

Woollahra Local Environmental Plan 2014 (2015 EPI 20)

[2015-20]



New South Wales

Status Information

Currency of version

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

About this plan

This Plan is a [standard instrument local environmental plan](#) under the [Environmental Planning and Assessment Act 1979](#).

Notes—

- **Does not include amendments by**
 - [Standard Instrument \(Local Environmental Plans\) Amendment Order 2019 \(620\)](#) (not commenced — to commence on 15.1.2020)
 - [State Environmental Planning Policy Amendment \(Miscellaneous\) 2019 \(621\)](#) (not commenced — to commence on 15.1.2020)
- **See also**
 - [Planning Legislation Amendment Bill 2019](#)
- **Editorial note**

The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-dashes (em-dashes). Text of the legislation is not affected.

This version has been updated.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 13 December 2019

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Woollahra Local Environmental Plan 2014 (2015 EPI 20)



New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Woollahra Local Environmental Plan 2014*.

1.1AA Commencement

This Plan commences 4 months after it is published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Woollahra in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows—
 - (a) to ensure that growth occurs in a planned and co-ordinated way,
 - (b) to promote the management, development, conservation and economic use of property,
 - (c) to provide for an appropriate balance and distribution of land for commercial, retail, residential and tourist development and for recreation, open space, entertainment and community facilities,
 - (d) to provide greater population densities in and around centres that are well serviced by public transport,
 - (e) to facilitate opportunities, in suitable locations, for diversity in dwelling density and type,
 - (f) to conserve built and natural environmental heritage,
 - (g) to protect amenity and the natural environment,

- (h) to minimise and manage stormwater and flooding impacts,
- (i) to protect and promote public access to and along the foreshores,
- (j) to promote a high standard of design in the private and public domain,
- (k) to minimise and manage traffic and parking impacts,
- (l) to ensure development achieves the desired future character of the area,
- (m) to minimise excavation and manage impacts.

1.3 Land to which Plan applies

This Plan applies to the land identified on the [Land Application Map](#).

1.4 Definitions

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

1.5 Notes

Notes in this Plan are provided for guidance and do not form part of this Plan.

1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name—
 - (a) approved by the local plan-making authority when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made.
- (1AA) (Repealed)
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note—

The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the website of the Department of Planning and Environment.

1.8 Repeal of planning instruments applying to land

- (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.

Note—

The following local environmental plans are repealed under this provision—

[*Woollahra Local Environmental Plan 1995*](#)

- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

1.8A Savings provision relating to development applications

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

Note—

However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—

[*State Environmental Planning Policy No 1—Development Standards*](#)

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

- (2) This clause does not apply—
- (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows—

Residential Zones

R2 Low Density Residential

R3 Medium Density Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B4 Mixed Use

Special Purpose Zones

SP2 Infrastructure

SP3 Tourist

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

E1 National Parks and Nature Reserves

E2 Environmental Conservation

2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the [Land Zoning Map](#).

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone—
 - (a) the objectives for development, and
 - (b) development that may be carried out without development consent, and
 - (c) development that may be carried out only with development consent, and
 - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part—
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Plan.

Notes—

- 1** Schedule 1 sets out additional permitted uses for particular land.
- 2** Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.
- 3** Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4** Clause 2.6 requires consent for subdivision of land.

5 Part 5 contains other provisions which require consent for particular development.

2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with development consent.
- (2) In deciding whether to grant development consent, the consent authority—
 - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and
 - (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out—
 - (a) with development consent, or
 - (b) if the Schedule so provides—without development consent,in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

2.6 Subdivision—consent requirements

- (1) Land to which this Plan applies may be subdivided, but only with development consent.

Notes—

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
- 2 Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development**.

- (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

Note—

The definition of **secondary dwelling** in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

Note—

If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, as exempt development, the Act enables it to be carried out without development consent.

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that—
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
- (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

Land Use Table

Note—

A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies—

State Environmental Planning Policy (Affordable Rental Housing) 2009 (including provision for secondary dwellings)

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Infrastructure) 2007—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy (Primary Production and Rural Development) 2019

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Information and education facilities; Office premises; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Shops; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

2 Permitted without consent

Roads

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shops; Tank-based aquaculture

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To provide active ground floor uses to create vibrant centres.

- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.
- To provide for a range of other uses, including light industrial, that serve the surrounding neighbourhood without impacting on the amenity of the adjoining uses.

2 Permitted without consent

Roads

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Health consulting rooms; Home occupations (sex services); Information and education facilities; Light industries; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Office premises; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Respite day care centres; Restaurants or cafes; Service stations; Serviced apartments; Sex services premises; Shops; Shop top housing; Take-away food and drink premises; Tank-based aquaculture; Veterinary hospitals

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To attract new business and commercial opportunities.
- To provide active ground floor uses to create vibrant centres.

- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

2 Permitted without consent

Roads

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Home occupations (sex services); Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To provide active ground floor uses to create vibrant centres.
- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

2 Permitted without consent

Roads

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Home occupations (sex services); Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

Aquaculture; Community facilities; Environmental protection works; Recreation areas; The purpose shown on the [Land Zoning Map](#), including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP3 Tourist

1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.
- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To maintain public access along the foreshore.
- To ensure that development achieves the desired future character of the neighbourhood.

2 Permitted without consent

Roads

3 Permitted with consent

Aquaculture; Building identification signs; Business identification signs; Car parks; Dwelling houses; Environmental facilities; Environmental protection works; Food and drink premises; Function centres; Information and education facilities; Kiosks; Tourist and visitor accommodation

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental facilities; Environmental protection works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Information and education facilities; Jetties; Kiosks; Marinas; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day

care centres; Restaurants or cafes; Roads; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone E1 National Parks and Nature Reserves

1 Objectives of zone

- To enable the management and appropriate use of land that is reserved under the [National Parks and Wildlife Act 1974](#) or that is acquired under Part 11 of that Act.
- To enable uses authorised under the [National Parks and Wildlife Act 1974](#).
- To identify land that is to be reserved under the [National Parks and Wildlife Act 1974](#) and to protect the environmental significance of that land.

2 Permitted without consent

Uses authorised under the *National Parks and Wildlife Act 1974*

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Environmental facilities; Oyster aquaculture

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

Note—

Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development—

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*, and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development—
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
 - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2-9 is exempt development only if—
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
 - (5) To be exempt development, the development must—
 - (a) be installed in accordance with the manufacturer's specifications, if applicable, and
 - (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note—

See *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and Part 5A of the *Local Land Services Act 2013*.

(6) A heading to an item in Schedule 2 is part of that Schedule.

3.2 Complying development

(1) The objective of this clause is to identify development as complying development.

(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with—

(a) the development standards specified in relation to that development, and

(b) the requirements of this Part,

is complying development.

Note—

See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.

(3) To be complying development, the development must—

(a) be permissible, with development consent, in the zone in which it is carried out, and

(b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and

(c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.

(5) A heading to an item in Schedule 3 is part of that Schedule.

3.3 Environmentally sensitive areas excluded

(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.

(2) For the purposes of this clause—

environmentally sensitive area for exempt or complying development means any of the following—

(a) the coastal waters of the State,

(b) a coastal lake,

(c) land within the coastal wetlands and littoral rainforests area (within the meaning of the *Coastal Management Act 2016*),

- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,
- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land that is a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows—
 - (a) to establish a minimum subdivision lot size that is consistent with the desired future character of the neighbourhood,
 - (b) to ensure that lot sizes support development envisaged under this Plan,
 - (c) to ensure that lots have a minimum size to retain or enhance amenity by providing useable areas for building and landscaping,
 - (d) to identify locations suitable for increased development density,
 - (e) to ensure that development complies with the desired future character of the area.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

- (3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by any kind of subdivision under the *Community Land Development Act 1989*.

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows—
 - (a) to ensure that community title schemes comply with Council’s minimum lot sizes,
 - (b) to establish a minimum subdivision lot size for community title subdivision that is consistent with the desired future character of the neighbourhood.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,but does not apply to a subdivision by the registration of a strata plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 1989*) is not to be less than the minimum size shown on the *Lot Size Map* in relation to that land.
- (4) This clause applies despite clause 4.1.

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

- (1) The objective of this clause is to achieve planned residential density in certain zones consistent with the desired future character of the neighbourhood.
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the table to this clause for a purpose shown in Column 1 of the table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the table.

Column 1

Column 2

Column 3

Dual occupancy (attached)	Zone R2 Low Density Residential	460 square metres
Dual occupancy (detached)	Zone R2 Low Density Residential	930 square metres
Dual occupancy (attached)	Zone R3 Medium Density Residential	460 square metres
Dual occupancy (detached)	Zone R3 Medium Density Residential	460 square metres
Multi dwelling housing	Zone R3 Medium Density Residential	700 square metres
Residential flat building	Zone R3 Medium Density Residential	700 square metres

4.1B Exceptions to minimum subdivision lot sizes for certain residential development

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) This clause applies to development on land in Zone R3 Medium Density Residential.
- (3) Development consent may be granted to a single development application for development to which this clause applies that is—
 - (a) the subdivision of land into 3 or more lots, and
 - (b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than—
 - (i) for the erection of a dwelling house—230 square metres, or
 - (ii) for the erection of an attached dwelling—230 square metres, or
 - (iii) for the erection of a semi-detached dwelling—230 square metres.

4.2 Rural subdivision

[Not applicable]

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to establish building heights that are consistent with the desired future character of the neighbourhood,

- (b) to establish a transition in scale between zones to protect local amenity,
- (c) to minimise the loss of solar access to existing buildings and open space,
- (d) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,
- (e) to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

(2A) Despite subclause (2) and clause 4.3A, the maximum height of a dwelling house, dual occupancy or semi-detached dwelling on land in Zone R3 Medium Density Residential is 9.5 metres.

(2B) Despite subclause (2) and clause 4.3A, the maximum height of a building on a battle-axe lot on land in Zone R3 Medium Density Residential is 9.5 metres.

4.3A Exceptions to building heights (Areas A-H)

(1) The objectives of this clause are as follows—

- (a) to ensure new development is consistent with the desired future character of the neighbourhood,
- (b) to ensure new development is consistent with the surrounding buildings and the streetscape,
- (c) to protect views and vistas that are in the public domain.

(2) This clause applies to land identified as “Area A”, “Area B”, “Area C”, “Area D”, “Area E”, “Area F”, “Area G” and “Area H” on the [Height of Buildings Map](#).

(3) Despite clause 4.3, the height of a building on land to which this clause applies, in an Area indicated in Column 1 of the table to this clause, at the highest part of the land (exclusive of any access handles), must not exceed the height shown opposite that Area in column 2.

