenue, McMahons Point  
15 Queens Avenue, McMahons Point  
17 Queens Avenue, McMahons Point  
8 Raleigh Street, Cammeray  
10 Raleigh Street, Cammeray  
12 Raleigh Street, Cammeray  
14 Raleigh Street, Cammeray  
22 Raleigh Street, Cammeray  
33 Rangers Road, Cremorne  
36 Rangers Road, Cremorne  
38 Rangers Road, Cremorne  
40 Rangers Road, Cremorne  
56 Rangers Road, Cremorne  
58 Rangers Road, Cremorne  
60 Rangers Road, Cremorne  
62 Rangers Road, Cremorne  
64 Rangers Road, Cremorne  
66 Rangers Road, Cremorne  
1 Reed Street, Cremorne  
16 Reed Street, Cremorne  
8 Richmond Avenue, Cremorne  
10 Richmond Avenue, Cremorne  
12 Richmond Avenue, Cremorne  
14 Richmond Avenue, Cremorne  
16 Richmond Avenue, Cremorne  
18 Richmond Avenue, Cremorne  
20 Richmond Avenue, Cremorne  
22 Richmond Avenue, Cremorne  
26 Richmond Avenue, Cremorne  
27 Richmond Avenue, Cremorne  
28 Richmond Avenue, Cremorne  
29 Richmond Avenue, Cremorne

30 Richmond Avenue, Cremorne  
31 Richmond Avenue, Cremorne  
33 Richmond Avenue, Cremorne  
35 Richmond Avenue, Cremorne  
9 Riley Street, North Sydney  
10 Riley Street, North Sydney  
11 Riley Street, North Sydney  
12 Riley Street, North Sydney  
13 Riley Street, North Sydney  
14 Riley Street, North Sydney  
15 Riley Street, North Sydney  
17 Riley Street, North Sydney  
19 Riley Street, North Sydney  
21 Riley Street, North Sydney  
5 Shellcove Road, Neutral Bay  
7 Shellcove Road, Neutral Bay  
8 Shellcove Road, Neutral Bay  
9 Shellcove Road, Neutral Bay  
10 Shellcove Road, Neutral Bay  
12 Shellcove Road, Neutral Bay  
14 Shellcove Road, Neutral Bay  
15 Shellcove Road, Neutral Bay  
17 Shellcove Road, Neutral Bay  
19 Shellcove Road, Neutral Bay  
21 Shellcove Road, Neutral Bay  
23 Shellcove Road, Neutral Bay  
26 Shellcove Road, Neutral Bay  
41 Shellcove Road, Neutral Bay  
43 Shellcove Road, Neutral Bay  
44 Shellcove Road, Neutral Bay  
58 Shellcove Road, Neutral Bay  
60 Shellcove Road, Neutral Bay  
63 Shellcove Road, Neutral Bay  
71 Shellcove Road, Neutral Bay  
74 Shellcove Road, Neutral Bay  
76 Shellcove Road, Neutral Bay  
78 Shellcove Road, Neutral Bay  
1 Shirley Road, Wollstonecraft  
7 Shirley Road, Wollstonecraft  
9 Shirley Road, Wollstonecraft  
11 Shirley Road, Wollstonecraft  
17 Shirley Road, Wollstonecraft  
21 Shirley Road, Wollstonecraft  
22 Shirley Road, Wollstonecraft  
24 Shirley Road, Wollstonecraft  
12 Sophia Street, Crows Nest  
13 Sophia Street, Crows Nest  
14 Sophia Street, Crows Nest

15 Sophia Street, Crows Nest  
16 Sophia Street, Crows Nest  
18 Sophia Street, Crows Nest  
6 Spofforth Street, Cremorne  
8 Spofforth Street, Cremorne  
12 Spofforth Street, Cremorne  
16 Spofforth Street, Cremorne  
44 Spofforth Street, Cremorne  
46 Spofforth Street, Cremorne  
52 Spofforth Street, Cremorne  
54 Spofforth Street, Cremorne  
4 Stannards Place, Kirribilli  
10 Thomas Street, McMahons Point  
12 Thomas Street, McMahons Point  
14 Thomas Street, McMahons Point  
15 Thomas Street, McMahons Point  
17 Thomas Street, McMahons Point  
18 Thomas Street, McMahons Point  
19 Thomas Street, McMahons Point  
20 Thomas Street, McMahons Point  
27 Thomas Street, McMahons Point  
29 Thomas Street, McMahons Point  
30 Thomas Street, McMahons Point  
31 Thomas Street, McMahons Point  
32 Thomas Street, McMahons Point  
33 Thomas Street, McMahons Point  
34 Thomas Street, McMahons Point  
35 Thomas Street, McMahons Point  
36 Thomas Street, McMahons Point  
37 Thomas Street, McMahons Point  
38-40 Thomas Street, McMahons Point  
39 Thomas Street, McMahons Point  
42 Thomas Street, McMahons Point  
44 Thomas Street, McMahons Point  
46 Thomas Street, McMahons Point  
48 Thomas Street, McMahons Point  
50 Thomas Street, McMahons Point  
52 Thomas Street, McMahons Point  
54 Thomas Street, McMahons Point  
56 Thomas Street, McMahons Point  
58 Thomas Street, McMahons Point  
60 Thomas Street, McMahons Point  
1 Toongarah Road, Waverton  
2 Toongarah Road, Waverton  
3 Toongarah Road, Waverton  
4 Toongarah Road, Waverton  
6 Toongarah Road, Waverton  
9 Toongarah Road, Waverton

10 Toongarah Road, Waverton  
12 Toongarah Road, Waverton  
14 Toongarah Road, Waverton  
18 Toongarah Road, Waverton  
20 Toongarah Road, Waverton  
22 Toongarah Road, Waverton  
24 Toongarah Road, Waverton  
2A Union Street, McMahons Point  
2B Union Street, McMahons Point  
4 Union Street, McMahons Point  
6 Union Street, McMahons Point  
8 Union Street, McMahons Point  
10 Union Street, McMahons Point  
14 Union Street, McMahons Point  
16 Union Street, McMahons Point  
18 Union Street, McMahons Point  
41 Union Street, McMahons Point  
47 Union Street, McMahons Point  
49 Union Street, McMahons Point  
51 Union Street, McMahons Point  
61 Union Street, McMahons Point  
63 Union Street, McMahons Point  
65 Union Street, McMahons Point  
67 Union Street, McMahons Point  
69-71 Union Street, McMahons Point  
80 Union Street, North Sydney  
82 Union Street, North Sydney  
83 Union Street, McMahons Point  
84 Union Street, North Sydney  
85 Union Street, McMahons Point  
86 Union Street, McMahons Point  
87 Union Street, McMahons Point  
88 Union Street, McMahons Point  
89 Union Street, McMahons Point  
90 Union Street, McMahons Point  
91 Union Street, McMahons Point  
92 Union Street, McMahons Point  
94 Union Street, McMahons Point  
95 Union Street, McMahons Point  
96 Union Street, McMahons Point  
97 Union Street, McMahons Point  
98 Union Street, McMahons Point  
103 Union Street, McMahons Point  
105 Union Street, McMahons Point  
107 Union Street, McMahons Point  
109 Union Street, McMahons Point  
111 Union Street, McMahons Point  
113 Union Street, McMahons Point



115 Union Street, McMahons Point  
117 Union Street, McMahons Point  
119 Union Street, McMahons Point  
63 Upper Pitt Street, Kirribilli  
28 Victoria Street, McMahons Point  
17 Waiwera Street, Lavender Bay  
10-12 Wallaringa Avenue, Neutral Bay  
28 Warringa Road, Cammeray  
6 Warringa Road, Cammeray  
8 Warringa Road, Cammeray  
10 Warringa Road, Cammeray  
12 Warringa Road, Cammeray  
14 Warringa Road, Cammeray  
16 Warringa Road, Cammeray  
18 Warringa Road, Cammeray  
20 Warringa Road, Cammeray  
22 Warringa Road, Cammeray  
24 Warringa Road, Cammeray  
26 Warringa Road, Cammeray  
34 Warringa Road, Cammeray  
46 Warringa Road, Cammeray  
1 Waruda Street, Kirribilli  
11 Waruda Street, Kirribilli  
14-16 Waruda Street, Kirribilli  
21 West Street, North Sydney  
23 West Street, North Sydney  
31 West Street, North Sydney  
47 West Street, North Sydney  
49 West Street, North Sydney  
50 West Street, North Sydney  
51 West Street, North Sydney  
52 West Street, North Sydney  
53 West Street, North Sydney  
54 West Street, North Sydney  
55 West Street, North Sydney  
56 West Street, North Sydney  
57 West Street, North Sydney  
59 West Street, North Sydney  
60 West Street, North Sydney  
61 West Street, North Sydney  
62 West Street, North Sydney  
63 West Street, North Sydney  
64 West Street, North Sydney  
65 West Street, North Sydney  
66 West Street, North Sydney  
68 West Street, North Sydney  
69 West Street, Crows Nest  
70 West Street, North Sydney

71 West Street, Crows Nest  
71A West Street, Crows Nest  
72 West Street, North Sydney  
73 West Street, Crows Nest  
73A West Street, Crows Nest  
74 West Street, North Sydney  
75 West Street, Crows Nest  
76 West Street, North Sydney  
77 West Street, North Sydney  
78 West Street, North Sydney  
79 West Street, North Sydney  
80 West Street, North Sydney  
81 West Street, North Sydney  
82 West Street, North Sydney  
83 West Street, North Sydney  
84 West Street, North Sydney  
85 West Street, North Sydney  
91 West Street, Crows Nest  
95 West Street, Crows Nest  
97 West Street, Crows Nest  
98 West Street, Crows Nest  
99 West Street, Crows Nest  
100 West Street, Crows Nest (that part of the 2 properties on the site under this address (being Lot B, DP 973362) that is physically known as 100A West Street)  
101 West Street, Crows Nest  
103 West Street, Crows Nest  
104 West Street, Crows Nest  
106 West Street, Crows Nest  
108 West Street, Crows Nest  
110 West Street, Crows Nest  
112 West Street, Crows Nest  
114 West Street, Crows Nest  
116 West Street, Crows Nest  
122 West Street, Crows Nest  
124 West Street, Crows Nest  
126 West Street, Crows Nest  
128 West Street, Crows Nest  
130 West Street, Crows Nest  
154 West Street, Crows Nest  
156 West Street, Crows Nest  
158 West Street, Crows Nest  
160 West Street, Crows Nest  
162 West Street, Crows Nest  
164 West Street, Crows Nest  
166 West Street, Crows Nest  
180 West Street, Crows Nest  
182 West Street, Crows Nest  
184 West Street, Crows Nest

204 West Street, Crows Nest  
206 West Street, Crows Nest  
208 West Street, Crows Nest  
210 West Street, Crows Nest  
212 West Street, Crows Nest  
214 West Street, Crows Nest  
216 West Street, Crows Nest  
218 West Street, Crows Nest  
224 West Street, Crows Nest  
226 West Street, Crows Nest  
230 West Street, Crows Nest  
232 West Street, Crows Nest  
234 West Street, Crows Nest  
246 West Street, Crows Nest  
248 West Street, Crows Nest  
248A West Street, Crows Nest  
16 Whaling Road, North Sydney  
18 Whaling Road, North Sydney  
25 Willoughby Street, Kirribilli  
27 Willoughby Street, Kirribilli  
27A Willoughby Street, Kirribilli  
33 Willoughby Street, Kirribilli  
35 Willoughby Street, Kirribilli  
37 Willoughby Street, Kirribilli  
39 Willoughby Street, Kirribilli  
47 Willoughby Street, Kirribilli  
50 Willoughby Street, Kirribilli  
51 Willoughby Street, Kirribilli  
52 Willoughby Street, Kirribilli  
54 Willoughby Street, Kirribilli  
55 Willoughby Street, Kirribilli  
56 Willoughby Street, Kirribilli  
56A Willoughby Street, Kirribilli  
1 Wilona Avenue, Lavender Bay  
2 Wilona Avenue, Lavender Bay  
3 Wilona Avenue, Lavender Bay  
4 Wilona Avenue, Lavender Bay  
5 Wilona Avenue, Lavender Bay  
6 Wilona Avenue, Lavender Bay  
7 Wilona Avenue, Lavender Bay  
8 Wilona Avenue, Lavender Bay  
9 Wilona Avenue, Lavender Bay  
10 Wilona Avenue, Lavender Bay  
11 Wilona Avenue, Lavender Bay  
12 Wilona Avenue, Lavender Bay  
13 Wilona Avenue, Lavender Bay  
14 Wilona Avenue, Lavender Bay  
2 Wilson Street, Cammeray