Column 1	Column 2
Area A	3.0 metres
Area B	4.0 metres
Area C	6.5 metres
Area D	7.5 metres
Area E	8.0 metres

Area F	10.5 metres
Area G	11 metres
Area H	14 metres

4.3B Exceptions to building heights (Area I—White City Tennis Club)

- (1) The objectives of this clause are as follows—
 - (a) to retain views from Glenmore Road over certain land surrounding White City Tennis Club,
 - (b) to permit a greater maximum building height on part of that land, subject to certain criteria,
 - (c) to protect the visual privacy and amenity of nearby residences,
 - (d) to conserve and recognise the heritage significance of the existing centre courts.
- (2) Despite clause 4.3, the maximum height of a building on the land identified as “Area I” on the [Height of Buildings Map](#) is 11.5 metres if—
 - (a) the building is located on the western side of the centre courts, and
 - (b) the consent authority is satisfied that the development does not affect view lines from Glenmore Road, and
 - (c) the building maintains the heritage significance of White City Tennis Club.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
 - (a) for development in Zone R3 Medium Density Residential—
 - (i) to ensure the bulk and scale of new development is compatible with the desired future character of the area, and
 - (ii) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, and
 - (iii) to ensure that development allows adequate provision on the land for deep soil planting and areas of private open space,
 - (b) for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor

space ratio shown for the land on the [Floor Space Ratio Map](#).

- (2A) Despite subclause (2), the floor space ratio for a building on land shown on the [Floor Space Ratio Map](#) does not apply to a building that is a dwelling-house, dual occupancy or semi-detached dwelling.

4.4A Exceptions to floor space ratio (Areas 1 and 1A—Double Bay)

- (1) The objective of this clause is to encourage the development of prominent corner buildings in Double Bay.
- (2) This clause applies to land identified as “Area 1” and “Area 1A” on the [Floor Space Ratio Map](#).
- (3) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a floor space ratio that does not exceed—
 - (a) in respect of Area 1—3:1, or
 - (b) in respect of Area 1A—4.5:1,

if the consent authority is satisfied that the development will be compatible with the desired future character of the zone in terms of building bulk and scale.

4.4B Exceptions to floor space ratio (Areas 2 and 3—selected Zone B1 and Zone B4 centres)

- (1) The objective of this clause is to encourage the development of prominent corner buildings on certain land.
- (2) This clause applies to land identified as “Area 2” on the [Floor Space Ratio Map](#).
- (3) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a floor space ratio that does not exceed 2:1 if—
 - (a) the consent authority is satisfied that the development will be compatible with the desired future character of the centre in terms of building bulk and scale, and
 - (b) adjoining land in “Area 3” (as identified on the [Floor Space Ratio Map](#)) has, or will have, direct vehicular access or vehicular access via a right of way to a road.

Note—

If there is no land adjoining in “Area 3”, subclause (b) does not apply.

4.4C Exceptions to height and floor space ratio (Area 4—Rose Bay)

- (1) The objective of this clause is to encourage public domain improvements to link the Rose Bay centre to the foreshore of Rose Bay.

- (2) This clause applies to land identified as “Area J” on the [Height of Buildings Map](#) and “Area 4” on the [Floor Space Ratio Map](#).
- (3) Despite clauses 4.3 and 4.4, development consent may be granted to development on land to which this clause applies that results in a floor space ratio that does not exceed 2.25:1 and a height that does not exceed 17.2 metres if—
 - (a) the consent authority is satisfied that the public domain improvements will be compatible with the desired future character of the Rose Bay centre in terms of location, size, access and amenity, and
 - (b) provision is made for public domain improvements within that land.

4.4D Exceptions to floor space ratio (Areas 5—188 Oxford Street, Paddington)

- (1) The objective of this clause is to retain the existing bulk and scale on 188 Oxford Street, Paddington.
- (2) This clause applies to land identified as “Area 5” on the [Floor Space Ratio Map](#).
- (3) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a floor space ratio that does not exceed 1.04:1 if—
 - (a) the consent authority is satisfied that the development will be compatible with any conservation plan for the land, and
 - (b) the floor space ratio that does not exceed 1.04:1 is an aggregate for all the land to which this clause applies.

4.5 Calculation of floor space ratio and site area

- (1) **Objectives** The objectives of this clause are as follows—
 - (a) to define ***floor space ratio***,
 - (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to—
 - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
 - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
 - (iii) require community land and public places to be dealt with separately.
- (2) **Definition of “floor space ratio”** The ***floor space ratio*** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

- (3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be—
- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
 - (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

- (4) **Exclusions from site area** The following land must be excluded from the site area—
- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
 - (b) community land or a public place (except as provided by subclause (7)).
- (5) **Strata subdivisions** The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.
- (6) **Only significant development to be included** The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.
- (7) **Certain public land to be separately considered** For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.
- (8) **Existing buildings** The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.
- (9) **Covenants to prevent “double dipping”** When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted

lot.

(10) **Covenants affect consolidated sites** If—

(a) a covenant of the kind referred to in subclause (9) applies to any land (***affected land***), and

(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) **Definition** In this clause, ***public place*** has the same meaning as it has in the [Local Government Act 1993](#).

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows—

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless—

(a) the consent authority is satisfied that—

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider—
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note—

When this Plan was made it did not include all of these zones.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following—
- (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#) applies or for the land on which such a building is situated,

(c) clause 5.4.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the [Land Acquisition \(Just Terms Compensation\) Act 1991](#) (**the owner-initiated acquisition provisions**).

Note—

If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the [Land Acquisition \(Just Terms Compensation\) Act 1991](#) requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the [Land Reservation Acquisition Map](#) (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the National Parks and Wildlife Act 1974
Zone R2 Low Density Residential and marked "Classified road"	Roads and Maritime Services
Zone B2 Local Centre and marked "Local road widening"	Council
Zone B4 Mixed Use and marked "Classified road"	Roads and Maritime Services

- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

5.1A Development on land intended to be acquired for public purposes

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies to land shown on the [Land Reservation Acquisition Map](#) and specified in Column 1 of the table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.
- (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that table.

Column 1	Column 2
Land	Development
Zone R2 Low Density Residential and marked "Classified road"	Roads
Zone B2 Local Centre and marked "Local road widening"	Roads
Zone B4 Mixed Use Centre and marked "Classified road"	Roads
Zone RE1 Public Recreation and marked "Local open space"	Recreation areas
Zone RE1 Public Recreation and marked "Regional open space"	Recreation areas

5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the [Local Government Act 1993](#).

Note—

Under the [Local Government Act 1993](#), "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the [Local Government Act 1993](#). Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the [Local Government Act 1993](#).
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the [Local Government Act 1993](#).

- (4) The public land described in Part 1 of Schedule 4—
 - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except—
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

Note—

In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.

5.3 Development near zone boundaries

[Not adopted]

5.4 Controls relating to miscellaneous permissible uses

- (1) **Bed and breakfast accommodation** If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 4 bedrooms.

Note—

Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the *Building Code of Australia*.

- (2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 75 square metres of floor area.
- (3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 75 square metres of floor area.
- (4) **Industrial retail outlets** If development for the purposes of an industrial retail outlet is

permitted under this Plan, the retail floor area must not exceed—

(a) 67% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or

(b) 400 square metres,

whichever is the lesser.

(5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

(6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 25 square metres.

(7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.

(7AA) **Neighbourhood supermarkets** If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.

(8) **Roadside stalls** If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres.

(9) **Secondary dwellings** If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater—

(a) 60 square metres,

(b) 5% of the total floor area of the principal dwelling.

(10) **Artisan food and drink industry exclusion** If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—

(a) 67% of the gross floor area of the industry, or

(b) 400 square metres,

whichever is the lesser.

5.5 (Repealed)

5.6 Architectural roof features

[Not adopted]

5.7 Development below mean high water mark

- (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.
- (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.
- (2) The following development may be carried out, but only with development consent—
 - (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
 - (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
 - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
- (3) Development to which subclause (2) applies is complying development if it consists only of—
 - (a) internal alterations to a building, or
 - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.
- (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.
- (5) In this clause—

private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.

5.9, 5.9AA (Repealed)

5.10 Heritage conservation

Note—

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

(1) **Objectives** The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Woollahra,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) **Requirement for consent** Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) **When consent not required** However, development consent under this clause is not required if—
 - (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
 - (b) the development is in a cemetery or burial ground and the proposed development—
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) **Heritage assessment** The consent authority may, before granting consent to any development—
 - (a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

- (6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—
- (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
 - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.
- (9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—
- (a) notify the Heritage Council about the application, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) **Conservation incentives** The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance,

even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

5.11 Bush fire hazard reduction

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

Note—

The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

5.12 Infrastructure development and use of existing buildings of the Crown

- (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under *State Environmental Planning Policy (Infrastructure) 2007*.
- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

5.13 Eco-tourist facilities

[Not applicable]

5.14 Siding Spring Observatory—maintaining dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones

[Not applicable]

5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations

[Not applicable]

5.18 Intensive livestock agriculture

[Not applicable]

5.19 Pond-based, tank-based and oyster aquaculture

(1) **Objectives** The objectives of this clause are as follows—

- (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced,
- (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development.

(2) **Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent** The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—

- (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,
- (b) in the case of—
 - (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and
 - (ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and
 - (iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and

- (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.
- (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.
- (4) **Extensive pond-based aquaculture permitted without consent in certain zones**
Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—
- (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and
- (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.
- (5) **Oyster aquaculture—additional matters that consent authority must consider in determining a development application** In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—
- (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and
- (b) the *NSW Oyster Industry Sustainable Aquaculture Strategy*.
- (6) **Oyster aquaculture permitted without consent in priority oyster aquaculture areas**
Development for the purpose of oyster aquaculture may be carried out without development consent—
- (a) on land that is wholly within a priority oyster aquaculture area, or
- (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.
- (7) **Definitions** In this clause—

aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the *Fisheries Management Act 1994*.

extensive aquaculture has the same meaning as in the *Fisheries Management (Aquaculture) Regulation 2017*.

NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary

Industries (within the Department of Industry).

priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the *NSW Oyster Industry Sustainable Aquaculture Strategy*, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.

Part 6 Additional local provisions

6.1 Acid sulfate soils

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
- (2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the [Acid Sulfate Soils Map](#) as being of the class specified for those works.

Class of land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—

- (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and
 - (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—
- (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
 - (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
 - (c) minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if—
- (a) the works involve the disturbance of less than 1 tonne of soil, and
 - (b) the works are not likely to lower the watertable.

6.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless—
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.
- (3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Note—

The [National Parks and Wildlife Act 1974](#), particularly section 86, deals with harming Aboriginal objects.

6.3 Flood planning

- (1) The objectives of this clause are as follows—
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to—
 - (a) land identified as “Flood planning area” on the [Flood Planning Map](#), and
 - (b) other land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
 - (a) is compatible with the flood hazard of the land, and
 - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and

- (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause—
- flood planning level*** means the level of a 1:100 ARI (average recurrent interval) flood event, plus 0.5 metre freeboard.