4 Wilson Street, Cammeray  
6 Wilson Street, Cammeray  
8 Wilson Street, Cammeray  
30 Wilson Street, Cammeray  
34 Wilson Street, Cammeray  
2 Winslow Street, Kirribilli  
3 Winslow Street, Kirribilli  
5 Winslow Street, Kirribilli  
7 Winslow Street, Kirribilli  
8 Winslow Street, Kirribilli  
9 Winslow Street, Kirribilli  
10 Winslow Street, Kirribilli  
11 Winslow Street, Kirribilli  
12 Winslow Street, Kirribilli  
13 Winslow Street, Kirribilli  
14 Winslow Street, Kirribilli  
15 Winslow Street, Kirribilli  
16 Winslow Street, Kirribilli  
18 Winslow Street, Kirribilli  
20 Winslow Street, Kirribilli  
1 Wulworra Avenue, Cremorne Point  
6 Wulworra Avenue, Cremorne Point  
6 Wycombe Road, Neutral Bay  
6A Wycombe Road, Neutral Bay  
8 Wycombe Road, Neutral Bay  
10 Wycombe Road, Neutral Bay  
11 Wycombe Road, Neutral Bay  
12 Wycombe Road, Neutral Bay  
14 Wycombe Road, Neutral Bay  
15 Wycombe Road, Neutral Bay  
17 Wycombe Road, Neutral Bay  
25 Wycombe Road, Neutral Bay  
27 Wycombe Road, Neutral Bay  
29 Wycombe Road, Neutral Bay  
43 Wycombe Road, Neutral Bay  
44 Wycombe Road, Neutral Bay  
45 Wycombe Road, Neutral Bay  
57 Wycombe Road, Neutral Bay  
63 Wycombe Road, Neutral Bay  
65 Wycombe Road, Neutral Bay  
72 Wycombe Road, Neutral Bay  
78 Wycombe Road, Neutral Bay  
80 Wycombe Road, Neutral Bay  
84 Wycombe Road, Neutral Bay

## Schedule 5 Uncharacteristic elements

(Schedule 2)

### Uncharacteristic element—address

124 Alexander Street, Crows Nest  
140–144 Alexander Street, Crows Nest  
155 Alexander Street, Crows Nest  
101 Atchison Street, Crows Nest  
108 Atchison Street, Crows Nest  
110 Atchison Street, Crows Nest  
146 Atchison Street, Crows Nest  
83 Atchison Street, Crows Nest  
85 Atchison Street, Crows Nest  
99 Atchison Street, Crows Nest  
10–12 Bannerman Street, Cremorne  
14 Bannerman Street, Cremorne  
16 Bannerman Street, Cremorne  
18 Bannerman Street, Cremorne  
2 Bannerman Street, Cremorne  
2A Bannerman Street, Cremorne  
4 Bannerman Street, Cremorne  
6 Bannerman Street, Cremorne  
65 Bay Road, Waverton  
83 Bay Road, Waverton  
51 Bellevue Street, Cammeray  
83–87 Bellevue Street, Cammeray  
10 Bells Avenue, Cammeray  
2 Bells Avenue, Cammeray  
4 Bells Avenue, Cammeray  
1 Bennett Street, Neutral Bay  
43–45 Bennett Street, Cremorne  
22 Bertha Road, Cremorne  
1 Billong Street, Neutral Bay  
3 Billong Street, Neutral Bay  
49 Blues Point Road, McMahons Point  
126 Blues Point Road, McMahons Point  
120 Burlington Street, Crows Nest  
136 Burlington Street, Crows Nest  
33 Burlington Street, Crows Nest  
37 Burlington Street, Crows Nest  
39 Burlington Street, Crows Nest  
51 Burlington Street, Crows Nest  
57 Burlington Street, Crows Nest  
59 Burlington Street, Crows Nest  
81 Burlington Street, Crows Nest  
85–87 Burlington Street, Crows Nest  
86 Burlington Street, Crows Nest

92 Burlington Street, Crows Nest  
93 Burlington Street, Crows Nest  
19-23 Cairo Street, Cammeray  
74 Cairo Street, Cammeray  
18 Carabella Street, Kirribilli  
20 Carabella Street, Kirribilli  
29 Carabella Street, Kirribilli  
33 Carabella Street, Kirribilli  
49 Carr Street, Waverton  
29 Carter Street, Cammeray  
2A Carter Street, Cammeray  
2B Carter Street, Cammeray  
2C Carter Street, Cammeray  
2D Carter Street, Cammeray  
110 Chandos Street, Crows Nest  
112 Chandos Street, Crows Nest  
114 Chandos Street, Crows Nest  
116-118 Chandos Street, Crows Nest  
119 Chandos Street, Crows Nest  
120 Chandos Street, Crows Nest  
121 Chandos Street, Crows Nest  
123 Chandos Street, Crows Nest  
136 Chandos Street, Crows Nest  
138 Chandos Street, Crows Nest  
164 Chandos Street, Crows Nest  
169 Chandos Street, Crows Nest  
172 Chandos Street, Crows Nest  
201 Chandos Street, Crows Nest  
201A Chandos Street, Crows Nest  
203A Chandos Street, Crows Nest  
17 Claude Avenue, Cremorne  
24-32 Colin Street, Cammeray  
12 Commodore Street, McMahons Point  
15 Commodore Street, McMahons Point  
11 Cremorne Road, Cremorne Point  
44 Cremorne Road, Cremorne Point  
67 Cremorne Road, Cremorne Point  
48 Crows Nest Road, Waverton  
54 Crows Nest Road, Waverton  
54A Crows Nest Road, Waverton  
17 Devonshire Street, Crows Nest  
2 Devonshire Street, Crows Nest  
23 Devonshire Street, Crows Nest  
24 Devonshire Street, Crows Nest  
24A Devonshire Street, Crows Nest  
29 Devonshire Street, Crows Nest  
2A Devonshire Street, Crows Nest  
30 Devonshire Street, Crows Nest

33 Devonshire Street, Crows Nest  
34 Devonshire Street, Crows Nest  
36 Devonshire Street, Crows Nest  
42 Devonshire Street, Crows Nest  
45-47 Dumbarton Street, McMahons Point  
9 Ellalong Road, Cremorne  
6 Emmett Street, Crows Nest  
50 Emmett Street, Crows Nest  
46 Emmett Street, Crows Nest  
69 Ernest Street, Crows Nest  
118-120 Ernest Street, Crows Nest  
130 Ernest Street, Crows Nest  
50 Ernest Street, Crows Nest  
62 Ernest Street, Crows Nest  
66 Ernest Street, Crows Nest  
78 Ernest Street, Crows Nest  
99 Ernest Street, Crows Nest  
99A Ernest Street, Crows Nest  
1 Florence Street, Cremorne  
20 Florence Street, Cremorne  
4 Green Street, Cremorne  
2A Guthrie Avenue, Cremorne  
25 Harriette Street, Neutral Bay  
46 Harriette Street, Neutral Bay  
25 Hayberry Street, Crows Nest  
59 Hayberry Street, Crows Nest  
59A Hayberry Street, Crows Nest  
9 Hayes Street, Neutral Bay  
1 Hazelbank Road, Wollstonecraft  
22 Hodgson Avenue, Cremorne Point  
100 Holtermann Street, Crows Nest (property fronting Huntington St, No 53a)  
114 Holtermann Street, Crows Nest  
78 Holtermann Street, Crows Nest  
82 Holtermann Street, Crows Nest  
80 Holtermann Street, Crows Nest  
86 Holtermann Street, Crows Nest (property fronting Huntington St, no 41)  
42 Holtermann Street, Crows Nest  
58 Holtermann Street, Crows Nest  
62-64 Holtermann Street, Crows Nest  
68 Holtermann Street, Crows Nest  
49 Holtermann Street, Crows Nest  
59 Holtermann Street, Crows Nest  
101 Holtermann Street, Crows Nest  
103 Holtermann Street, Crows Nest  
61-69 Holtermann Street, Crows Nest  
67 Huntington Street, Crows Nest  
29 Huntington Street, Crows Nest  
30 Huntington Street, Crows Nest

36 Huntington Street, Crows Nest  
42 Huntington Street, Crows Nest  
40 Huntington Street, Crows Nest  
1 Iredale Avenue, Cremorne  
2 Kareela Road, Cremorne Point  
4-8 Kareela Road, Cremorne Point  
12 Kareela Road, Cremorne Point  
14-18 Kareela Road, Cremorne Point  
30 Kareela Road, Cremorne Point  
58 Kareela Road, Cremorne Point  
60 Kareela Road, Cremorne Point  
63-65 Kirribilli Avenue, Kirribilli  
71 Kirribilli Avenue, Kirribilli  
73 Kirribilli Avenue, Kirribilli  
120 Kurraba Road, Neutral Bay  
162 Kurraba Road, Neutral Bay  
32-40 Lavender Street, Lavender Bay  
16 Mackenzie Street, Lavender Bay  
4-6 Margaret Street, North Sydney  
26 McHatton Street, North Sydney  
5 McLaren Street, North Sydney  
123 Milson Road, Cremorne Point  
5 Milson Road, Cremorne Point  
1 Montague Road, Cremorne  
1-3 Morden Street, Cammeray  
15 Morden Street, Cammeray  
19 Morden Street, Cammeray  
24 Morden Street, Cammeray  
26 Morden Street, Cammeray  
2A Morden Street, Cammeray  
19 Murdoch Street, Cremorne  
27 Murdoch Street, Cremorne  
29 Murdoch Street, Cremorne  
36 Murdoch Street, Cremorne  
35 Myrtle Street, North Sydney  
42-44 Myrtle Street, North Sydney  
12 Neutral Street, North Sydney  
2 Oaks Avenue, Cremorne  
10-12 Oaks Avenue, Cremorne  
18 Oaks Avenue, Cremorne  
20 Oaks Avenue, Cremorne  
9 Oaks Avenue, Cremorne (two houses at rear, fronting Ernest Street)  
9 Penshurst Avenue, Neutral Bay  
3 Plunkett Street, Kirribilli  
17 Priory Road, Waverton  
19 Priory Road, Waverton  
21 Priory Road, Waverton  
2 Powell Street, Neutral Bay