6.4 Limited development on foreshore area

- (1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.
- (2) Development consent must not be granted for development on land in foreshore area 12 unless the development is for the purposes of—
 - (a) the extension, alteration or rebuilding of an existing building that is wholly or partly in foreshore area 12, or
 - (b) a boat shed, sea retaining wall, wharf, slipway, jetty, waterway access stairs, swimming pool or fence.
- (3) Development consent must not be granted for the purposes of a residential flat building or multi dwelling housing on land in foreshore area 30 unless the development is for the purposes of the extension, addition, alteration or rebuilding of an existing building that is wholly or partly in foreshore area 30.
- (4) Development consent must not be granted under subclause (2) or (3) unless the consent authority is satisfied that—
 - (a) the development will contribute to achieving the objectives for the zone in which the land is located, and
 - (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
 - (c) the development will not cause environmental harm such as—
 - (i) pollution or siltation of the waterway, or

- (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or
 - (iii) an adverse effect on drainage patterns, and
 - (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and
 - (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
 - (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained,
 - (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area—the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.
- (5) In deciding whether to grant development consent for development under this clause, the consent authority must consider whether and to what extent the development would encourage the following—
- (a) continuous public access to and along the foreshore through or adjacent to the proposed development,
 - (b) public access to link with existing or proposed open space,
 - (c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,
 - (d) public access to be located above the mean high water mark,
 - (e) the reinforcing of the foreshore character and respect for existing environmental conditions.
- (6) In this clause—

foreshore area 12 means the land that is between a line that is landward of, and surveyed by a registered surveyor as being 12 metres from, the mean high water mark of the nearest natural waterbody shown on the [Foreshore Building Line Map](#) and that mean high water mark.

foreshore area 30 means the land that is between a line that is landward of, and surveyed by a registered surveyor as being 30 metres from, the mean high water mark of the nearest natural waterbody shown on the [Foreshore Building Line Map](#) and that mean high water mark.

6.5 Particular dual occupancy subdivisions must not be approved

- (1) Development consent must not be granted for a subdivision that would create separate titles for each of the 2 dwellings resulting from a dual occupancy development.
- (2) This clause does not apply in relation to a subdivision under—
 - (a) the *Community Land Development Act 1989*, or
 - (b) the *Strata Schemes (Freehold Development) Act 1973*.

6.6 Use of existing non-residential buildings in residential zones

- (1) The objective of this clause is to enable buildings and land in a residential zone to be developed for non-residential purposes only in certain circumstances.
- (2) This clause applies to development on land in a residential zone.
- (3) Despite any other provision of this Plan, development consent must not be granted to development to which this clause applies for the purposes of business premises, a community facility, an information and education facility, office premises, a public administration building or a shop unless—
 - (a) the whole or part of the development has a history of a lawfully commenced non-residential use, whether or not that use has been discontinued, abandoned or interrupted, and
 - (b) the whole or part of the development was originally lawfully carried out with a non-residential design or was lawfully altered or adopted to a non-residential design, and
 - (c) the consent authority is satisfied that the development—
 - (i) will not adversely affect the enjoyment by an occupier of the land adjoining or in the neighbourhood of the land on which the development is situated, and
 - (ii) if located in a heritage conservation area—will not adversely affect the heritage significance of the building in which, or the land on which, the development is situated, or the heritage conservation area.
- (4) **Exception—Office premises on land at 190-200 Boundary Street, Paddington** Despite subclause (3), development for the purpose of office premises is permitted with development consent on the following land if the consent authority is satisfied that the development is ancillary to and associated with St Vincent's Private Hospital—
 - (a) 190 Boundary Street, Paddington, being Lot 3, DP 223679,
 - (b) 192 Boundary Street, Paddington, being Lot 2, DP 223679,

- (c) 194 Boundary Street, Paddington, being Lot 1, DP 223679,
- (d) 196–200 Boundary Street, Paddington, being Lot 3, DP 84504.

6.7 Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.
- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following—
 - (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land—
 - (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or
 - (ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,
 - (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children—
 - (i) that adjoins the development, or
 - (ii) that can be viewed from the development, or
 - (iii) from which a person can view the development.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 104 Manning Road, Double Bay

- (1) This clause applies to land at 104 Manning Road, Double Bay, being Lot 1, DP 84273.
- (2) Development for the purpose of a vehicle body repair workshop and vehicle repair station are permitted with development consent.

2 Use of certain land at 3 South Avenue, Double Bay

- (1) This clause applies to land at 3 South Avenue, Double Bay, being Lot 1, DP 533101.
- (2) Development for the purpose of an office premises is permitted with development consent.

3 Use of certain land at 51 William Street, Double Bay

- (1) This clause applies to land at 51 William Street, Double Bay, being SP 64429.
- (2) Development for the purpose of an office premises or a shop is permitted with development consent.

4 Use of certain land at 30 Alma Street, Paddington

- (1) This clause applies to land at 30 Alma Street, Paddington, being Lot 2, DP 1114604.
- (2) Development for the purpose of a restaurant or cafe is permitted with development consent, but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with recreation facilities (indoor) or recreation facilities (outdoor).

5 Use of certain land at 241A and 241B Glenmore Road, Paddington

- (1) This clause applies to land at 241A and 241B Glenmore Road, Paddington, being Lots 4 and 5, DP 111231.
- (2) Development for the purpose of a shop is permitted with development consent.

6 Use of certain land at 257 Glenmore Road, Paddington

- (1) This clause applies to land at 257 Glenmore Road, Paddington, being Lot 1, DP 229634.
- (2) Development for the following purposes is permitted with development consent if the development is located on the ground floor—
 - (a) restaurant or cafe,
 - (b) take away food and drink premises.

7 Use of certain land at 400 Glenmore Road, Paddington

- (1) This clause applies to land at 400 Glenmore Road, Paddington, being SP 39751 and SP 68357.
- (2) Development for the purpose of serviced apartments is permitted with development consent.

8 Use of certain land at 25 Hampden Street, Paddington

- (1) This clause applies to land at 25 Hampden Street, Paddington, being Lots 102–106, DP 1783.
- (2) Development for the purpose of a warehouse or distribution centre is permitted with development consent.

9 Use of certain land at 13-21 Macdonald Street, Paddington

- (1) This clause applies to land at 13-21 Macdonald Street, Paddington, being SP 62412.
- (2) Development for the purpose of a commercial premises is permitted with development consent, but only as part of a mixed use development.

10 Use of certain land at 9 Marine Parade, Watsons Bay

- (1) This clause applies to land at 9 Marine Parade, Watsons Bay, being Lot 1, DP 975647 and Lot 4, DP 975647.
- (2) Development for the purpose of a function centre is permitted with development consent.

11 Use of certain land at 3 Military Road, Watsons Bay

- (1) This clause applies to land at 3 Military Road, Watsons Bay, being Lot 1, DP 75686.
- (2) Development for the purpose of a restaurant or cafe is permitted with development consent.

12 Use of certain land at 11 Ocean Street, Woollahra

- (1) This clause applies to land at 11 Ocean Street, Woollahra, being Lot 2, DP 189813.
- (2) Development for the purpose of a place of public worship is permitted with development consent but only if the consent authority is satisfied that the activities proposed—
 - (a) will only have a minimal environmental impact, and
 - (b) are ancillary to and associated with Emanuel Synagogue at 7-9 Ocean Street, Woollahra.

13 Use of certain land at 63-65 Ocean Street, Woollahra

- (1) This clause applies to land at 63-65 Ocean Street, Woollahra, being Lot 1, DP 83028.
- (2) Development for the purpose of a function centre is permitted with development consent.

14 Use of certain land at 39 Vernon Street, Woollahra

- (1) This clause applies to land at 39 Vernon Street, Woollahra, being Lot 1, DP 90999 and Lot 1, DP 729315.
- (2) Development for the purpose of a service station is permitted with development consent.

15 Use of certain land at 636 and 638-646 New South Head Road, Rose Bay

- (1) This clause applies to land at 636 and 638-646 New South Head Road, Rose Bay, being SP 22533 and Lot A, DP 393087, respectively.
- (2) Development for the purpose of a residential flat building is permitted with development consent, but only if the building is part of a mixed use development.

16 Use of certain land at 16-18 Dover Road, Rose Bay

- (1) This clause applies to land at 16-18 Dover Road, Rose Bay, being Lots 7 and 8, DP 79286.
- (2) Development for the purpose of a residential flat building is permitted with development consent, but only if the building is part of a mixed use development.

Schedule 2 Exempt development

(Clause 3.1)

Note 1—

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2—

Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Display of goods on footways

- (1) Must be associated with an approved commercial use on the adjoining land.
- (2) Must be on a public road within the meaning of the *Roads Act 1993*.
- (3) Must have a current approval under item 2 of Part E of the Table to section 68 of the *Local Government Act 1993*.

Signage—building identification signs and wall signs (including painted wall signs) in heritage conservation areas or on heritage items (general requirements)

- (1) Must be affixed to buildings that have been lawfully constructed and must relate to the uses that have been lawfully established.
- (2) Must not extend over any architectural decorative feature on the building or structure.
- (3) Must not use primary colours as background colours.
- (4) Must not be fixed directly to sandstone or face brickwork (but, may be fixed to the mortar joints).

- (5) Must not demolish any part of the building or structure to accommodate the sign.
- (6) Must not be animated, flashing, illuminated or moving.
- (7) Must not cover mechanical ventilation or outlets.
- (8) Must be of a professional standard, structurally and in its finish, and be installed in accordance with the manufacturer's specifications, if applicable.
- (9) Must be securely fixed to the building in accordance with—
 - (a) AS/NZS 1170.0:2002, *Structural design actions, Part 0:General principles*, and
 - (b) AS/NZS 1170.2:2011, *Structural design actions, Part 2:Wind actions*.

Signage—building identification signs in heritage conservation areas or on heritage items

- (1) Must meet the general requirements for such signs.
- (2) Must only be constructed or installed in a business zone or on commercial premises in a residential zone.
- (3) Maximum 1 sign displayed on each street frontage.
- (4) Maximum area—2.5m².
- (5) Must be mounted flat against an exterior wall or parapet and not protrude more than 300mm from the face of the wall or parapet.
- (6) Must not be higher than—
 - (a) the parapet or eaves of the building, or
 - (b) 15m above ground level (existing),whichever is the lower.
- (7) Must only contain the building name and street number.
- (8) Must not cover any door or window.

Signage—wall signs (including painted wall signs) in heritage conservation areas or on heritage items

- (1) Must meet the general requirements for such signs.
- (2) Must only be constructed or installed in a business zone or on commercial premises in a residential zone.
- (3) Must not be constructed or installed on a heritage item or draft heritage item.

- (4) Maximum 1 sign per building.
- (5) Maximum area—2.5m².
- (6) Must not protrude more than 150mm from the face of a wall.
- (7) Must only contain the following—
 - (a) the name and general nature of the business,
 - (b) the street number,
 - (c) the name of the proprietor or business (or both),
 - (d) one trademark or trade name (or both) of one commodity sold on the premises,
 - (e) one commodity sold on the premises.
- (8) If a painted sign—must not be applied to any original face brickwork, sandstone, terracotta or glazed or tessellated tiling that is traditionally unpainted or unfinished by other mediums.

Temporary use of council land

Note—

If on community land, the use may need to be approved under Division 2 of Part 2 of Chapter 6 of the [Local Government Act 1993](#).