35-37 Rangers Road, Cremorne  
2-4 Reed Street, Cremorne  
12 Reed Street, Cremorne  
13-15 Reed Street, Cremorne  
7-7A Reed Street, Cremorne  
4 Richmond Avenue, Cremorne  
4A Richmond Avenue, Cremorne  
6 Richmond Avenue, Cremorne  
93 Ridge Street, North Sydney  
5 Riley Street, North Sydney  
33A-33B Shellcove Road, Neutral Bay  
35A Shellcove Road, Neutral Bay  
35B Shellcove Road, Neutral Bay  
48 Shellcove Road, Neutral Bay  
69 Shellcove Road, Neutral Bay  
19 Shirley Road, Wollstonecraft  
23 Shirley Road, Wollstonecraft  
3 Sophia Street, Crows Nest  
2 Spofforth Street, Cremorne  
4 Spofforth Street, Cremorne  
22 Spofforth Street, Cremorne  
30-40 Spofforth Street, Cremorne  
21 Thomas Street, McMahons Point  
1A Waiwera Street, Lavender Bay  
7 Waiwera Street, Lavender Bay  
13 Waiwera Street, Lavender Bay  
22 Waruda Street, Kirribilli  
1 Warung Street, McMahons Point  
6 Warung Street, McMahons Point  
25 West Street, North Sydney  
37 West Street, North Sydney  
39 West Street, North Sydney  
59A West Street, North Sydney  
46 West Street, North Sydney  
105 West Street, Crows Nest  
97A West Street, Crows Nest  
93 West Street, Crows Nest  
96 West Street, Crows Nest  
94 West Street, Crows Nest  
100 West Street, Crows Nest  
222 West Street, Crows Nest  
178 West Street, Crows Nest  
168 West Street, Crows Nest  
170 West Street, Crows Nest  
190 West Street, Crows Nest  
4 Whaling Road, North Sydney  
110 Wycombe Road, Neutral Bay  
116 Wycombe Road, Neutral Bay

3 Wycombe Road, Neutral Bay  
48-52 Wycombe Road, Neutral Bay  
5-7 Wycombe Road, Neutral Bay  
61 Wycombe Road, Neutral Bay

## Schedule 6 Exempt development

(Clause 12)

### Note—

Clause 12 of this plan provides as follows:

- (1) Subject to the provisions of the Act, development is exempt development if it is development which:
  - (a) is permissible, with or without consent, in the zone in which it is to be carried out, and
  - (b) is listed in column 1 of the Table in Schedule 6, and
  - (c) satisfies all of the requirements specified in column 2 of the Table in Schedule 6 that are relevant to the development, and
  - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not exempt development, and
  - (e) is carried out within property boundaries (unless Schedule 6 permits it to be carried out outside property boundaries).
- (2) *State Environmental Planning Policy No 1—Development Standards* does not apply to subclause (1) (d).

It is the obligation of those responsible for any exempt development undertaken to demonstrate, if required by the Council, that they have met the appropriate requirements for any exempt development outlined in this Schedule.

Clause 5 of *State Environmental Planning Policy No 10—Retention of Low-Cost Rental Accommodation* restricts the application of exempt development in relation to low-cost rental accommodation.

### Table

Column 1	Column 2
<b>Erection and use, or carrying out, of any of the following</b>	<b>Requirements</b>
<b>Any exempt development listed in this column</b>	Complies with the “deemed-to satisfy” provisions of the <i>Building Code of Australia</i> that are applicable to the relevant site.  Meets all relevant Australian Standards.  Does not contravene any valid consents that are applicable to the relevant site.  Does not obstruct drainage of the site.  Is carried out at least 1 m from any easement or public sewer main and complies with Sydney Water’s policy relating to building over or adjacent to sewers.

Stormwater is connected to an existing system and not redirected onto an adjoining property.

Does not require a tree with a height of 10 m, or a crown width of 10 m, or a trunk circumference of 1.5 m measured at 1 m above ground or more to be removed, unless a Tree Preservation Order has been obtained.

Does not reduce the structural integrity of any building.

All equipment is installed according to manufacturer's specifications and by qualified tradespeople where relevant.

Meets all WorkCover requirements, particularly for work involving hoarding, scaffolding, removal of lead paint and asbestos.

**Note—**

It is the obligation of those responsible for any exempt development undertaken to have obtained consent from the owners or owners corporation (body corporate), if relevant.

**Access ramps for the disabled and associated hand rails**

Heritage	Not on the site of a heritage item or on the street elevation in a conservation area.
Size	Maximum height of ramp: 1 m (above existing ground level).  Maximum height of handrail: 1 m above the ramp or step.

**Advertising:**

**1 Business identification sign (flush wall sign)**

Heritage	Not attached to a heritage item or adjacent to a heritage item.
Illumination	Not illuminated.
Usage	Maximum one per site (residential building).  Maximum 2 per site (non-residential use or building for which consent granted).
Size	Maximum 0.45 m in length and 0.3 m in height.
Siting	Not above awning.  Sign contains only: (a) identification of the place or premises,  (b) identification of an occupation or activity carried out at the place or premises,
Content	(c) necessary directions or cautions relating to the place or premises,  (d) statutory notifications required or permitted to be displayed at the place or premises.

<b>2 Change of message on existing sign</b>	Status	Sign was previously consented to by the Council or was erected as exempt development.
	Illumination	No change to authorised illumination.
	Content	New message complies with any content requirements of the consent.  Any advertisement for an alcohol product is on premises where that product is sold.
	Structure	No change in dimensions.  Not a roof sign.
<b>3 Community notice sign (a notice or display by a public authority)</b>	Illumination	Not illuminated.
	Structure	Not permanently or structurally attached to the building.
	Content	Contains only a notice or display of public information giving information or directions about services provided by the authority.
<b>4 Fascia sign (a sign on the fascia or return end of an awning)</b>	Heritage	Not attached to a heritage item or adjacent to a heritage item.  Not in a conservation area.
	Illumination	Not illuminated.
	Usage	Maximum one per site.
	Size	Does not project above or below the fascia or return end of the awning.  Is flush with the fascia.
<b>5 Real estate sign</b>	Illumination	Not illuminated.
	Size	No return exceeds 0.2 m.  Residential premises or premises containing serviced apartments—does not exceed 2.5 m <sup>2</sup> in total area.  Commercial/industrial premises—does not exceed 4.5 m <sup>2</sup> in total area.
	Content	Contains only a notice that the building or site to which it is fixed is for sale or letting.

	Duration	Use of the sign is not exempt development later than 14 days after letting or sale of the premises to which sign relates.
<b>6 Temporary sign (a sign announcing a local event—religious, educational, cultural, political, social or recreational)</b>	Size	Maximum height 3 m.
		Sign is no higher than building it is mounted on.
		Maximum area 3 m <sup>2</sup> .
	Illumination	Not illuminated.
	Content	Any sponsor’s names or logos are less prominent than message.
	Duration	Displayed no earlier than 28 days before an event.
		Use of the sign is not exempt development later than 14 days after the event.
<b>7 Top hamper sign (a sign painted on or attached to the transom of a doorway or display window at the ground floor level of a building)</b>	Heritage	Not attached to a heritage item or adjacent to a heritage item.
		Not in a conservation area.
	Siting	Minimum height of 2.6 m above footpath.
	Usage	Maximum one per premises.
	Size	Does not extend below the head of the doorway or window to which it is attached.
		Does not extend more than 0.2 m beyond any building alignment.
	Illumination	Not illuminated.
<b>8 Under awning sign (a sign that is attached to and hangs below an awning)</b>	Heritage	Not attached to a heritage item or adjacent to a heritage item.
		Not in a conservation area.
	Illumination	Not illuminated, except for commercial, mixed use and residential D zones.

Usage	Maximum one per premises.
Siting	Securely fixed to awning. Erected horizontal to the ground.
Size	Does not project beyond the awning. Not less than 2.6 m from the ground or footpath. Maximum length of 2.5 m. Maximum height of 0.5 m.

**9 Window sign  
(a sign displayed on a  
shop window)**

Heritage	Not attached to a heritage item or adjacent to a heritage item. Not in a conservation area.
Illumination	Not illuminated.
Usage	Maximum one per shop front.
Siting	Located on ground level facade.
Size	At least 75% of shop front window remains uncovered.

**Aerials/Antennae  
(not including satellite dishes/  
microwave antennae—dealt  
with as telecommunications  
facilities)**

Heritage	Not attached to a heritage item or adjacent to a heritage item.
Usage	For domestic use only. Maximum of one per residential building.
Size	Maximum height 3 m above roof ridge.

**Air conditioning/central  
heating/heat pump units for  
residential buildings**

Heritage	Not attached to a heritage item or on the street elevation in a conservation area.
Siting	Attached to an external wall or ground mounted. Not on a street frontage. Minimum 1.5 m from boundary. Enclosed in a sound proof structure to meet noise requirements.
Noise	Noise level does not exceed 5dB(A) above ambient background noise level measured at property boundary.

Obtain certification for the noise level requirement, from a qualified sound engineer.

**Note—**

Failure to comply with, and obtain certification for the noise level requirement may result in removal and/or fine.

**Awnings, canopies, shutters, storm blinds, vergolas**

Heritage	Not attached to a heritage item or on the street elevation in a conservation area.
Usage	On residential buildings in residential zones only.
Siting	Located wholly within property boundaries. On windows only, not on roofs.
Size	Maximum combined area 10 m <sup>2</sup> .
Development standard	Does not exceed building height plane specified in clause 18.

**Note—**

Non-structural; capable of ready removal/retraction; canvas/plastic material or the like (not corrugated iron).

**Balustrades**

Heritage	Not on a heritage item. Not on the front facade in a conservation area.
Type	Replacement only.
Size	Maximum height 1 m.

**Barbecues (built structures)**

Foreshore	Not within foreshore building area.
Siting	Located in rear yard. Minimum 0.9 m from property boundary.
Size	Maximum area 2 m <sup>2</sup> . Maximum height 1.8 m.
Structure	Unroofed.
Development standard	Does not exceed building height plane specified in clause 18. Landscaped area is no less than that required by clause 20.

**Bed and breakfast accommodation**

Usage	Involves the use of an existing lawful dwelling by its permanent residents for the temporary accommodation of visitors for commercial purposes.
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		<p>No employees other than permanent residents of the dwelling.</p> <p>No display or sale of goods from the premises.</p> <p>Would not have required the registration of the premises under sections 10–13 of the <i>Shops and Industries Act 1962</i> as in force immediately before their repeal.</p>
	Amenity	No interference with the amenity of the surrounding residents or neighbourhood.
	Advertising	No display of advertisements on the premises (other than a notice or sign exhibited on that dwelling to indicate the name and occupation of the resident).
	Dwelling	A maximum of 3 guest bedrooms, accommodating no more than 6 persons total.
	Type	A minimum of 2 bathrooms.
	Fire safety	<p>Has a smoke detection system that complies with relevant Australian Standards.</p> <p>Has smoke alarms and evacuation lighting in accordance with The Housing Provisions of the <i>Building Code of Australia</i> as applicable to a Class 1b building.</p> <p>Has a fire extinguisher and fire blanket in the kitchen.</p>
	Approval	Approval has been obtained from the owners corporation, or the community, precinct or neighbourhood association, where a dwelling is subject to the <i>Strata Schemes Management Act 1996</i> or the <i>Community Land Management Act 1989</i> .
	Food safety	<p>Must comply with the relevant provisions of the Food Standards Code within the meaning of the <i>Food Act 2003</i> and the <i>Food Regulation 2004</i> under that Act.</p> <p>Must comply with any notification requirement under the <i>Food Act 2003</i> in relation to the conduct of a food business prior to the commencement of the food business</p>
<b>Bird aviaries (including poultry)</b>	Foreshore	Not within foreshore building area.
	Usage	Used only for domestic purposes.
	Siting	Located in rear yard.