If on a public road, the use may need to be approved under section 138 of the [Roads Act 1993](#).

- (1) Must be of land owned by, or under the care or control of, the Council.
- (2) Must not be used for more than 52 days (whether or not consecutive) in any 12-month period.

Schedule 3 Complying development

(Clause 3.2)

Note—

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy.

Part 1 Types of development

(When this Plan was made this Part was blank)

Part 2 Complying development certificate conditions

Note—

Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan.

General conditions

Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description
Nil	

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Nil		

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description
Nil	

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item no
Bellevue Hill	Bus stop shelter	Balfour Road, at intersection with Latimer Road	Road reserve	Local	1

Bellevue Hill	Bus stop shelter	Balfour Road, at intersection with Plumer Road	Road reserve	Local	2
Bellevue Hill	Bus stop shelter	Bellevue Road, near intersection with Kambala Road	Road reserve	Local	4
Bellevue Hill	Bus stop shelter	Bellevue Road, opposite intersection with Rivers Street	Road reserve	Local	5
Bellevue Hill	3 Kauri Pines	177 Bellevue Road	SP 27; SP 323; SP 2589	Local	3
Bellevue Hill	St. Stephen's Anglican Church—church and interiors	1 Bellevue Park Road	Lot 1, DP 199382	Local	6
Bellevue Hill	"Ben Ledi"—house, interiors and grounds	1A Bellevue Park Road	Lot A, DP 157837	Local	7
Bellevue Hill	Bus stop shelter	Birriga Road, opposite intersection with Benelong Crescent	Road reserve	Local	8
Bellevue Hill	2 Norfolk Island Pines	Birriga Road, within Bellevue Hill Public School	Lot 1, DP 797470; Lot 1, DP 797471; Lot 1, DP 797472; Lot 1, DP 797473; Lot 1, DP 797476	Local	9
Bellevue Hill	"Dalkeith"—residential flat building and interiors, garages, stone paving, brick and stone retaining walls and stairs—Birriga Road heritage item group (see also 40A and 40B Birriga Road)	40 Birriga Road	SP 873	Local	10
Bellevue Hill	"Exeter"—residential flat building and interiors, garages, stone paving, brick and stone retaining walls and stairs—Birriga Road heritage item group (see also 40 and 40B Birriga Road)	40A Birriga Road	SP 14617	Local	11

Bellevue Hill	“Warrington”—residential flat building and interiors, garages, stone paving, brick and stone retaining walls and stairs— Birriga Road heritage item group (see also 40 and 40A Birriga Road)	40B Birriga Road	Lot 63, Section C, DP 7658	Local	12
Bellevue Hill	“Cumberland”—residential flat building and interiors, dwarf brick walls, paving and grounds— Birriga Road heritage item group no 2 (see also 81A Birriga Road)	81 Birriga Road	Lot 15, Section A, DP 7658	Local	13
Bellevue Hill	“Westmoreland”—residential flat building and interiors, dwarf brick walls, paving and grounds—Birriga Road heritage item group no 2 (see also 81 Birriga Road)	81A Birriga Road	Lot 14, Section B, DP 7658	Local	14
Bellevue Hill	“Beaulieu”—house and interiors, front garden and fence, gateposts, gates	73 Bulkara Road	Lot 1, DP 853434	Local	15
Bellevue Hill	“Bundarra”—house, interiors and grounds	7 Bundarra Road	Lot 28, Section H, DP 8103	Local	16
Bellevue Hill	“Rothesay”—house and interiors, front garden	3 Cranbrook Road	Lot 2, DP 633304	Local	19
Bellevue Hill	Norfolk Island Pine	11 Cranbrook Lane (also known as 21-23 Cranbrook Road)	Lot 1, DP 127457; Lot 1, DP 926402	Local	17
Bellevue Hill	“St. Clair”—house and interiors	13-15 Cranbrook Lane (also known as 25-27 Cranbrook Road)	Lot 1, DP 569290	Local	18
Bellevue Hill	Norfolk Island Pine	21-23 Cranbrook Road (also known as 11 Cranbrook Lane)	Lot 1, DP 127457; Lot 1, DP 926402	Local	17
Bellevue Hill	“St. Clair”—house and interiors	25-27 Cranbrook Road (also known as 13-15 Cranbrook Lane)	Lot 1, DP 569290	Local	18
Bellevue Hill	“Allala”—house and interiors, gateposts, gate	26 Cranbrook Road	Lot 1, DP 303469; Lot A, DP 305133	Local	20

Bellevue Hill	House and interiors	65 Cranbrook Road	Lot 1, DP 126139	Local	21
Bellevue Hill	Building and interiors (part of The Scots College, 29-53 Victoria Road)	71 Cranbrook Road	Lot 1, DP 929570	Local	22
Bellevue Hill	Tudor Lodge—house and interiors, garage, flagged driveway, paths and stone wall to Fairfax Road	6 Fairfax Road	Lot 7, DP 13051	Local	23
Bellevue Hill	House, interiors and grounds	10 Fairfax Road	Lot 4, DP 325739	Local	24
Bellevue Hill	“Lincluden”—residential flat building and interiors, sandstone retaining wall and balustrade	12 Fairfax Road	SP 10439	Local	25
Bellevue Hill	“Chislehurst”—residential flat building, interiors and grounds	22 Fairfax Road	Lot 1, DP 87937	Local	26
Bellevue Hill	“Rona”—house and interiors	49-51 Fairfax Road (also known as 2 and 6 Ginahgulla Road)	Lot 1, DP 527861; Lot 100, DP 1156148	Local	27
Bellevue Hill	4 Canary Island Date Palms, Date Palm, Queen Palm	Foster Avenue, within road reserve	Road reserve	Local	28
Bellevue Hill	Former stables to “Rona” and interiors, Norfolk Island Pine, Kauri Pine, <i>Ficus Sp.</i>	2 Ginahgulla Road	Lot 100, DP 1156148	Local	29
Bellevue Hill	“Rona”—house and interiors	2 and 6 Ginahgulla Road (also known as 49-51 Fairfax Road)	Lot 1, DP 527861; Lot 100, DP 1156148	Local	27
Bellevue Hill	Kauri Pine	4 Ginahgulla Road	Lot 8, DP 21660	Local	30
Bellevue Hill	Norfolk Island Pine	8A Ginahgulla Road	Lots 1 and 2, DP 527862	Local	31
Bellevue Hill	“Tralee”—house and interiors, garden, pine trees (including a Bunya Pine, Norfolk Island Pine)	9 Ginahgulla Road	SP 208	Local	32
Bellevue Hill	House and interiors, forecourt, front fencing	12 Ginahgulla Road	Lot 4, DP 17469	Local	33

Bellevue Hill	“Caerleon”—house and interiors, grounds, gardens, gateposts, gates, Norfolk Island Pine, Kauri Pine, Bunya Pine, 2 Camphor Laurels	13-15 Ginahgulla Road (also known as 81 Kambala Road)	Lots 6 and 7, DP 220416; Lot 1, DP 603713	Local	35
Bellevue Hill	House and interiors, forecourt, front fencing	14 Ginahgulla Road	Lot 5, DP 17469	Local	34
Bellevue Hill	Kauri Pine	16 Ginahgulla Road	Lot 6, DP 17469	Local	36
Bellevue Hill	“Fairfax House” (part of The Scots College, 29-53 Victoria Road)—building and interiors, remnant north-west gardens, stone works, fountain, 2 Norfolk Island Pines, Kauri Pine, Cook Pine, Hoop Pine, 8 Moreton Bay Figs, 7 Port Jackson Figs	17 Ginahgulla Road	Lot B, DP 109676	Local	37
Bellevue Hill	4 Canary Island Date Palms, 4 Wine Palms, Cliff Date Palm	Holland Road, within road reserve	Road reserve	Local	38
Bellevue Hill	3 Canary Island Date Palms	Kambala Road, within road reserve	Road reserve	Local	40
Bellevue Hill	“The Provost” (or Ancher) House—house and interiors	65 Kambala Road (also known as 1 Rupertswood Avenue)	Lot 6, DP 666586	Local	39
Bellevue Hill	“Caerleon”—house and interiors, grounds, gardens, gateposts, gates, Norfolk Island Pine, Kauri Pine, Bunya Pine, 2 Camphor Laurels	81 Kambala Road (also known as 13-15 Ginahgulla Road)	Lots 6 and 7, DP 220416; Lot 1, DP 603713	Local	35
Bellevue Hill	“Phillip Court”— residential flat building, interiors and grounds— Latimer Road heritage item group (see also 101 O’Sullivan Road)	1 Latimer Road	SP 11211	Local	41
Bellevue Hill	“Villa D’Este”—house and interiors, stone retaining wall	549 New South Head Road (also known as 1A Victoria Road)	Lot B, DP 333226; Lot B, DP 320310	Local	42

Bellevue Hill	“Wirian”—house and interiors, stone fences, retaining walls and gateposts	551 New South Head Road (also known as 3 Victoria Road)	Lot A, DP 186768	Local	43
Bellevue Hill	Cranbrook School—the buildings, including their interiors, known as “Cranbrook”; “Harvey House”; “Perkins Building” (junior school); Sick Bay; Headmaster’s House; Rotunda (sports pavilion); the 2-storey sandstone building (formerly gatehouse); sandstone retaining wall with balustrade and stairway on north-west terrace of Cranbrook; gates, gateposts, bollards and stone retaining wall to Victoria Road; sandstone fence and retaining wall to New South Head Road; 4 sets of sandstone gateposts with iron gates to New South Head Road; 2 Hoop Pines, 3 Norfolk Island Pines, Kauri Pine, Black Booyong, Port Jackson Fig, Chilean Wine Palm	555 New South Head Road (also known as Victoria Road)	Lots 9-18, SP 9005; Lot 1, DP 663630; Lot B, DP 186788; Lot C, DP 186768; Lot 1, DP 43137	Local	44
Bellevue Hill	3 Washington Palms, Cliff Date Palm, 4 Canary Island Date Palms	Northland Road, within road reserve	Road reserve	Local	45
Bellevue Hill	“Avalon”—residential flat building, interiors and grounds	97 O’Sullivan Road	SP 458	Local	46
Bellevue Hill	“Beresford Court”—residential flat building, interiors and grounds—Latimer Road heritage item group (see also 1 Latimer Road, Bellevue Hill)	101 O’Sullivan Road	SP 684	Local	47

Bellevue Hill	Residential flat building, interiors and grounds—O’Sullivan Road heritage item group (see also 277 O’Sullivan Road, Bellevue Hill)	275 O’Sullivan Road	SP 992	Local	48
Bellevue Hill	Residential flat building, interiors and grounds—O’Sullivan Road heritage item group (see also 275 O’Sullivan Road, Bellevue Hill)	277 O’Sullivan Road	SP 10196	Local	49
Bellevue Hill	Residential flat building and interiors, shops, garage and grounds	285 O’Sullivan Road	Lot 1, DP 166572	Local	50
Bellevue Hill	7 Canary Island Date Palms, 2 Washington Palms	Rose Bay Avenue, within road reserve	Road reserve	Local	53
Bellevue Hill	House and interiors, gardens, trees	1 Rose Bay Avenue	Lot 7, DP 9005	Local	51
Bellevue Hill	House and interiors, gardens, front stone wall	5 Rose Bay Avenue	Lot 5, DP 9005	Local	52
Bellevue Hill	“The Provost (or Ancher) House”—house and interiors	1 Rupertswood Avenue (also known as 65 Kambala Road)	Lot 6, DP 666586	Local	39
Bellevue Hill	“Danbury”—house and interiors, gateposts, gates	7 Rupertswood Avenue	Lot 5, DP 37517	Local	54
Bellevue Hill	Kauri Pine	4 Sheldon Place	Lot 16, DP 27437	Local	55
Bellevue Hill	Brick sewer vent chimney	Streatfield Road	Lot 1, DP 745255	Local	56
Bellevue Hill	Chinese Windmill Palm, Canary Island Date Palm	Streatfield Road, (within road reserve adjacent 40 and 41)	Road reserve	Local	57
Bellevue Hill	American Cotton Palm	Suttie Road, (within road reserve in front of 28)	Road reserve	Local	58
Bellevue Hill	“Silchester”— residential flat building and interiors, outbuildings, gardens, courtyards, stone works	4 Trahlee Road	Lot 2A, DP 331502	Local	59

Bellevue Hill	House and interiors	5-7 Trahlee Road	Lots 1 and 2, DP 622090	Local	60
Bellevue Hill	Concrete horse trough	Victoria Road, intersection with Bellevue Road	Road reserve	Local	70
Bellevue Hill	Cranbrook School—the buildings, including their interiors, known as “Cranbrook”; “Harvey House”; “Perkins Building” (junior school); Sick Bay; Headmaster’s House; Rotunda (sports pavilion); the 2 storey sandstone building (formerly gatehouse); sandstone retaining wall with balustrade and stairway on north-west terrace of Cranbrook; gates, gateposts, bollards and stone retaining wall to Victoria Road; sandstone fence and retaining wall to New South Head Road; 4 sets of sandstone gateposts with iron gates to New South Head Road; 2 Hoop Pines, 3 Norfolk Island Pines, Kauri Pine, Black Booyong, Port Jackson Fig, Chilean Wine Palm	Victoria Road (also known as 555 New South Head Road)	Lots 9-18, DP 9005; Lot 1, DP 663630; Lot B, DP 186788; Lot C, DP 186768; Lot 1, DP 43137	Local	44
Bellevue Hill	“Throlze”—house and interiors, stone retaining wall	1 Victoria Road	Lot A, DP 333226	Local	61
Bellevue Hill	“Villa D’Este”—house and interiors, stone retaining wall	1A Victoria Road (also known as 549 New South Head Road)	Lot B, DP 333226; Lot B, DP 320310	Local	42
Bellevue Hill	Wirian—house and interiors, stone fences, retaining walls and gateposts	3 Victoria Road (also known as 551 New South Head Road)	Lot A, DP 186768	Local	43
Bellevue Hill	House and interiors, retaining walls	4 Victoria Road	SP 63173	Local	62
Bellevue Hill	“Thaxted”—house and interiors, retaining walls	6 Victoria Road	Lot A and B, DP 446360	Local	63

Bellevue Hill	“Bonnington”—house and interiors, sandstone retaining wall and fences, Hill’s Weeping Fig	8 Victoria Road	Lot 1, DP 17469	Local	64
Bellevue Hill	“Leura”—house and interiors, grounds, gardens, inner gateposts and gates	24 Victoria Road	Lot 5, DP 23041; Lot X, DP 411996	State	65
Bellevue Hill	House and interiors	27 Victoria Road	Lot 15–16, DP 14952	Local	66
Bellevue Hill	The Scots College—the building known as “Aspinall House” and interiors, with palm trees, sandstone gateposts (3 sets), gate and fencing to Victoria Road, and the adjoining stone wall surmounted by iron railing; the school building with clock-tower and interiors	29–53 Victoria Road	Lots 10–13, DP 14952; Lot 1, DP 231713; Lot 1, DP 929570; Lot 1, DP 663629; Lot 1, DP 1064059	Local	67
Bellevue Hill	“Barford”—house and interiors, gardens; gates and gateposts off Victoria Road and off Rupertswood Avenue	58 Victoria Road	Lot 23, DP 1009536	Local	68
Bellevue Hill	“Godsall”—house and interiors	125 Victoria Road	Lot C, DP 372239	Local	69
Bellevue Hill	Residential flat building, interiors and grounds—Victoria Road heritage item group (see also 167 Victoria Road, Bellevue Hill)	165 Victoria Road	SP 21226	Local	71
Bellevue Hill	Residential flat building, interiors and grounds—Victoria Road heritage item group (see also 165 Victoria Road, Bellevue Hill)	167 Victoria Road	SP 722	Local	72
Bellevue Hill	“Glamis”—residential flat building and interiors, front boundary wall, entry link and grounds	206A Victoria Road	Lot 1, DP 1114059	Local	73
Bellevue Hill	3 Washington Palms	Vivian Street (within road reserve)	Road reserve	Local	74

Bellevue Hill	2 Canary Island Date Palms	Warren Road (within road reserve)	Road reserve	Local	75
Bellevue Hill	Street name inlays	Various		Local	671
Darling Point	“Cloncorrick”—house and interiors, street fencing	1 Annandale Street (also known as 32 Darling Point Road)	SP 60261	Local	76
Darling Point	“Balgowan”—house, interiors and grounds	8 Annandale Street	Lot 2, DP 597210	Local	77
Darling Point	9 Canary Island Date Palms, Cook Pine	Bennett Avenue (within road reserve)	Road reserve	Local	79
Darling Point	“Callooa”—house and interiors, gardens	5 Bennett Avenue	Lot 1, DP 939662	Local	78
Darling Point	Entrance gateposts to Carthona Avenue, corner of Darling Point Road	Carthona Avenue	Road reserve	Local	83
Darling Point	“Lindesay”—building and interiors, summer house, grounds, 6 London Plane trees, Hoop Pine	1A Carthona Avenue	Lot 2, DP 205005	State	80
Darling Point	“Neidpath”—house, interiors and grounds	2 Carthona Avenue	Lot 1, DP 171114	Local	81
Darling Point	“Carthona”—house and interiors, grounds, gates, gateposts, flanking wall, iron works, Moreton Bay Fig and Norfolk Island Pine	5 Carthona Avenue	Lot 1, DP 940879; Lot 1, DP 718816	Local	82
Darling Point	St. Marks Anglican Church—church and interiors, Parish Hall and interiors, Scout Hall and interiors, Gardens of Remembrance, sandstone retaining walls, steps and gateposts, gates, street fencing	Darling Point Road	Lot 1, DP 1033255	Local	95
Darling Point	Concrete balustrade	Darling Point Road, near intersection with New South Head Road	Road reserve	Local	114

Darling Point	“Wavenal”—building and interiors	12 Darling Point Road	Lot 23, DP 4294	Local	84
Darling Point	“Barbiston”—residential flat building and interiors, grounds and sandstone wall to street	14A Darling Point Road (also known as 33A Mona Road)	SP 11388	Local	85
Darling Point	“Kardinia”—house, interiors and grounds	28 Darling Point Road	Lot A, DP 380659	Local	86
Darling Point	“Cloncorrick”—house, interiors and street fencing	32 Darling Point Road (also known as 1 Annandale Street)	SP 60261	Local	76
Darling Point	“Duntrim”—building and interiors (formerly a house) and grounds, including a Norfolk Island Pine	37 Darling Point Road	Lot A, DP 108600	Local	87
Darling Point	Building and interiors	42 Darling Point Road	Lot 1, DP 119705	Local	88
Darling Point	Building and interiors	44–46 Darling Point Road	SP 12295	Local	89
Darling Point	“Leamington”—building including interior	48 Darling Point Road,	Lot 3, DP 5147	Local	90
Darling Point	St. Marks Church Rectory—building and interiors, outbuildings, grounds, gardens, stone fence, gateposts, gate	53 Darling Point Road	Lot 1, DP 1034149	Local	91
Darling Point	Gateposts to former house Denholm— Goomerah Crescent/Yarranabbe Road/Darling Point Road heritage item group (see also 9 Goomerah Crescent and 28 Yarranabbe Road)	54 Darling Point Road	SP 6516	Local	92
Darling Point	“Cleveland”—house, including interior, grounds, garden, street stone fencing, Hoop Pine, Bunya Pine, 5 Bangalow Palms, 2 Washington Palms	56 Darling Point Road	Lot 13–15, DP 1125	Local	93
Darling Point	House and interiors, grounds, gateposts and steps, front fencing	57 Darling Point Road	Lot B, DP 419413	Local	94

Darling Point	2 Washington Palms	58-64 Darling Point Road	SP 8376	Local	97
Darling Point	St. Marks Cottage— building and interiors, sandstone retaining walls	59 Darling Point Road	Lot 2, DP 551733	Local	96
Darling Point	“Lindisfarne”— semi-detached house and interiors, front fencing	67 Darling Point Road	Lot 1, DP 77073	Local	98
Darling Point	“Swifts”—building and interiors, outbuildings, grounds, gardens, sandstone fences and retaining walls, garden terraces, gateposts, gates, sculptures, 2 Moreton Bay Figs, Lemon-scented Gum, Bunya Pine, Norfolk Island Pine	68 Darling Point Road	Lot 2, DP 221605	State	99
Darling Point	“Lorne”—semi-detached house and interiors	69 Darling Point Road	Lot 1, DP 731660	Local	100
Darling Point	“Trebenna”—Roskear house and interiors	71-73 Darling Point Road	Lot 1, DP 781050; Lot 1, DP 75246	Local	101
Darling Point	“Craigend”—house and interiors, grounds, gardens, stoneworks, Norfolk Island Pine, Pak-Lan, 10 Queen Palms, 11 Kentia Palms, Curly Palm	86 Darling Point Road	Lot 1, DP 329279; Lot 15, DP 1082839; Lot 1, DP 430836	Local	102
Darling Point	Babworth House—building including interiors, grounds, gardens, gateposts to Darling Point Road, Small-Leaved Fig	103 Darling Point Road (also known as Mount Adelaide Street)	Lot 15, DP 270253; Lot 1, DP 270253; SP 70612	State	103
Darling Point	Sandstone, brick and iron fencing to part of former grounds of Babworth House estate	105A Darling Point Road	SP 2501	Local	104
Darling Point	House and interiors, front fencing	133-135 Darling Point Road	Lot B, DP 442710; Lot A, DP 442710	Local	105
Darling Point	Semi-detached house and interiors, front fencing	137 Darling Point Road	Lot 1, DP 183190	Local	106
Darling Point	Semi-detached house and interiors, front fencing	139 Darling Point Road	Lot 1, DP 172038	Local	107