		Minimum 0.9 m from boundary.
		Not within 6 m of any habitable room of any dwelling.
	Size	Maximum area 10 m <sup>2</sup> . Maximum height 1.8 m.
	Development standard	Does not exceed building height plane specified in clause 18. Landscaped area is no less than that required by clause 20.
<b>Bushfire hazard reduction</b>	Work	Work to be carried out consistently with a plan of operations and a bush fire risk management plan under the <i>Rural Fires Act 1997</i> .
<b>Cabanas, garden sheds, gazebos, greenhouses</b>	Foreshore	Not within foreshore building line.
	Usage	Not used as a dwelling or habitable room.
	Siting	Located in rear yard. Minimum 0.9 m from property boundary.
	Size	Maximum area 10 m <sup>2</sup> . Maximum height 2.7 m.
	Structure	Free-standing. Structurally stable and securely anchored.
	Materials	Non-reflective surface finishes.
	Development standard	Does not exceed building height plane specified in clause 18. Landscaped area is no less than that required by clause 20.
<b>Change of use of building:</b>		
<b>1 Change of use of one shop to another shop (excluding refreshment rooms or takeaway food shops)</b>		
	Type	Previous use was a lawful use.
	Usage	Must be a permissible use in the zone. Must comply with any condition of consent. Existing use rights do not apply.

Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.

Duration No extension to hours outside existing approved hours of operation.

Size No change to approved area of premises.

Registration Where the use requires registration under other legislation, registration must be obtained.

**2 Change of use of a refreshment room or takeaway food shop to a shop**

Type Previous use was a lawful use.

Usage Must be a permissible use in the zone.  
Must comply with any condition of consent.  
Existing use rights do not apply.

Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.

Duration No extension to hours outside existing approved hours of operation.

Size Floor area not to exceed 200 m<sup>2</sup>.

No change to approved area of premises.

Registration Where the use requires registration under other legislation, registration must be obtained.

**3 Change of use of one refreshment room to another refreshment room**

Type Previous use was a lawful use.

Usage Must be a permissible use in the zone.  
Must comply with any condition of consent.  
Existing use rights do not apply.

Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.

Duration No extension to hours outside existing approved hours of operation.

Size Floor area not to exceed 200 m<sup>2</sup>.

No change to approved area of premises.

	Registration	Where the use requires registration under other legislation, registration must be obtained.
<b>4 Change of use of one type of commercial premises to another type of commercial premises</b>	Type	Previous use was a lawful use.
	Usage	Must be a permissible use in the zone. Must comply with any condition of consent. Existing use rights do not apply. Not in a residential D zone. Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.
	Duration	No extension to hours outside existing approved hours of operation.
	Size	No change to approved area of premises.
	Registration	Where the use requires registration under other legislation, registration must be obtained.
<b>5 Change of use of one type of commercial premises to a shop</b>	Type	Previous use was a lawful use.
	Usage	Must be a permissible use in the zone. Must comply with any condition of consent. Existing use rights do not apply. Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.
	Duration	No extension to hours outside existing approved hours of operation.
	Size	No change to approved area of premises.
	Registration	Where the use requires registration under other legislation, registration must be obtained.
<b>Clothes hoist/lines</b>	Siting	Located in rear yard. Not visible from street or public place.
<b>Decks/verandahs</b>	Heritage	Not on the site of a heritage item. Behind the building line in a conservation area.

Siting	Side setbacks minimum 0.9 m from property boundary or match those for existing dwelling, whichever is greater.
	Minimum 10 m setback from any adjoining land in the Bushland zone.
Foreshore	Not within the foreshore building area.
Size	Maximum area 10 m <sup>2</sup> .
	Finished level not greater than 0.5 m above existing ground level.
Structure	Uncovered.
Materials	Made of timber.
Development standard	Landscaped area is no less than that required by clause 20.

**Demolition of building/ structure:**

**1 Demolition of building eg pergolas, sheds, fences, decks etc**

Heritage	Not of a heritage item.
	Not of a building in a conservation area, unless the building is an uncharacteristic element in the conservation area.
Type	Demolition of part of a building (other than a retaining wall) the erection of which would be exempt development for the purpose of this plan.  May involve non-structural demolition associated with decommissioning a building, but not involving any change to the external fabric or internal structure of the building.  May involve stripping of internal, non-structural elements only of a building for maintenance or repair purposes.
Works	Provision is made for erosion and sediment control in accordance with the Council's brochure called <i>Erosion and Sediment Control for Urban Redevelopment</i> .

**2 Demolition of structure**

Heritage	Not of a heritage item.
	Not of a structure in a conservation area, unless the structure is an uncharacteristic element in the conservation area.

<b>Display of goods on the footpath</b>	Type	Demolition of a structure the erection of which would be exempt development for the purpose of this plan.
	Size	Maximum area of structure 25 m <sup>2</sup> .
	Works	Demolition carried out in accordance with <i>Australian Standard AS 2601—2001, Demolition of structures</i> .
	Usage	Used in conjunction with an existing shop for which consent has been granted in an area that is zoned commercial, mixed use or residential D.  Permit must be obtained from the Council.  Must not involve any live or recorded entertainment including music, broadcast programs, flashing lights or the like.  Must not include sandwich boards or any other form of advertising placed on the ground.
	Location	Area is immediately adjoining the shop front and does not obstruct access to this or to adjacent shops.
	Siting	A minimum of 1.8 m of footpath, immediately adjacent to the roadway, remains clear of goods.
	Size	Area is no greater than 5 m <sup>2</sup> .
	Structure	Goods are displayed at ground level or on stable, temporary structures no higher than 1.5 m.  Goods are not stacked.  No construction work involved.  No permanent structures.
	Advertising	No signs or advertising displayed on footpath.  All goods, materials and equipment are temporary and removed from the footpath at close of business.
	<b>Driveways and pathways</b>	Heritage
Siting		Not over public land.  Does not require new gutter crossing, or new opening in front boundary fence.
Structure		Not elevated or suspended above existing ground level.  Replacement only.

	Drainage	Does not increase rate or concentration of stormwater run-off to neighbouring properties.
	Development standard	Landscaped area is no less than that required by clause 20.
<b>Fences: (other than fences required to be erected by the <i>Swimming Pools Act 1992</i>)</b>	Heritage	Not on the site of a heritage item or adjacent to a heritage item.
	Foreshore	Not forward of the front building line on a site in a conservation area. Not within foreshore building area.
<b>1 Boundary fences:</b>		
<b>(a) Front and side (between the building line and street or any other public place)</b>	Materials	Constructed of timber, metal or lightweight materials.
	Size	Maximum height 1 m.
<b>(b) Side (between the building line and the rear boundary and rear)</b>	Materials	Constructed of timber, metal or lightweight materials.
	Size	Maximum height 1.8 m.
<b>2 Masonry or brick fences</b>	Size	Maximum height 0.9 m.
	Structure	Constructed in accordance with relevant Australian Standards.
<b>Fire upgrading of a building</b>	Heritage	Not in relation to a heritage item.
	Type	Does not involve structural alterations or changes to the external configuration of the building.  Must obtain certification from a grade 1 or 2 Accredited Certifier that works have been completed in accordance with <i>Building Code of Australia</i> fire safety requirements.
	Work	Work to be carried out in compliance with the requirements of an order of the Council or as an approved voluntary fire safety upgrade.
	<b>Note—</b>	Approval for a voluntary fire safety upgrade requires a letter of approval from the Council.

<b>Home occupations</b>	Usage	<p>No employees other than permanent residents of the dwelling or dwelling-house.</p> <p>No display or sale of goods from the premises.</p> <p>Not restricted premises.</p> <p>Would not have required the registration of the premises under sections 10–13 of the <i>Shops and Industries Act 1962</i> as in force immediately before their repeal.</p>
	Amenity	No interference with the amenity of the surrounding residents or neighbours.
	Advertising	No display of advertisements on the premises (other than a notice or sign exhibited on that dwelling to indicate the name and occupation of the resident).
	<b>Note—</b>	
		Owners corporation (body corporate) approval is required for home occupation in a unit or flat.
<b>Letterbox</b>	Usage	<p>Designed for use and used in conjunction with residential premises.</p> <p>Not more than 2 letterboxes per site.</p>
	Size	Maximum height 1.2 m above ground level.
	Structure	Structurally stable with adequate footings.
	Numbering	Recognised numbering visible from street alignment.
		<p>On the site of a heritage item or in a conservation area:</p> <p>(a) only minor conservation works,</p> <p>(b) no adverse effect on heritage significance,</p> <p>(c) the proponent has notified the Council in writing of the proposed development and the Council has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of this exemption.</p>
<b>Maintenance to heritage items and/or properties within a conservation area</b>	Heritage	<p>No impact on heritage significance.</p>
	Type	<p>Repainting of existing painted surfaces.</p> <p>Replacement of guttering, handrails, steps, fences, roofs (excluding skylights), driveways, doors, windows and gates and the like.</p> <p>Repointing.</p>

		No change to windows and door openings.
		No change to roof configuration.
		Contributes to conservation of the building.
	Size	No change in dimensions of building or its elements.
		No additional structures.
	Materials	Replacing existing materials with the same materials.
		Replacing with materials that would originally have been used subject to engineers certification that roof structure can carry the load.
		Replacement windows and doors match existing original windows and doors.
<b>Minor external alterations:</b>	Heritage	Not to a heritage item.
		Not in a conservation area.
	Type	Attached fittings, bagging, maintenance, painting, rendering and repair, or the like.
<b>1 Re-cladding of roofs or walls</b>	Heritage	Not carried out on a heritage item or adjacent to a heritage item.
		Not in a conservation area.
	Type	Replacing existing materials with similar materials that are compatible with the existing building and finish.
		Does not involve structural alterations or change to the external configuration of the building.
<b>2 Replacement of windows, glazed areas, external doors</b>	Heritage	Not involving a heritage item or on the street elevation in a conservation area.
	Size	Does not reduce or increase light and ventilation.
		Does not change opacity.
	Materials	Replacement in residential premises with materials that comply with Australian Standards.
<b>Minor internal alterations:</b>		
<b>1 Residential premises</b>	Heritage	Not to a heritage item.
	Type	Non-structural work.



		<p>Renovation of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes.</p> <p>Replacement of:</p> <p>(a) doors, or</p> <p>(b) linings (wall, ceiling or floor), or</p> <p>(c) deteriorated frame members,</p> <p>with materials of equal or improved specifications.</p> <p>Does not involve structural changes to the internal layout of the dwelling or removal of load bearing wall.</p> <p>Painting undertaken on existing painted surfaces.</p>
<b>2 Non-residential premises</b>	Heritage	Not to a heritage item.
	Type	Non load-bearing work such as shelving, displays, benches, partitions.
	Work	<p>Building has a current fire safety measures schedule.</p> <p>Complies with fire safety requirements of the <i>Building Code of Australia</i>.</p> <p>Does not involve, alter or interfere with the performance of any fire safety measure identified in the current fire safety measures schedule.</p>
	Usage	<p>Complies with NSW food safety standards.</p> <p>Not a take-away food shop or drive-in take-away food shop.</p>
	Size	Does not increase floor space.
<b>Outdoor dining</b>	Usage	<p>Used in conjunction with an existing refreshment room for which consent has been granted in an area that is zoned commercial, mixed use or residential D.</p> <p>Permit must be obtained from the Council.</p> <p>Does not involve any live or recorded entertainment including music, broadcast programs, flashing lights, or the like.</p>
	Location	Area is immediately adjoining refreshment room and does not obstruct access to this, or to adjacent shops.

Siting	A minimum of 1.8 m between the seating and roadway remains clear of seating.
Size	No greater than 5 m <sup>2</sup> .
Structure	<p>Except where approved by the Council, does not use any permanent structures to delineate the area to be used for the accommodation of diners or for the display of goods.</p> <p>Where approved by the Council, uses removable screens or removable planter boxes, no higher than 0.5 m, to delineate the outdoor area.</p>
Amenity	<p>All materials and equipment are temporary and are removed from the footpath at close of business.</p> <p>No construction work involved.</p>
Advertising	<p>No signs or advertising displayed on the footpath.</p> <p>Display only the name or logo of the establishment on furniture and equipment.</p> <p>Do not display any general advertising.</p> <p>Do not place sandwich boards on the footpath.</p>
Umbrellas	<p>Subject to approval under existing permit, installation of up to 3 separate umbrellas.</p> <p>Maximum diameter of 1 m.</p>

**Note—**

Private use on public land is subject to licence agreement with the Council and issue of permit.