Darling Point	Semi-detached house and interiors, front fencing	141 Darling Point Road	Lot B, DP 316619	Local	108
Darling Point	Semi-detached house and interiors, front fencing	143 Darling Point Road	Lot A, DP 316619	Local	109
Darling Point	Stone boundary wall to Carthona Avenue	153 Darling Point Road	Lot B, DP 308161	Local	110
Darling Point	Stone boundary wall to Carthona Avenue	155 Darling Point Road	Lot A DP 308161	Local	111
Darling Point	Fence, gates and foundation remains of former house "Canonbury", located within McKell Park (see also listing under Part 3—archaeological sites)	159 Darling Point Road	Lot 7051, DP 93654; Lot 1553, DP 752011	Local	112
Darling Point	Remains of Bath House and site of jetty	159 Darling Point Road	Lot 7051, DP 93654; Lot 1553, DP 752011	Local	113
Darling Point	House, interiors and grounds	7 Eastbourne Road	Lot 1, DP 88878	Local	115
Darling Point	Etham Cottage—house and interiors, front fencing	11 Eastbourne Road	Lot 1, DP 586171	Local	116
Darling Point	Grounds of Babworth House estate	14A-D, 27 and 29 Eastbourne Road (also known as 5-7 Mitchell Road)	Lots 5-7, 10-14, 16 and 17, DP 270253	State	117
Darling Point	Kendall Lodge—house, interiors and grounds	15 Eastbourne Road	Lot 2, DP 14737	Local	118
Darling Point	Moreton Bay Fig	21 Eastbourne Road	Lot A, DP 345574	Local	119
Darling Point	"Chiltern"—house and interiors, Cook Pine and grounds	23 Eastbourne Road	Lot A, DP 324520	Local	120
Darling Point	House and interiors, gardens	25 Eastbourne Road	Lot B, DP 324520	Local	121
Darling Point	House, interiors and grounds	9 Etham Avenue	Lot 27, DP 3864	Local	122
Darling Point	Residential flat building, interiors and grounds	32 Etham Avenue	SP 2761; SP 14040	Local	123

Darling Point	House, interiors and grounds—Etham Avenue heritage item group (see also 39, 41 Etham Avenue)	37 Etham Avenue	Lot A, DP 110549	Local	124
Darling Point	House, interiors and grounds—Etham Avenue heritage item group (see also 37, 41 Etham Avenue)	39 Etham Avenue	Lot B, DP 110549	Local	125
Darling Point	House, interiors and grounds—Etham Avenue heritage item group (see also 37, 39 Etham Avenue)	41 Etham Avenue	Lot 1, DP 165386	Local	126
Darling Point	“Queenscliff”—house and interiors, front fencing	2 Goomerah Crescent	Lot B, DP 320598	Local	127
Darling Point	“Goomerah”—house and interiors	4 Goomerah Crescent	Lot 1, DP 778584	Local	128
Darling Point	Sandstone retaining walls, balustrade and rockface to the former house Denholm—Goomerah Crescent/ Yarranabbe Road/ Darling Point Road heritage item group (see also 54 Darling Point Road and 28 Yarranabbe Road)	9 Goomerah Crescent	Lot 2, DP 1036705	Local	129
Darling Point	Greenoaks Cottage—house and interiors, Bunya Pine	2E Greenoaks Avenue	Lot 22, DP 1022582	Local	130
Darling Point	Alnwick House—house and interiors, gardens, stoneworks	5 Greenoaks Avenue (also known as 11 St Mark’s Road)	Lot 3, DP 6151	Local	131
Darling Point	“Glenires”—house, interiors and grounds	10 Greenoaks Avenue	Lot 1, DP 1019931	Local	132
Darling Point	“Bishopscourt”—house and interiors, grounds, fences, gates, 3 Moreton Bay Figs, 2 Norfolk Island Pines, Camphor Laurel, gardens	11A Greenoaks Avenue	Lot 1, DP 123557	State	133
Darling Point	“Pitcalnie”—house	12 Greenoaks Avenue	Lot 2, DP 1019931	Local	134
Darling Point	House, interiors and grounds	10 Hampden Avenue	Lot 1, DP 80621	Local	135
Darling Point	House and interiors, grounds, gardens	5 Lindsay Avenue	Lot 1, DP 946954	Local	136

Darling Point	2 American Cotton Palms	Loftus Road (within road reserve)	Road reserve	Local	139
Darling Point	Residential flat building and interiors	4 Loftus Road	Lots 1-5, SP 10249	Local	137
Darling Point	Jean Colvin Hospital (former St Canice's)— buildings and interiors, retaining walls to Loftus Road and to Annandale Street	9-11 Loftus Road	Lot A, DP 406566	Local	138
Darling Point	Terrace house and interiors, front fencing	1 Marathon Avenue	Lot 11, DP 1023797	Local	140
Darling Point	Terrace house and interiors, front fencing	2 Marathon Avenue	Lot 12, DP 1023797	Local	141
Darling Point	"The Annery"— residential flat building and interiors, wall along eastern side boundary	3 Marathon Road	SP 12994	Local	145
Darling Point	Terrace house and interiors, front fencing	3 Marathon Avenue	Lot 10, DP 1023102	Local	142
Darling Point	Terrace house and interiors, front fencing	4 Marathon Avenue	Lot 11, DP 1023102	Local	143
Darling Point	"Orme"—house and interiors	5 Marathon Avenue	Lot 21, DP 1022582	Local	144
Darling Point	Retaining wall on north road boundary	Mitchell Road	Road reserve	Local	147
Darling Point	Sandstone and brick fencing, formerly part of Babworth House estate	4 Mitchell Road	SP 3478	Local	146
Darling Point	Grounds of Babworth House estate	5-7 Mitchell Road (also known as 14A-D, 27 and 29 Eastbourne Road)	Lots 5-7, 10-14, 16 and 17, DP 270253	State	117
Darling Point	Terrace house and interiors, front fencing—Mona Road heritage item group no 2 (see also 4-12 Mona Road)	2 Mona Road	Lot 1, DP 33294	Local	148
Darling Point	Mona Terrace— building and interiors	2A Mona Road	SP 44976	Local	149

Darling Point	Terrace house and interiors, except rear addition, front picket fencing—Mona Road heritage item group no 2 (see also 2, 6–12 Mona Road)	4 Mona Road	Lot 32, DP 803800	Local	150
Darling Point	Terrace house and interiors, front fencing—Mona Road heritage item group no 2 (see also 2, 4, 8–12 Mona Road)	6 Mona Road	Lot 31, DP 803800	Local	151
Darling Point	Terrace house and interiors, front fencing—Mona Road heritage item group no. 2 (see also 2–6, 10,12 Mona Road)	8 Mona Road	Lot 4, DP 33294	Local	152
Darling Point	Terrace house and interiors, front fencing, steps and balustrade	9 Mona Road	Lot 3, DP 171284	Local	153
Darling Point	Terrace house and interiors, front fencing—Mona Road heritage item group no 2 (see also 2–8, 12 Mona Road)	10 Mona Road	Lot 5, DP 33294	Local	154
Darling Point	Terrace house and interiors, front fencing, steps and balustrade	11 Mona Road	Lot 2, DP 233003	Local	155
Darling Point	Terrace house and interiors, front fencing—Mona Road heritage item group no 2 (see also 2–10 Mona Road)	12 Mona Road	Lot 6, DP 33294	Local	156
Darling Point	“Wyralla”—house and interiors, grounds and sandstone retaining wall to Mona Lane	14 Mona Road	Lot 1, DP 171686	Local	157
Darling Point	Semi-detached house and interiors, grounds, and sandstone retaining wall to street—Mona Road heritage item group (see also 17 Mona Road)	15 Mona Road	Lot 1, DP 949804	Local	158
Darling Point	Terrace house and interiors, front fencing, steps and balustrade	15A Mona Road	Lot 1, DP 1013073	Local	159

Darling Point	“Mindarraba”—house and interiors, grounds and sandstone retaining wall to Mona Lane	16 Mona Road	Lot 65, DP 4294	Local	160
Darling Point	Semi-detached house and interiors, grounds and sandstone retaining wall to street—Mona Road heritage item group (see also 15 Mona Road)	17 Mona Road	Lot 27, DP 136335	Local	161
Darling Point	“Brereton”—former house and interiors, grounds and sandstone retaining wall to Mona Lane	18 Mona Road	SP 13404	Local	162
Darling Point	“Winburn”—house and interiors, grounds and sandstone retaining wall to Mona Lane	20 Mona Road	Lot 1, DP 171237	Local	163
Darling Point	“Greycliffe Flats”—house and interiors, grounds and sandstone retaining wall to street	21 Mona Road	Lot 1, DP 1078312	Local	164
Darling Point	“Greycliffe Flats”—house and interiors, grounds and sandstone retaining wall to street	23 Mona Road	Lot 2, DP 1078312	Local	165
Darling Point	“The Grange”—residential flat building and interiors, grounds and brick retaining wall to street	25-27 Mona Road	SP 14274	Local	166
Darling Point	“Barbiston”—residential flat building and interiors, grounds and sandstone wall to street	33A Mona Road (also known as 14A Darling Point Road)	SP 11388	Local	85
Darling Point	Gwelo—former house, interiors and grounds	36A Mona Road	Lot 2, DP 342727	Local	167
Darling Point	Mona—building and interiors	38 Mona Road	Lots 1-5, SP 52886	Local	168
Darling Point	Babworth House— building including interiors, grounds, gardens, gateposts to Darling Point Road, Small-Leaved Fig	Mount Road (also known as 103 Darling Point Road)	Lot 15, DP 270253; SP 70612; Lot 1, DP 270253	State	103

Darling Point	Former gatehouse and grounds of Babworth House Estate	2 Mount Adelaide Street	Lot 4, DP 270253	State	169
Darling Point	Yarranabbe Park seawall and Rushcutters Bay Park seawall	New Beach Road and 2A New South Head Road	Part of Lots 208 and 1666, DP 752011; part of Lots 7328-7330, DP 1161999; part of Lot 7042, DP 1073879; part of Lot 7321, DP 1165813	Local	670
Darling Point	Bus stop shelter	New Beach Road intersection with Yarranabbe Road	Road reserve	Local	178
Darling Point	Sir David Martin Reserve including former HMAS Rushcutter, comprising the Sayonara slipway, ramps, sea wall, parade ground, drill hall and extension, sail loft, cottage and garden, R.A.N.S.A. boatshed and slipway, flagpole, memorial, plantation reserve, all building interiors and grounds	1C New Beach Road	Lot 1628, DP 752011; Lot 1142, DP 752011; Lot 1141, DP 752011; Part Lot 7039, DP 752011	Local	170
Darling Point	HMAS Rushcutter slipway	1C New Beach Road	Lot 1141, DP 752011	Local	171
Darling Point	Residential flat building and interiors, front garden and retaining wall	27-28 New Beach Road	SP 2023	Local	172
Darling Point	Residential flat building and interiors, front garden and retaining wall	29-30 New Beach Road	SP 2286	Local	173
Darling Point	Residential flat building and interiors, front garden and retaining wall	31-32 New Beach Road	SP 2285	Local	174
Darling Point	Residential flat building and interiors, front garden and retaining wall	33-34 New Beach Road	SP 6967	Local	175
Darling Point	Residential flat building and interiors, front garden and retaining wall	35-36 New Beach Road	SP 6968	Local	176
Darling Point	Residential flat building and interiors	37-38 New Beach Road	SP 6969	Local	177