**Park and street furniture, and engineering works undertaken by the Council only on public land (seats, bins, picnic tables, minor shelters, bollards, seawalls, fences and the like, not including bus shelters)**

Heritage	Consultation must be undertaken with the Council's conservation planner when involving a heritage item or property within a conservation area.
Location	Located on land under control of the Council.
Siting	Does not affect sight lines or restrict pedestrian movement.
Structure	Structurally stable and securely anchored.
Consultation	Is included in a plan that has been subject to public consultation and approved by the Council resolution eg streetscape project, public domain strategy, public works program.

**Patio/paving**

**(for use incidental to the use of a dwelling)**

Heritage

Not on the site of a heritage item.

Not forward of the front building line on a site in a conservation area.

Siting

At existing ground level.

Size

Maximum combined area 20 m<sup>2</sup> for site.

Soft landscaping is at least 80% of total landscaped area of the site.

Drainage

No entry of water into a building.

No increase in rate or concentration of stormwater run-off from the site.

Development standard

Landscaped area is no less than that required by clause 20.

**Pergola**

**(not vergola or the like)**

Heritage

Not on the site of a heritage item or on the street elevation in a conservation area.

Type

Not roofed or enclosed.

Siting

Minimum 0.9 m from property boundary.

Size

Maximum area 20 m<sup>2</sup>.

Maximum height 2.4 m.

Structure

Structurally stable and securely anchored.

Development standard

Landscaped area is no less than that required by clause 20.

**Playground equipment, cubby houses etc:**

**1 If for residential use only**

Siting

Minimum 0.9 m from side property boundaries.

Rear yard only.

Size

Maximum height 2.1 m.

Maximum area 10 m<sup>2</sup>.

Structure

Structurally stable and securely anchored.

Development standard

Landscaped area is no less than that required by clause 20.

**2 If for non-residential use eg child care, schools**

Type

Not for commercial use.

	Siting	Minimum 3 m from side and rear property boundaries.
	Size	Maximum height 2.1 m.
	Structure	Structurally stable and securely anchored.
<b>3 On community land (as defined by the <i>Local Government Act 1993</i>)</b>	Type	Replacing existing equipment only.
	Consultation	Works have been subjected to a public participation process ie public consultation, have been approved by the Council and included in Capital Works Budget.
<b>Ponds, fountains, water features</b>	Size	Maximum height 1.8 m.
	Structure	Freestanding or on a masonry or brick structure.  Not on boundary fence.  Not attached to wooden fence.
<b>Retaining walls</b>	Foreshore	Not within the foreshore building area.
	Usage	Does not restrict or alter stormwater drainage.
	Size	Maximum height 0.5 m from existing ground level.
	Structure	Masonry and timber walls to comply with relevant Australian Standards.
<b>Skylight/rooflight/air vent</b>	Heritage	Not attached to a heritage item.  Not on the front facade of a building in a conservation area.
	Usage	Not more than one installation per 25 m <sup>2</sup> of roof area.
	Siting	Minimum 0.9 m from property boundary.  Minimum 0.9 m from any common wall between attached dwellings.  Minimum 1.8 m from any rooflight in another building on the lot or in a detached part of the same building.
	Size	Maximum area of skylight not to exceed 20% of the roof plane on which it is located.
<b>Solar water heater (attached to a residential building)</b>	Heritage	Not attached to a heritage item.

	Foreshore	Not within the foreshore building area.
	Siting	Located on rear of property.  Not visible from street, foreshores or reserves.
	Structure	Installation must be flush with a roof alignment.
<b>Telecommunications facilities</b>		Refer to the <i>Telecommunications (Low-impact Facilities) Determination 1997</i> of the Commonwealth under the <i>Telecommunications Act 1997</i> of the Commonwealth.
<b>Temporary structures on roads and open space</b>	Usage	Structure is for purposes of a public market, gala, exhibition, entertainment or festival for which a permit has been issued by the Council.
	Roads	Road lawfully closed for event.  Only on roads adjoining land in the commercial, mixed use or residential D zone.
	Location	Does not obstruct pedestrian access to shops or other premises.  Does not obstruct footpaths.
	Structure	Erected no more than 12 hours before event.  No disturbance to road or ground surface, or street furniture.  Maximum height 3 m.
	Removal	All temporary structures, goods and litter removed within 12 hours after the end of the event.  No temporary structure to remain in place longer than 24 hours.
	Goods display	Goods are displayed at ground level or on stable, temporary structures no higher than 1.5 m.
	Consultation	Is included in a plan that has been subject to public consultation and approved by the Council resolution eg streetscape project, public domain strategy, public works program.
<b>Water heaters (excluding solar systems, which are dealt with separately in this table)</b>	Siting	Subject to the following, all water heaters must be located on ground level and behind the building line.  Instant gas water heaters may be located on balconies, but only if they are near floor level and not visible from a public place.
	Foreshore	Not within foreshore building area.

<b>Water tanks (other than in conservation areas)</b>	Refer to <i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> : clause 16.	
<b>Water tanks in conservation areas</b>	Heritage	Not to a heritage item.
	Siting	At or above ground level.  Located in the rear yard or positioned so as not to be visible from a public place or cause impact on a neighbour’s amenity.
	Size	Maximum installed height 1.8m above ground level (including any stand).  Must comply with clause 16 (1) (a)–(l) and (p)–(u) of <i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> .

## Schedule 7 Complying development

(Clause 13)

### Note—

*State Environmental Planning Policy No 10—Retention of Low-Cost Rental Accommodation*, Clause 5 restricts the application of complying development in relation to low-cost rental accommodation.

Section 76A (6) of the Act states that complying development is not available in the case of:

- (a) designated development, or
- (b) development that requires the concurrence of a person other than the consent authority, or the Director-General of the Department of Environment and Conservation, or
- (c) land that is critical habitat or a wilderness area, or
- (d) a heritage item subject to an interim heritage order or listed in an LEP or other planning instrument, or
- (e) land that is an environmentally sensitive area.

Clause 13 of this plan states:

- (1) Subject to the provisions of the Act, development is complying development if it is development which:
  - (a) is permissible, with consent, in the zone in which it is to be carried out, and
  - (b) is listed in a development category in Schedule 7, and
  - (c) satisfies all of the requirements specified in the standards for the relevant development category in Schedule 7, and
  - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not complying development, and
  - (e) would not be carried out on land reserved for acquisition by a public authority as identified in an

environmental planning instrument.

- (2) A complying development certificate issued for any such development is subject to the conditions specified in Schedule 8.
- (3) A complying development certificate that relates to the erection of builders' sheds or portable facilities must:
  - (a) state that the sheds or toilet facilities are temporary buildings, and
  - (b) specify a removal date that is no later than one year after the date of issue of the complying development certificate.

## **Part 1 Single storey dwellings—not in conservation areas**

### **Requirements**

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development does not contravene any valid consents that are applicable to the relevant site.

Complies with residential controls in this plan and *North Sydney Development Control Plan 2002* that is, with provisions regulating building height, building height plane, landscaped area and lot size.

Maximum building height of 5.5 m.

### **Common controls**

#### **Controls—Acoustic privacy for residents**

Noise levels within dwellings, with windows closed, do not exceed the following:

- (a) recreation/work areas—40dB(A),
- (b) sleeping areas—35dB(A).

#### **Controls—Attics**

No attic rooms.

#### **Controls—Car parking**

Do not provide underground parking for detached dwellings.

Carparking does not exceed the maximum requirements in *North Sydney Development Control Plan 2002*.

#### **Controls—Decks**

No decks or balconies above ground floor level.

#### **Controls—Dormers**

No new or enlarged dormers.

#### **Controls—Fences**

Do not build front fences higher than 1 m.

Do not build solid front fences (such as masonry, lapped and capped timber, brushwood) higher than 0.9 m.

**Controls—Foreshore**

Not within the foreshore building line or on foreshore.

**Controls—Form, massing and scale**

Finish the height of the ceiling of the ground floor no higher than 3.4 m (measured vertically at any point above existing ground level).

**Controls—Landscaped area**

Provide landscaped area in accordance with clause 20 and *North Sydney Development Control Plan 2002*.

If the landscaped area of a site, expressed as a percentage of site area, is less than the minimum landscaped area percentage set out for that site in clause 20, that landscaped area must not be reduced.

Provide a minimum of 80% of the landscaped area as soft landscaped elements such as gardens, lawns, shrubs and trees.

Finish the level of landscaped area to within 0.5 m of existing ground level.

Do not contravene the Council's Tree Preservation Order.

Do not undertake works within the drip line of any tree that has a height greater than 10 m, or a girth greater than 1.5 m measured 1 m above the base of the tree.

**Controls—Laneways**

Where a laneway is the principal frontage address dwelling to the lane, do not conceal the front facade behind high walls, fences or garages.

Do not cover more than 50% of the width of the laneway frontage with car spaces of any kind, or car park entrances.

Where a property has a frontage less than 7.5 m, do not provide more than one car space.

Setback all new and rebuilt fences and structures 1.2 m from the laneway alignment and landscape the setback with appropriate low maintenance plants.

**Controls—Overshadowing**

No increase in overshadowing to principal area of ground level private open space, habitable rooms or solar panels of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.

**Controls—Privacy**

If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed dwelling:



- (a) is offset from the edge of one window to the edge of the other by a distance of at least 0.5 m to limit views into the adjacent window, or
- (b) has sill heights of at least 1.5 m above floor level, or
- (c) has fixed obscure glazing in any part of the window below 1.5 m above floor level, or
- (d) provides a fence at least 1.8 m high between the buildings.

**Controls—Properties adjoining bushland**

Not adjacent to bushland (consult zoning map for properties with a boundary to bushland).

**Controls—Roofs**

Must have a pitched roof.

Maximum roof pitch of 36 degrees.

Minimum roof pitch of 26 degrees for a roof visible from any public place.

Minimum roof pitch of 14 degrees for a roof not visible from any public place.

Roof openings for skylights not visible on the primary street elevation of the dwelling.

**Controls—Setbacks**

All building work is set back behind the front building line. (The front building line being the line projected between the principal facades of the buildings on adjoining properties.)

All building work is set back by an average of the setback of the dwellings on land either side of the subject property, from the side and rear boundaries of the property, or a minimum of 0.9 m, whichever is the greater.

The eaves and roof gutter of any structure are a minimum distance, from the boundary, of 0.675 m.

**Controls—Topography**

Finish all ground levels no greater than 0.5 m from existing ground levels.

Locate all habitable rooms (does not include bathrooms, laundries and storerooms) above the existing ground level.

Do not remove or cover rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.

Do not excavate closer than 1 m to any boundary.

No excavation, footings or foundations within 1 m of any boundary.

Ensure soil depth around buildings can sustain trees as well as shrubs and smaller scale gardens.

**Controls—Water and soil management**

The land surrounding any structure is graded and drained to divert surface water to the street and

clear of existing and proposed structures and adjoining premises (and does not require pumpouts, charged lines or on-site disposal).

No construction over any registered easement without the approval of the owners corporation (body corporate) or relevant land owner benefiting from the easement.

No structure is constructed within 1 m of a sewer or water main without the prior approval of the relevant service authority, or relevant land owner, and must be in accordance with Sydney Water Corporation's policy relating to building over or adjacent to sewers.

The development must comply with an erosion and sediment control plan that contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure called *Erosion and Sediment Control for Urban Development*. The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the brochure called *Preparing an Erosion and Sediment Control Plan* available from the Council.

Minimum requirements in relation to the erosion and sediment control plan are:

- (a) providing a single stabilised entry/exit point for site access, and
- (b) diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
- (c) sediment fences being installed downslope to treat site run-off, and
- (d) gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
- (e) building material stockpiles being located and managed in accordance with the guidelines, and
- (f) as soon as the roof is complete, temporary or permanent downpipes being installed for roof water drainage, and
- (g) dust minimisation in accordance with the guidelines.

#### **Controls—Views**

Do not obstruct views from streets and other public places, as identified in the character statement in *North Sydney Development Control Plan 2002*.

#### **Development categories**

##### **Construction of detached, single storey dwelling without attic rooms: additional controls**

#### **Controls—Building height**

Must comply with the requirements of clause 17 concerning building heights.

#### **Controls—Energy efficiency**

Dwelling achieves a minimum 4 Star Rating when assessed in accordance with nationally accredited *National House Energy Rating Scheme* (NatHERS).

#### **Controls—Lot frontage**

Lot must have a minimum street frontage of 10 m.

**Controls—Maintaining residential accommodation**

There is no loss of residential accommodation on the site.

**Controls—Streetscape**

The street elevation of dwellings have:

- (a) a front door and window of a habitable room facing the street, and
- (b) a maximum unarticulated length of no more than 6 m elevation facing the public street.

**Alterations and additions to a dwelling house: additional controls**

**Controls—Colours and materials**

Match the design of the main dwelling by having the same or similar roof form, materials, colours and detailing.

**Part 2 Single storey dwellings—in conservation areas**

**Requirements**

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

**Development category**

**Alterations and additions behind the rear building line, not visible from a public place**

**Controls—Acoustic privacy for residents**

Noise levels within dwellings, with windows closed, do not exceed the following:

- (a) recreation/work areas—40dB(A),
- (b) sleeping areas—35dB(A).

**Controls—Attics**

No attic rooms.

**Controls—Car parking**

Do not provide underground parking for detached dwellings.

Car parking does not exceed the maximum requirements in *North Sydney Development Control Plan 2002*.

**Controls—Decks**

No decks or balconies above ground floor level.

**Controls—Dormers**

No new or enlarged dormers.

**Controls—Foreshore**

Not within the foreshore building line or on foreshore.

**Controls—Heritage, gardens and plantings**

No removal of trees, garden designs or plantings of heritage significance.

**Controls—Landscaped area**

Provide landscaped area in accordance with clause 20 and *North Sydney Development Control Plan 2002*.

If the landscaped area of a site, expressed as a percentage of site area, is less than the minimum landscaped area percentage set out for that site in clause 20, that landscaped area must not be reduced.

Provide a minimum of 80% of the landscaped area as soft landscaped elements such as gardens, lawns, shrubs and trees.

Finish the level of landscaped area to within 0.5 m of existing ground level.

Do not contravene the Council's Tree Preservation Order.

Do not undertake works within the drip line of any tree that has a height greater than 10 m, or a girth greater than 1.5 m measured 1 m above the base of the tree.

**Controls—Laneways**

Where a laneway is the principal frontage address dwelling to the lane, do not conceal the front facade behind high walls, fences or garages.

Do not cover more than 50% of the width of the laneway frontage with car spaces of any kind, or car park entrances.

Where a property has a frontage less than 7.5 m, do not provide more than one car space.

Set back all new and rebuilt fences and structures 1.2 m from the laneway alignment and landscape the setback with appropriate low maintenance plants.

**Controls—Overshadowing**

No increase in overshadowing to principal area of ground level private open space, habitable rooms or solar panels of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.

**Controls—Privacy**

If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed dwelling:

- (a) is offset from the edge of one window to the edge of the other by a distance of at least 0.5 m to limit views into the adjacent window, or

- (b) has sill heights of at least 1.5 m above floor level, or
- (c) has fixed obscure glazing in any part of the window below 1.5 m above floor level, or
- (d) provide a fence at least 1.8 m high between the buildings.

**Controls—Properties adjoining bushland**

Not adjacent to bushland (consult zoning map for properties with a boundary to bushland).

**Controls—Roofs**

Maximum roof pitch of 36 degrees.

Minimum roof pitch of 26 degrees for a roof visible from any public place.

Minimum roof pitch of 14 degrees for a roof not visible from any public place.

Roof openings for skylights not visible on the primary street elevation of the dwelling.

**Controls—Set backs**

All building work is set back by an average of the setback of the dwellings on land either side of the subject property, from the side and rear boundaries of the property, or a minimum of 0.9 m, whichever is the greater.

The eaves and roof gutter of any structure are a minimum distance, from the boundary, of 0.675 m.

**Controls—Topography**

Finish all ground levels no greater than 0.5 m from existing ground levels.

Locate all habitable rooms (does not include bathrooms, laundries and storerooms) above the existing ground level.

Do not remove or cover rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.

Do not excavate closer than 1 m to any boundary.

No excavation, footings or foundations within 1 m of any boundary.

Ensure soil depth around buildings can sustain trees as well as shrubs and smaller scale gardens.

**Controls—Water and soil management**

The land surrounding any structure is graded and drained to divert surface water to the street and clear of existing and proposed structures and adjoining premises (and does not require pumpouts, charged lines or on-site disposal).

No construction over any registered easement without the approval of the owners corporation (body corporate) or relevant land owner benefiting from the easement.

No structure is constructed within 1 m of a sewer or water main without the prior approval of the

relevant service authority, or relevant land owner, and must be in accordance with Sydney Water Corporation's policy relating to building over or adjacent to sewers.

The development must comply with an erosion and sediment control plan that contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure called *Erosion and Sediment Control for Urban Development*. The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the brochure called *Preparing an Erosion and Sediment Control Plan* available from the Council.

Minimum requirements in relation to the erosion and sediment control plan are:

- (a) providing a single stabilised entry/exit point for site access, and
- (b) diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
- (c) sediment fences being installed downslope to treat site run-off, and
- (d) gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
- (e) building material stockpiles being located and managed in accordance with the guidelines, and
- (f) as soon as the roof is complete, temporary or permanent downpipes being installed for roof water drainage, and
- (g) dust minimisation in accordance with the guidelines.

#### **Controls—Views**

Do not obstruct views from streets and other public places, as identified in the character statement in *North Sydney Development Control Plan 2002*.

### **Part 3 Attached dwellings and apartment buildings**

#### **Requirements**

All building work complies with the "deemed-to-satisfy" provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Relevant owners corporation approval has been obtained.

#### **Common controls**

##### **Controls—Acoustic privacy for residents**

Noise levels within dwellings, with windows closed, do not exceed the following:

- (a) recreation/work areas—40dB(A),
- (b) sleeping areas—35dB(A).

##### **Controls—Attics**

No attic rooms.

**Controls—Car parking**

Provide all parking associated with attached dwelling developments and apartment buildings underground.

Car parking does not exceed the maximum requirements in *North Sydney Development Control Plan 2002*.

**Controls—Colours and materials**

Alterations, additions and outbuildings visible from a public place match the design of the main dwelling through roof form, materials, colours and detailing.

**Controls—Decks**

No decks or balconies above ground floor level.

**Controls—Density**

No increase or reduction in the number of dwellings.

**Controls—Dormers**

No new or enlarged dormers.

**Controls—Fences**

Do not build front fences higher than 1 m.

Do not build solid front fences (such as masonry, lapped and capped timber, brushwood) higher than 0.9 m.

**Controls—Foreshore**

Not within the foreshore building line or on foreshore.

**Controls—Form, massing and scale**

Finish the height of the ceiling of the ground floor no higher than 3.4 m (measured vertically at any point above existing ground level).

**Controls—Landscaped area**

Provide landscaped area in accordance with clause 20 and *North Sydney Development Control Plan 2002*.

If the landscaped area of a site, expressed as a percentage of site area, is less than the minimum landscaped area percentage set out for that site in clause 20, that landscaped area must not be reduced.

Provide a minimum of 80% of the landscaped area as soft landscaped elements such as gardens, lawns, shrubs and trees.

Finish the level of landscaped area to within 0.5 m of existing ground level.

Do not contravene the Council's Tree Preservation Order.

Do not undertake works within the drip line of any tree that has a height greater than 10 m, or a girth greater than 1.5 m measured 1 m above the base of the tree.

### **Controls—Laneways**

Where a laneway is the principal frontage address dwelling to the lane, do not conceal the front facade behind high walls, fences or garages.

Do not cover more than 50% of the width of the laneway frontage with car spaces of any kind, or car park entrances.

Where a property has a frontage less than 7.5 m, do not provide more than one car space.

Set back all new and rebuilt fences and structures 1.2 m from the laneway alignment and landscape the setback with appropriate low maintenance plants.

### **Controls—Overshadowing**

No increase in overshadowing to principal area of ground level private open space, habitable rooms or solar panels of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.

### **Controls—Privacy**

Skylights are a minimum of 1.5 m above the floor level.

If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed dwelling:

- (a) is offset from the edge of one window to the edge of the other by a distance of at least 0.5 m to limit views into the adjacent window, or
- (b) has sill heights of at least 1.5 m above floor level, or
- (c) has fixed obscure glazing in any part of the window below 1.5 m above floor level.

### **Controls—Properties adjoining bushland**

Not adjacent to bushland (consult zoning map for properties with a boundary to bushland).

### **Controls—Roofs**

Maximum roof pitch of 36 degrees.

Minimum roof pitch of 26 degrees for a roof visible from any public place.

Minimum roof pitch of 14 degrees for a roof not visible from any public place.

Roof openings for skylights not visible on the primary street elevation of the dwelling.

### **Controls—Set backs**



All building work is set back behind the front building line. (The front building line is defined as the line projected between the principal facades of the buildings on adjoining properties.)

All building work is set back by an average of the set back of the dwellings on land either side of the subject property, from the side and rear boundaries of the property, or minimum 0.9 m, whichever is the greater.

The eaves and roof gutter of any structure are a minimum distance, from the boundary, of 0.675 m.

### **Controls—Topography**

No building above the ground level, within 1.5 m of any boundary.

No excavation, footings or foundations within 1 m of any boundary.

### **Controls—Water and soil management**

The land surrounding any structure is graded and drained to divert surface water to the street and clear of existing and proposed structures and adjoining premises (and does not require pumpouts, charged lines or on-site disposal).

No construction over any registered easement without the approval of the owners corporation (body corporate) or relevant land owner benefiting from the easement.

No structure is constructed within 1 m of a sewer or water main without the prior approval of the relevant service authority, or relevant land owner, and must be in accordance with Sydney Water Corporation's policy relating to building over or adjacent to sewers.

The development must comply with an erosion and sediment control plan that contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure called *Erosion and Sediment Control for Urban Development*. The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the brochure called *Preparing an Erosion and Sediment Control Plan* available from the Council.

Minimum requirements in relation to the erosion and sediment control plan are:

- (a) providing a single stabilised entry/exit point for site access, and
- (b) diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
- (c) sediment fences being installed downslope to treat site run-off, and
- (d) gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
- (e) building material stockpiles being located and managed in accordance with the guidelines, and
- (f) as soon as the roof is complete, temporary or permanent downpipes being installed for roof water drainage, and
- (g) dust minimisation in accordance with the guidelines.

### **Controls—Views**

Do not obstruct views from streets and other public places, as identified in the character statement in *North Sydney Development Control Plan 2002*.

### **Development categories**

**Minor alterations and additions to attached dwellings or apartment buildings—not in conservation areas**

**Minor alterations and additions to attached dwellings or apartment buildings—in conservation areas: additional controls**

### **Controls—Heritage, gardens and plantings**

No removal of trees, garden designs or plantings of heritage significance.

## **Part 4 Fitout to alter a shop to a refreshment room or take away food shop**

### **Requirements**

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Development consent has been granted for change of use.

Complies with relevant Australian Standards for disabled access and the [Disability Discrimination Act 1992](#) of the Commonwealth.

Complies with relevant Australian Standards for exhaust system and discharge.