Darling Point	“The Octagon”— building and interiors	Octagon Road	Lot 1, DP 723473	Local	179
Darling Point	“Thanet”—house and interiors, grounds and sandstone retaining walls	10 Oswald Lane	Lot 14, DP 3893	Local	180
Darling Point	“Yeomerry”—building and interiors	1 St Marks Road	Lot 10, DP 5444	Local	181
Darling Point	Alnwick House—house and interiors, gardens, stoneworks	11 St Marks Road (also known as 5 Greenoaks Avenue)	Lot 3, DP 6151	Local	131
Darling Point	House, interiors and grounds	2 Sutherland Crescent	Lot 1, DP 305986	Local	182
Darling Point	House, interiors and grounds	4 Sutherland Crescent	Lot B, DP 309161	Local	183
Darling Point	Port Jackson Fig, Bunya Pine, Kauri Pine	7 Sutherland Crescent	Lot B, DP 381758	Local	184
Darling Point	Remnant elements of Hopewood House and grounds comprising: sandstone, brick and wrought iron fence, sandstone gateposts, wrought iron gates, sandstone balustrade, retaining wall and steps, wrought iron lamp posts, brick, sandstone and timber rotundas, Moreton Bay Fig, 2 Washingtonia Palms, Senegal Date Palm, Canary Island Date Palms	13-15 Thornton Street	SP 6102; SP 2974; SP 4062; SP 63483; SP 2766	Local	185
Darling Point	Remnant elements of Hopewood House and grounds comprising: sandstone, brick and wrought iron fence, sandstone gatepost, sandstone, brick and timber rotunda, Hoop Pine, Norfolk Island Pine, Firewheel Tree, Red Apple, Queen Palm	21 Thornton Street	SP 1470; SP 2107; Lot 64, DP 21937	Local	186
Darling Point	Residential flat building and interiors	1 Yarranabbe Road	SP 49955; SP 14661	Local	187
Darling Point	Former house, interiors and grounds	5-9 Yarranabbe Road	SP 110067	Local	188

Darling Point	House, interiors and grounds	12-14 Yarranabbe Road	Lot 1, DP 5147	Local	189
Darling Point	House and interiors—Goomerah Crescent/Yarranabbe Road/Darling Point Road heritage item group (see also 54 Darling Point Road, Darling Point and 9 Goomerah Crescent, Darling Point)	28 Yarranabbe Road	Lots 1 and 2, DP 1036705; SP 6516	Local	190
Darling Point	Former grounds of Goomerah including stone retaining wall and Canary Palm	38 Yarranabbe Road	SP 50008	Local	191
Darling Point	“Strattford Hall”—residential flat building and interiors	47 Yarranabbe Road	SP 21087	Local	192
Darling Point	House and interiors	55 Yarranabbe Road	Lots A and B, DP 108761	Local	193
Darling Point	House, interiors and front fence, sandstone walls to Beverley Lane, sandstone terracing and steps	99 Yarranabbe Road	Lot 2, DP 1119754	Local	194
Darling Point	Street name inlays	Various		Local	672
Double Bay	Front fencing, palm trees (including 5 Kentia Palms, 3 Canary Island Date Palms)	71 Bay Street	Lot C, DP 305371	Local	195
Double Bay	Gateposts to Bay Street to former house “Tueila”	73A Bay Street	Lot 1, DP 864740	Local	196
Double Bay	“Banksia”—house and interiors, fig trees (including a Moreton Bay Fig)	3 Beach Street	Lot 1, DP 186141	Local	197
Double Bay	Gaden House	2A Cooper Street	Lots 11 and 12, DP 4606	Local	681
Double Bay	Terrace house and interiors, front fencing	3 Cooper Street	Lot 26, DP 974989	Local	198
Double Bay	Terrace house and interiors	5 Cooper Street	Lot 25, DP 545942	Local	199
Double Bay	Terrace house and interiors, front fencing	7 Cooper Street	Lot 24, DP 733660	Local	200
Double Bay	Terrace house and interiors, front fencing	9 Cooper Street	Lot 23, DP 548497	Local	201

Double Bay	“Hatfield”—terrace house and interiors, front fencing	11 Cooper Street	Lot 22, DP 561498	Local	202
Double Bay	Gladswood House—building and interiors	11 Gladswood Gardens	SP 58597	State	203
Double Bay	House and interiors, stone works	21 Gladswood Gardens	Lot 10, DP 14984	Local	204
Double Bay	Weeping Lilli Pilli, all Bangalow Palms (approx 30), Washingtonia Palm, Queen Palms, Cabbage Palms	5 Manning Road	Lot 6, DP 15038	Local	205
Double Bay	Bus stop shelter, former tram stop	New South Head Road, opposite intersection with Wolseley Road	Road reserve	Local	215
Double Bay	Gardens to former “Overthorpe”, including 3 Small-Leaved Figs, Coolamon or Watermelon Tree, Silver Quandong, 2 Moreton Bay Figs, Bunya Pine, Queen Palm, Cabbage Palms, 9 Canary Island Date Palms, service driveway, front retaining wall and fence, gates	337-347 New South Head Road	SP 20175	State	206
Double Bay	Vegetation associated with the gardens of the former house “Overthorpe”, including Silver Quandong, Norfolk Island Pine, Bunya Pine, rainforest specimen, Bangalow Palms, Queen Palms, Cabbage Palms	349 New South Head Road	SP 62056	Local	207
Double Bay	The Golden Sheaf Hotel and interiors	423-431 New South Head Road	Lot 2, DP 82306	Local	208
Double Bay	“Carinya”—residential flat building and interiors	470 New South Head Road	Lot 19, DP 14000	Local	209
Double Bay	Residence, interiors and upper northern terrace and the sandstone retaining wall to New South Head Road	489 New South Head Road	Lot B, DP 312738; Lot 1, DP 316911	Local	210

Double Bay	Brick entrance gatepost and iron gates to Redleaf Pool, eastern sandstone stairways to beach, grounds to Redleaf Pool, Norfolk Island Pine, 2 Kauri Pines, Hoop Pine, Seven Shillings Beach	536 New South Head Road	Lot 1, DP 972709	Local	211
Double Bay	“Redleaf”—Woollahra Council Chambers and interiors, gates, gateposts, Moreton Bay Fig, Bunya Pine	536 New South Head Road	Lot 1, DP 972709	Local	212
Double Bay	“The Annexe”—building and interiors	542 New South Head Road	Lot 1, DP 432807	Local	213
Double Bay	“St Brigids”—Woollahra Council Library and interiors, Blackburn Gardens	548 New South Head Road	Lot 1, DP 1126161	Local	214
Double Bay	3 Norfolk Island Pines, 2 Moreton Bay Figs, 2 Port Jackson Figs, Candlenut Tree	Ocean Avenue (within road reserve)	Road reserve	Local	223
Double Bay	“Ecclesbourne”— building and interiors	17 Ocean Avenue	Lot B and E, DP 373085	Local	216
Double Bay	Lacebark	21 Ocean Avenue	SP 59091	Local	217
Double Bay	Bunya Pine	22-24 Ocean Avenue	SP 749	Local	218
Double Bay	House and interiors, front fencing	28 Ocean Avenue	Lot 1, DP 594825	Local	219
Double Bay	Moreton Bay Fig	35-37 Ocean Avenue	SP 6828	Local	220
Double Bay	House and interiors	38 Ocean Avenue	Lot A, DP 374231	Local	221
Double Bay	House and interiors, excluding rear pavilion and garage	89 Ocean Avenue	Lot 61, DP 77657	Local	222
Double Bay	House and interiors, sandstone and iron fencing	8 South Avenue	Lot 1, DP 185498	Local	225
Double Bay	House and interiors, front fencing	37 South Avenue	Lot 1, DP 836535	Local	226
Double Bay	Double Bay Public School—all 19th Century buildings and interiors; gateposts	William Street	Lot 2, DP 220568	Local	228
Double Bay	Moreton Bay Fig	51 William Street	SP 64429	Local	227

Double Bay	“Taj Mahal”—house and interiors, terraced gardens, entrance terrace, steps and balustrade, wrought iron fences and balustrades	2 Wiston Gardens	Lots B and C, DP 329710	Local	229
Double Bay	House and interiors, grounds, gardens	4 Wiston Gardens	Lot 5, DP 15968; Lot 1, DP 333627	State	230
Double Bay	House and interiors, grounds, gardens	6 Wiston Gardens	Lot 7, DP 15968	State	231
Double Bay	Street name inlays	Various		Local	673
Edgecliff	“Fenton”—house and interiors, gardens, gateposts, gates	8 Albert Street	Lot A, DP 964839	State	232
Edgecliff	St Joseph’s Church—church, interiors and grounds—Albert Street heritage item group (see also 14 Albert Street, Edgecliff)	12 Albert Street	Lot 2, DP 905805	Local	233
Edgecliff	St Joseph’s Friary— building, interiors and grounds—Albert Street heritage item group (see also 12 Albert Street, Edgecliff)	14 Albert Street	Lot 1, DP 905805	Local	234
Edgecliff	“Carmel”—house and interiors, gardens, gateposts, sandstone retaining walls	24 Albert Street	Lot 6, DP 17427	Local	235
Edgecliff	“Lynwood”—house and interiors, front fencing	357 Edgecliff Road	Lots 1, 2, 3 and 5, DP 165488; Lot 1, DP 308404	Local	236
Edgecliff	House and interiors	434 Edgecliff Road	Lot A, DP 331068	Local	237
Edgecliff	Building and interiors	136 New South Head Road	Lot 1, DP 663495	Local	238

Edgecliff	Ascham school precinct comprising: "Fiona" including interiors and former entrance gates, "Glenrock" including interiors and inner and outer gates, the Dower House including interiors, sandstone works, remaining open space and oval adjacent to "Fiona", 4 Moreton Bay Figs, [see related items "The Octagon", (Octagon Road), "Yeomerry" (1 St Mark's Road) and "Duntrim" (37 Darling Point Road) which are part of Ascham school]	188 New South Head Road	Lot 1, DP 74398; Lot 1, DP 224844; Lots 1 and 2, DP 183645; Lots 4 and 5, DP 33456; Lot 1, DP 69838; Lot 1, DP 68900; Lot 1, DP 723473; Lot 81, DP 217078; Lot 1, DP 225312; Lots 9 and 10, DP 5444	Local	239
Edgecliff	Former Post Office and interiors	287-289 New South Head Road	Lot 101, DP 1034020	Local	240
Edgecliff	House and interiors	152 Ocean Street	Lot 4, DP 251266	Local	241
Edgecliff	House, interiors and gardens	5 Quambi Place	Lot 3, DP 18496	Local	242
Edgecliff	Street name inlays	Various		Local	674
Paddington	7 Canary Island Date Palms	Alma Street (within road reserve)	Road reserve	Local	243
Paddington	Royal Hospital for Women group—comprising chimney, gynaecology wing and interiors, x-ray wing and interiors, Oxford Street gatehouse and interiors, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Alfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing	1 Brodie Street (also known as 1-53 Flinton Street, 62-74 Gipps Street, 188 Oxford Street and 16-22 Young Street)	Lot 8, DP 1066232; Lots 1-14, DP 1026156; SP 65255; Lot 2, DP 1029153; Lots 1-13, DP 1024561; SP 65095; Lot 1, DP 1029153; Lots 1-8, DP 1049074; SP 69697; SP 64558; Lots 1-8, DP 1026153; SP 65254; Lots 1-7, DP 1019806; SP 64396; SP 64257; Lots 56, 57, DP 87117	Local	244