### **Development category**

**Minor alterations and internal fit out work to alter a shop to a refreshment room or take away food shop that does not change the building classification of the premises under the Building Code of Australia: additional controls**

**Controls—Compliance With North Sydney Council Food Premises Code, NSW Food Safety Standards and [Protection of the Environment Operations Act 1997](#)**

All aspects of the food handling areas, waste storage areas and internal shop layout comply with the *North Sydney Food Premises Code*, as adopted by the Council in July 1995, Council’s *Garbage Bay Code* and any relevant Australian Standards.

Noise, air, waste and water emissions comply with the [Protection of the Environment Operations Act 1997](#) and the regulations under that Act.

Obtain a Trade Waste Agreement with Sydney Water Corporation, if the specific use results in the discharge of trade waste.

### **Controls—Floor space**

No change in the gross floor area.

Maximum of 20 seats.

All proposed building work is within the existing approved envelope of the premises.

No change to external walls.

## **Part 5 Land subdivision—not in conservation areas**

### **Requirements**

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

The requirements of the relevant site-related controls are met, in accordance with this plan.

### **Development categories**

#### **Subdivision**

Subdivision for the purpose of:

- (a) correcting an encroachment on a lot, or
- (b) boundary adjustments that do not create a different number of lots: additional controls.

#### **Controls—Landscaped area**

Provide landscaped area in accordance with clause 20 and *North Sydney Development Control Plan 2002*.

#### **Controls—Lot frontage**

Must maintain existing, or comply with the requirements for new, lot frontage and access from a public road in accordance with this plan.

## **Part 6 Construction of garages/carports—not in conservation areas**

### **Requirements**

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Relevant owners corporation approval has been obtained.

### **Development categories**

#### **Construction of garages/carports associated with a dwelling house**

#### **Controls—Building height**

Maximum building height 3 m.

Does not exceed the building height plane specified in clause 18.

**Controls—Dwellings**

No habitable rooms.

**Controls—Properties adjoining bushland**

Not adjacent to bushland (consult zoning map for properties with a boundary to bushland).

**Controls—Site access and circulation**

No new gutter or footpath crossing is to be created.

No alteration to existing front fence.

The finished level of the driveway is within a maximum of 0.25 m from existing ground level.

Driveways are a minimum of 0.5 m from the side boundary.

Driveways are a minimum of 0.5 m clear of all drainage structures on the kerb and gutter and do not interfere with the existing public utility infrastructure, including the Council drainage structures, unless prior approval is obtained from the relevant authority.

Driveways are a minimum distance of 6 m from a road intersection.

Car parking does not exceed the maximum requirements in *North Sydney Development Control Plan 2002*.

Open car parking spaces, accessways and driveways are surfaced with porous materials or are graded to provide for on-site stormwater management.

**Controls—Size**

1 car space only.

Maximum area 20 m<sup>2</sup>.

**Controls—Streetscape**

Carports and garages that are visible from a public place:

- (a) face the public street or access way to which they provide access,
- (b) are set back behind the front building line of the building,
- (c) complement the design of the associated dwelling by having the same or similar roof form, materials, colours and detailing.

**Controls—Topography**

Finish all ground levels no greater than 0.5 m from existing ground levels.

Do not remove or cover rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.

Ensure soil depth around buildings can sustain trees as well as shrubs and smaller scale gardens.

**Controls—Water and soil management**

The land surrounding any structure is graded and drained to divert surface water to the street and clear of existing and proposed structures and adjoining premises (and does not require pumpouts, charged lines or on-site disposal).

No construction over any registered easement without the approval of the owners corporation (body corporate) or relevant land owner benefiting from the easement.

No structure is constructed within 1 m of a sewer or water main without the prior approval of the relevant service authority, or relevant land owner, and must be in accordance with Sydney Water Corporation's policy relating to building over or adjacent to sewers.

The development must comply with an erosion and sediment control plan that contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure called *Erosion and Sediment Control for Urban Development*. The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the brochure called *Preparing an Erosion and Sediment Control Plan* available from the Council.

Minimum requirements in relation to the erosion and sediment control plan are:

- (a) providing a single stabilised entry/exit point for site access, and
- (b) diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
- (c) sediment fences being installed downslope to treat site run-off, and
- (d) gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
- (e) building material stockpiles being located and managed in accordance with the guidelines, and
- (f) as soon as the roof is complete, temporary or permanent downpipes being installed for roof water drainage, and
- (g) dust minimisation in accordance with the guidelines.

**Controls—Views**

Do not obstruct views from streets and other public places, as identified in the character statement in *North Sydney Development Control Plan 2002*.

## Schedule 8 Complying development certificate standard conditions

(Clause 13)

### Part 1 Conditions prior to works commencing

#### 1 Conditions that apply before work begins

- (1) Two days before any site works, building or demolition begins, the person having the benefit of the complying development certificate must notify adjoining owners that work will commence.
- (2) Before any site works, building or demolition is started, the person having the benefit of the complying development certificate must:
  - (a) notify the Council of the name, address, phone number and licence number of the builder, and
  - (b) erect a sign at the front of the property with the builder's name, licence number, site address, consent number and contact telephone number, and
  - (c) provide a temporary on-site toilet or access to an existing toilet on site, and
  - (d) protect and support any neighbouring buildings that might be affected by the proposed development, and
  - (e) protect any public place from obstruction or inconvenience caused by the carrying out of the proposed development, and
  - (f) set up barriers sufficient to prevent any substance from the site falling onto a public place.

#### 2 Approved plans on site

A copy of all approved certified plans, specifications and documents incorporating conditions of certification must be kept on site at all times so as to be readily available for perusal by any officer of the Council or the Principal Certifying Authority.

#### 3 Building Code of Australia

All building work must be carried out in accordance with the "deemed-to-satisfy" provisions of the *Building Code of Australia*.

#### 4 Home Building Act 1989

- (1) Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the principal certifying authority:
  - (a) in the case of work to be done by a licensee under that Act:

- (i) has been informed in writing of the licensee's name and contractor licence number, and
  - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
- (b) in the case of work to be done by any other person:
- (i) has been informed in writing of the person's name and owner-builder permit number, or
  - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of **owner-builder work** in section 29 of that Act,
- and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

**Note—**

The amount referred to in paragraph (b) (ii) is prescribed by regulations under the [Home Building Act 1989](#). As at the date on which this Schedule was gazetted, that amount was \$5,000 (inclusive of GST). As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the [Home Building Act 1989](#) that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

## **5 Excavation/demolition**

- (1) All excavations and backfilling associated with the erection or demolition of a building must be executed in accordance with any appropriate Australian Standards including those relating to safety.
- (2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

## **6 Retaining walls and drainage**

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (b) adequate provision must be made for drainage.

## 7 Support for neighbouring buildings

- (1) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining lot of land, the person causing the excavation to be made:
  - (a) must preserve and protect the building from damage, and
  - (b) if necessary, must underpin and support the building in a manner approved by the Council, and
  - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining lot of land, give notice of intention to do so to the owner of the adjoining lot of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (2) In this clause, **lot of land** includes a public road and any other public place.

## 8 Protection of public places

- (1) If the work involved in the erection or demolition of a building:
  - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or hindered, or
  - (b) involves the enclosure of a public place or any part of a public place,  
a hoarding or fence must be erected between the work site and the public place.
- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

## 9 Site sign

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - (a) stating that unauthorised entry to the work site is prohibited, and
  - (b) showing the name of the owner of the premises and of the person in charge of the work site, and a telephone number at which that person may be contacted outside working hours.
- (2) Any such sign is to be removed when the work has been completed.



(3) This clause does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

## 10 Toilets

(1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

(2) Each toilet provided:

- (a) must be a standard flushing toilet, and
- (b) must be connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

(3) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

(4) In this clause:

**accredited sewage management facility** means a sewage management facility to which Subdivision 5 of Division 4 of Part 2 of the *Local Government (General) Regulation 2005* applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of that Regulation.

**approved by the Council**, in relation to a sewage management facility, means a sewage management facility the subject of an approval in force under Subdivision 3 of Division 4 of Part 2 of the *Local Government (General) Regulation 2005*.

**public sewer** has the same meaning as it has in clause 3 (1) of the *Local Government (General) Regulation 2005*.

**sewage management facility** has the same meaning as it has in clause 3 (1) of the *Local Government (General) Regulation 2005*.

## 11 Fire safety

- (1) A building in respect of which there is a change of building use:
  - (a) must, on completion of any building work, ensure that the fire protection and structural capacity of the building will be appropriate to the proposed use, and
  - (b) must comply with such of the Category 1 fire safety provisions applicable to the proposed use.
- (2) A building in respect of which building work involving the alteration, enlargement or extension of an existing building, where no change of building use is proposed, must, on completion of the building work, ensure that the fire protection and structural capacity of the building will not be reduced.
- (3) In this clause, **Category 1 fire safety provision** has the same meaning as in clause 3 of the *Environmental Planning and Assessment Regulation 2000*.

## 12 Site management

Where the proposed development may result in water run-off or affect stormwater run-off, the person having the benefit of the complying development certificate must install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, by taking the following measures:

- (a) diverting uncontaminated run-off around cleared or disturbed areas,
- (b) erecting a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) preventing tracking of sediment by vehicles onto roads,
- (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site.

## 13 Vegetation and top soil

Removal or disturbance of vegetation and top soil must be confined to within 3 metres of the approved building area.

## 14 Drainage

- (1) Where the proposed development may affect drainage of the site, the land surrounding any structure must be graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.
- (2) Where the proposed development may affect drainage of the site and the water falls to the rear of the property, it must be collected and drained via a gravity system (and not by pumpouts, charge lines or on-site disposal) to the Council's stormwater line or must be disposed of in a manner consistent with the Council's *Soil and Water*

*Management Policy.*

**15 TV aerial**

Only one common television aerial may be installed.

**16 Brickwork to match**

Any proposed new brickwork must match the existing brickwork.

**Part 2 Subsidiary conditions prior to the issue of a construction certificate**

**17 Sydney Water certificate**

The person having the benefit of the complying development certificate must submit to the Council or the principal certifying authority a certificate from the Sydney Water Corporation under section 73 of the [Sydney Water Act 1994](#) demonstrating that the Corporation's requirements, if any, in relation to the development have been met, prior to the release of the stamped building plans.

**18 Chimney stack**

The height of any chimney must be a minimum 1 m above the height of any structure (including the applicant's dwelling), or topographical feature within a 15 m radius of the chimney stack. Exhaust gases must be discharged vertically and the proposed stack must be protected by a concentric extended shrouded rain excluder in accordance with the Department of Environment and Conservation's guidelines. It must terminate in such a position that it is not a risk of fire to nearby combustibles and does not permit the penetration of flue gases through nearby windows or other openings.

**19 Asbestos conditions**

Prior to the commencement of works, a survey of the existing building fabric must be undertaken identifying the presence or otherwise of asbestos contamination. Any works subsequently required to address asbestos contamination must be undertaken in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and the *Code of Practice for the Safe Removal of Asbestos*.

**20 Reflectivity index of finishes**

The reflectivity index of external finishes, including painted surfaces, walls or roof treatment of the proposed development, is to be no greater than 20%.

**21 Service ducts**

Service ducts must be provided to keep external walls free of plumbing or any other utility

installations.

### **Part 3 Conditions prior to any demolition or commencement of building works**

#### **22 Protection of trees during works**

All trees that are to be retained must be maintained and protected during any demolition, excavation and construction on the site. The protection method must be provided to the principal certifying authority by an appropriately qualified person prior to commencement of works.

#### **23 Prohibition on use of pavements**

Building materials must not be placed on the Council's footpaths, roadways, parks or grass verges and a suitable sign to this effect must be erected adjacent to the street alignment.

#### **24 Disposal schedule**

- (1) A disposal schedule for waste materials arising from any demolition and excavation must be submitted to the Council prior to the commencement of work, identifying:
  - (a) those materials to be recycled, and
  - (b) those materials to be reused, and
  - (c) those materials to be disposed of.
- (2) A maximum amount of materials must be recycled or reused.

#### **25 Mobile plant**

Where on-street use of mobile plant is approved, such approval will be subject to the issue of a permit under section 68 of the *Local Government Act 1993* on each occasion from the Council's Customer Services Unit. Such permit must be obtained and the fee paid at least 2 clear working days in advance of each relevant date.

### **Part 4 Conditions during demolition and building works**

#### **26 Site access**

- (1) Where kerb and gutter is provided, driveways are to be a minimum of 0.5 m clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including the Council drainage structures, unless prior approval is obtained from the relevant authority.
- (2) Where kerb and gutter is not provided, a gravel vehicular entrance incorporating a 0.375 m diameter stormwater pipe and concrete head walls or a 6 m by 6 m concrete

slab dish drain must be constructed to provide access to the lot.

- (3) Driveways are to be a minimum of 6 m from a road intersection.
- (4) Driveways are to be constructed in accordance with Australian Standard AS/NZS 2890.1:2004, *Parking Facilities, Part 1: Off-street car parking*, with appropriate transition zones.

## **27 Progress inspections**

The Council or the principal certifying authority, unless otherwise agreed in writing, must be given 48 hours notice:

- (a) for inspection of the following, where applicable:
  - (i) foundations before footings are laid,
  - (ii) reinforcement prior to encasement in concrete,
  - (iii) damp-proofing and flashing prior to covering,
  - (iv) structural steelwork prior to covering,
  - (v) timber framing prior to lining,
  - (vi) stormwater and drainage prior to backfilling, and
- (b) on completion of any building work, and
- (c) if required by any special conditions relevant to the complying development certificate.

## **28 Progress survey—minor development**

- (1) In order to ensure compliance with approved plans, a survey certificate, to Australian Height Datum, must be prepared by a registered surveyor, as follows:
  - (a) at the completion of the first structural floor level, indicating the level of that floor and the relationship of the building to the boundaries,
  - (b) at the completed height of the building, prior to the placement of concrete inform work, or the laying of roofing materials,
  - (c) at completion, indicating the relationship of the building, and any projections thereto, to the boundaries.
- (2) Progress certifications in response to the stages described in subclause (1) (a)-(c) must be provided to the Council or the principal certifying authority at the time of carrying out relevant progress inspections.

### **29 Hazardous materials**

- (1) Unless tested by a person with suitable experience and expertise and shown to be otherwise, buildings constructed before 1970 are assumed to:
  - (a) have accumulated hazardous amounts of fine lead dust in ceiling and wall cavities, and
  - (b) contain components and surfaces coated with lead paint.
- (2) Appropriate measures to minimise hazards and contamination from lead are to be implemented.

### **30 No removal of trees**

No trees on public property (footpaths, roads, reserves etc) must be removed or damaged during construction including the erection of any fences, hoardings or other temporary works.

### **31 Cigarette butt receptacle**

Provision must be made for cigarette butt receptacles on the site to minimise littering.

### **32 Hours of works**

- (1) Demolition, earthworks, building construction and landscaping works are restricted to within the hours of 7.00 am to 5.00 pm, Monday to Friday and on Saturday to within the hours of 8.00 am and 1.00 pm inclusive, with no work on Sundays and public holidays.
- (2) Excavation works are restricted to within the hours of 8.00 am and 5.00 pm, Monday to Friday only. (Excavation work includes the operation of any excavation machinery and the use of jack hammers, rock breakers, excavators and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or involve breaking up or removing materials from the site.)
- (3) The builder and any excavator must each display onsite their contact telephone number which is to be clearly visible and legible from any public place adjoining the site.

### **33 Erosion signage**

A durable sign, which is available from the Council, must be erected during building works in a prominent location onsite warning of penalties should appropriate erosion and sedimentation control devices not be maintained.

### **34 Equipment noise**

Silencing mechanisms of a type approved by the Council must be provided and

maintained in respect of all power-operated plant used in demolition, excavation, earthworks and erection of the building.

### **35 Dust emission**

Suitable screens or barricades must be erected during any demolition, excavation and building works, where necessary to reduce the emission of dust, water effluent or other matter from the site. (Screening is to consist of a minimum 2 m height of shade cloth or similar material secured to a chain wire fence or the like.)

## **Part 5 Conditions prior to the issue of an occupation certificate**

### **36 Noise impact of plant**

- (1) All sound producing plant, equipment, machinery or fittings associated with or forming part of any mechanical ventilation system or the refrigeration system involved in the proposed development, must be sound insulated and/or isolated so that the noise emitted does not exceed 5dB(A) above the background level, in any octave band from 63.0 Hz centre frequencies inclusive, at any time the plant is in operation, at the boundary of the site.

**Note—**

The method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1—1997, *Acoustics—Description and measurement of environmental noise, Part 1: General procedures*.

- (2) A report prepared by an appropriately qualified or accredited person must be submitted to the principal certifying authority demonstrating compliance with this condition prior to the occupation of the completed works.

## **Part 6 Conditions prior to final completion**

### **37 Disposal information**

- (1) On completion of works and prior to occupation, the person with the benefit of the certificate must provide to the Council the following information:
  - (a) the total tonnage of all waste and excavated material disposed of from the site,
  - (b) the disposal points and methods used.
- (2) Such information must be categorised in accordance with the foregoing and is required for waste research purposes.

## **Part 7 Ongoing conditions**

### **38 Prohibition on burning**

Materials or rubbish resulting from any land clearing, demolition and building works must

not be burnt on the site.

## Part 8 Advisings

### 39 Mail boxes

Mail boxes must be provided in accordance with Australia Post guidelines. In general, a clearly marked mailbox (or group of mailboxes) must be provided within 0.5 m of the footpath alignment for premises at ground level, or adjacent to the main entrance to the development site or the building, where applicable.

### 40 Street numbering

Prior to completion of the development, a street number is to be obtained, in accordance with the [Local Government Act 1993](#), from the Council, where applicable.

### 41 Termites

The structural members of the building that are subject to attack by subterranean termites must be protected in accordance with AS 3660.1—2000, *Termite management, Part 1: New building work*. A durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating the following:

- (a) method of protection,
- (b) the date of installation of the system,
- (c) where a chemical barrier is used, its life expectancy as listed on the Australian Pesticides and Veterinary Medicines Authority label,
- (d) the need to maintain and inspect the system on a regular basis.

## Schedule 9 Local open space reservations

(Clause 35 (1))

DP	Description	Lot	Address	
748772		10 (except so much of Lot 10 as is shown zoned Residential C on the map marked "North Sydney Local Environmental Plan 2001 (Amendment No 27)")	2 Vale Street	Cammeray
11908	Pt/Cnr	1	580 Miller Street	Cammeray
	Sec 3	14	21 Belmont Avenue	Wollstonecraft



69187	5	Kurraba Road	Neutral Bay
68287	3	Kurraba Road	Neutral Bay
333590	3	Kurraba Road	Neutral Bay
935347	B (except so much of Lot B as forms part of the land shown edged heavy black on the map marked " <i>North Sydney Local Environmental Plan 2001 (Amendment No 8)</i> ")	Stannards Place	Kirribilli
4416	15 (except so much of Lot 15 as forms part of the land shown edged heavy black on the map marked " <i>North Sydney Local Environmental Plan 2001 (Amendment No 8)</i> ")	Stannards Place	Kirribilli
	16 (except so much of Lot 16 as forms part of the land shown edged heavy black on the map marked " <i>North Sydney Local Environmental Plan 2001 (Amendment No 8)</i> ")	Stannards Place	Kirribilli
	17 (except so much of Lot 17 as forms part of the land shown edged heavy black on the map marked " <i>North Sydney Local Environmental Plan 2001 (Amendment No 8)</i> ")	Stannards Place	Kirribilli

## Schedule 10 Regional open space reservations

(Clause 35 (2))

DP	Description	Lot	Address	
112369	Part of corner lot	1	580 Miller Street	Cammeray
663588	Part of lot	5	20 The Boulevarde	Cammeray
19754		92	23 Churchill Crescent	Cammeray
115700	Part of lot, being the land in CT Volume 7603 Folio 167	1	Shirley Road	Wollstonecraft
409490		A	8 Shirley Road	Wollstonecraft
915829		1	Henry Lawson Avenue	McMahons Point
735191		6	Off Cambridge Street	Cammeray
368807		Y	Cammeray Road	Cammeray

## Schedule 11 Operational land

(Clause 52)

### Part 1

Description	DP	Lot	Address	
Rear of No 10	184762	Part 1	10 Benelong Road	Cremorne
Olympic Park			Alfred Street South	Milsons Point
North Sydney Olympic Pool			Olympic Drive	Milsons Point
552482		3	Berry Street	North Sydney
Land adjacent to No 1 Wonga Rd, 1-13 Little Wonga Rd, 16 Tobruk Ave, known as Little Wonga Road			Little Wonga Road	Cremorne
Mollie Dive Grandstand and its curtilage	48839	1108	North Sydney Oval, St Leonards Park	North Sydney
Duncan Thompson Grandstand	48839	1108	North Sydney Oval, St Leonards Park	North Sydney
Bill O'Reilly Grandstand	48839	1108	North Sydney Oval, St Leonards Park	North Sydney

Macartney Grandstand 48839 1108 North Sydney Oval, St Leonards Park North Sydney

**Note—**

The land described in Part 1 of this Schedule was classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993* before the commencement of this plan. Maps showing the land supported North Sydney Local Environmental Plan 1989 (Amendments Nos 45, 55 and 63).

**Part 2**

**Cremorne**

Part of Lot 10, DP 873927, Benelong Lane, being part of Grasmere Reserve, as shown edged heavy black on the map marked “*North Sydney Local Environmental Plan 2001 (Amendment No 20)*”

**Kirribilli**

Lot D, DP 396813, being land adjacent to 108 Carabella Street

Lot 1, DP 793871, 57 Kirribilli Avenue

**Schedule 12 Land to be acquired for roads**

(Clause 36)

DP	Description	Lot	Address	
440522		A	288 Falcon Street	Neutral Bay
259885		5	312 Falcon Street	Neutral Bay
812254		31	310 Falcon Street	Neutral Bay
		30	308 Falcon Street	Neutral Bay
439964		2	306 Falcon Street	Neutral Bay
529485		4	302 Falcon Street	Neutral Bay
		3	300 Falcon Street	Neutral Bay
		2	298 Falcon Street	Neutral Bay
		1	296 Falcon Street	Neutral Bay
442218		B	294 Falcon Street	Neutral Bay
		A	292 Falcon Street	Neutral Bay
440522		B	290 Falcon Street	Neutral Bay
259885		1	39 Military Road	Neutral Bay
		2	37 Military Road	Neutral Bay
		3	35 Military Road	Neutral Bay
		4	33 Military Road	Neutral Bay

### **Schedule 13 (Repealed)**

### **Schedule 14 Laneways (and other roads of similar width and character)**

(Clause 30 (2) (e) and (f))

Alexander Lane, Crows Nest

Angelo Street, North Sydney

Browns Lane, North Sydney

Cheal Lane, Neutral Bay

Church Lane, North Sydney

Cunningham Street, North Sydney

Emmett Lane, Crows Nest

Falcon Lane, Crows Nest

Hayberry Lane, Crows Nest

Hayberry Place, Crows Nest

Hume Lane, Crows Nest

Ingram Lane, Crows Nest

Nicholson Lane, Crows Nest

Wheeler Lane, North Sydney

Wyllie Lane, Cremorne

Zig Zag Lane, Crows Nest