Paddington	Scottish Hospital—main hospital building and interiors, grounds, gardens, terracing, 2 Moreton Bay Figs, Norfolk Island Pine, Kauri Pine, Weeping Lilli Pilli, Holm Oak	74 Brown Street (also known as 2 Cooper Street)	Lot 2, DP 607572; Lot 1, DP 117517	Local	245
Paddington	Glenmore Road Public School comprising former schoolmaster's residence and interiors, 19th Century buildings and interiors, retaining wall along Cambridge Street	18-20 Cambridge Street (also known as being at Glenmore Road)	Lot 1, DP 1136404	Local	246
Paddington	"Harborn"—terrace house and interiors, front fencing	88 Cascade Street	Lot 11, DP 829146	Local	247
Paddington	"Onslow"—terrace house and interiors, front fencing	90 Cascade Street	Lot 12, DP 829146	Local	248
Paddington	"Eastbourne"—terrace house and interiors, front fencing	92 Cascade Street	Lot 13, DP 829146	Local	249
Paddington	"Westcoker"—terrace house and interiors, front fencing	94 Cascade Street	Lot 14, DP 829146	Local	250
Paddington	"Egerton"—terrace house and interiors, front fencing	96 Cascade Street	Lot 15, DP 829146	Local	251
Paddington	"Sandringham"—terrace house and interiors, front fencing	98 Cascade Street	Lot 16, DP 829146	Local	252
Paddington	"Greensborough"—terrace house and interiors, front fencing	100 Cascade Street	Lot 17, DP 829146	Local	253
Paddington	"Sutton"—terrace house and interiors, front fencing	102 Cascade Street	Lot 18, DP 829146	Local	254
Paddington	Scottish Hospital—main hospital building and interiors, grounds, gardens, terracing, 2 Moreton Bay Figs, Norfolk Island Pine, Kauri Pine, Weeping Lilli Pilli, Holm Oak	2 Cooper Street (also known as 74 Brown Street)	Lot 2, DP 607572; Lot 1, DP 117517	Local	245
Paddington	House, interiors and grounds	8A Cooper Street	Lot 2, DP 573941	Local	255

Paddington	Royal Hospital for Women group—comprising chimney, gynaecology wing and interiors, x-ray wing and interiors, Oxford Street gatehouse and interiors, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Elfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing	1-53 Flinton Street (also known as 1 Brodie Street, 62-74 Gipps Street, 188 Oxford Street and 16-22 Young Street)	Lot 8, DP 1066232; Lots 1-14, DP 1026156; SP 65255; Lot 2, DP 1029153; Lots 1-13, DP 1024561; SP 65095; Lot 1, DP 1029153; Lots 1-8, DP 1049074; SP 69697; SP 64558; Lots 1-8, DP 1026153; SP 65254; Lots 1-7, DP 1019806; SP 64396; SP 64257; Lots 56, 57, DP 87117	Local	244
Paddington	Royal Hospital for Women group—comprising chimney, gynaecology wing and interiors, x-ray wing and interiors, Oxford Street gatehouse and interiors, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Elfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing	62-74 Gipps Street (also known as 1 Brodie Street, 1-53 Flinton Street, 188 Oxford Street and 16-22 Young Street)	Lot 8, DP 1066232; Lots 1-14, DP 1026156; SP 65255; Lot 2, DP 1029153; Lots 1-13, DP 1024561; SP 65095; Lot 1, DP 1029153; Lots 1-8, DP 1049074; SP 69697; SP 64558; Lots 1-8, DP 1026153; SP 65254; Lots 1-7, DP 1019806; SP 64396; SP 64257; Lots 56, 57, DP 87117	Local	244
Paddington	Glenmore Road Public School— comprising former schoolmaster's residence and interiors, 19th century buildings and interiors, retaining wall along Cambridge Street	Glenmore Road (also known as 18-20 Cambridge Street)	Lot 1, DP 1136404	Local	246
Paddington	Rose and Crown Hotel and interiors	9 Glenmore Road	Lot 1, DP 84369	Local	256

Paddington	Royal Hotel and interiors	237 Glenmore Road	Lot 1, DP 224890	Local	257
Paddington	St. George's Anglican Church—church and interiors	245 Glenmore Road	Lots 6–8, DP 111231; Lot 9, DP 1035606	Local	258
Paddington	House, interiors and grounds	88 Hargrave Street	Lot 1, DP 564846	Local	259
Paddington	Police Station and Court House and interiors	16 Jersey Road	Lot 647, DP 752011	Local	260
Paddington	Lord Dudley Hotel and interiors	236 Jersey Road	Lot 2, DP 108968	Local	261
Paddington	“Juniper Hall”—building and interiors	1 Ormond Street (also known as 248–250 Oxford Street)	Lot 201, DP 712817	State	262
Paddington	Engehurst—building and interiors	56A Ormond Street	SP 31878	State	263
Paddington	Royal Hospital for Women Group—comprising chimney, gynaecology wing and interiors, x-ray wing and interiors, Oxford Street gatehouse and interiors, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Elfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing	188 Oxford Street (also known as 1 Brodie Street, 1–53 Flinton Street, 62–74 Gipps Street and 16–22 Young Street)	Lot 8, DP 1066232; Lots 1–14, DP 1026156; SP 65255; Lot 2, DP 1029153; Lots 1–13, DP 1024561; SP 65095; Lot 1, DP 1029153; Lots 1–8, DP 1049074; SP 69697; SP 64558; Lots 1–8, DP 1026153; SP 65254; Lots 1–7, DP 1019806; SP 64396; SP 64257; Lots 56, 57, DP 87117	Local	244
Paddington	Paddington Post Office building and interiors	246 Oxford Street	Lot 2, DP 616261	State	264
Paddington	“Juniper Hall”—building and interiors	248–250 Oxford Street (also known as 1 Ormond Street)	Lot 201, DP 712817	State	262
Paddington	31 London Plane Trees, 17 Hill's Weeping Figs, 3 Red Apples	Paddington Street (within road reserve)	Road reserve	Local	265

Paddington	Terrace house and interiors, front fencing	1 Quarry Street	Lot 1, DP 103060	Local	266
Paddington	Terrace house and interiors, front fencing	3 Quarry Street	Lot 1, DP 170629	Local	267
Paddington	Terrace house and interiors, front fencing	5 Quarry Street	Lot 1, DP 102421	Local	268
Paddington	Sandstone retaining and garden boundary wall—remnant of former estate and grounds of Bradley Hall	47, 49, 51, 71, 73, 75, 77, 79, 81 and 83 Stafford Street	Lots 20–21, Section 3, DP 3454; Lot 11, DP 87875; Lot 1, DP 215549; Lot 2, DP 215549; Lot 3, DP 215549; Lot B, DP 438056; Lot A, DP 438047; Lot 1, DP 516913; Lot 2, DP 516913	Local	269
Paddington	House, interiors and grounds	88 Sutherland Street	Lot 1, DP 601553	Local	270
Paddington	Sandstone retaining wall and cast iron picket fence to split level road	Windsor Lane	Road reserve	Local	271
Paddington	House, interiors and grounds	159 Windsor Street	Lot 69, Section 1, DP 180	Local	272
Paddington	Electrical Substation No. 342	1 Young Street	Lot 1, DP 81093	State	273
Paddington	Royal Hospital for Women Group—comprising chimney, gynaecology wing and interiors, x-ray wing and interiors, Oxford Street gatehouse and interiors, remnant masonry walls along Begg Lane, Young Street, Brown Street and behind the properties in Elfred Street and the London Plane tree in the north-eastern sector adjacent to the gynaecology wing	16–22 Young Street (also known as 1 Brodie Street, 1–53 Flinton Street, 62–74 Gipps Street and 188 Oxford Street)	Lot 8, DP 1066232; Lots 1–14, DP 1026156; SP 65255; Lot 2, DP 1029153; Lots 1–13, DP 1024561; SP 65095; Lot 1, DP 1029153; Lots 1–8, DP 1049074; SP 69697; SP 64558; Lots 1–8, DP 1026153; SP 65254; Lots 1–7, DP 1019806; SP 64396; SP 64257; Lots 56, 57, DP 87117	Local	244

Point Piper	Seven Shillings Beach	3A-6 Buckhurst Avenue	Lot 1, DP 601629; Lot 4, DP 445436; SP 84581	Local	274
Point Piper	Cook Pine	Dunara Gardens	Lot 11, DP 27451	Local	277
Point Piper	House, interiors and grounds	4 Dunara Gardens	Lot 4, DP 27451	Local	275
Point Piper	"Dunara"—house and interiors	10 Dunara Gardens	Lot 10B, DP 408926	State	276
Point Piper	"Santa Barbara"—residential flat building and interiors	7 Longworth Avenue	SP 1093	Local	278
Point Piper	Police Station and interiors	New South Head Road, east corner of Wunulla Road	Lot 516, DP 752011	Local	283
Point Piper	"Elaine"—house, grounds and interiors, Cook Pine, Norfolk Island Pine, Bunya Pine, Camphor Laurel, Port Jackson Fig, Seven Shillings Beach	550 New South Head Road	Lots 1-6, DP 1038131	Local	280
Point Piper	"Fairwater"—main building and interiors, stables, grounds, Seven Shillings Beach, Bunya Pine, 3 Camphor Laurels, 2 Port Jackson Figs, 2 Silky Oaks, gardens, excluding swimming pool and associated walls on north side	560 New South Head Road	Lot 88, DP 1000045	State	281
Point Piper	"Buckhurst"—residential flat building and interiors, grounds, front garden and fencing, trees	574 New South Head Road	SP 35092	Local	282
Point Piper	Seven Shillings Beach	3-6 St Mervyns Avenue and 10 and 14 Wolseley Road	Lot 4, DP 22238; Lot 5, DP 22238; Lot 6C, DP 396551; Lot 1, DP 235138; SP 18128; Lot 1, DP 69919	Local	274

Point Piper	Uig Lodge—house and interiors, front gardens, sandstone walls, gateposts, gates	5 Wentworth Place (also known as 29 Wentworth Street)	Lots C and D, DP 30890	Local	284
Point Piper	Dunara Reserve—remnant of the residential garden of “Dunara”	Wentworth Street	Lot 11, DP 27451	Local	680
Point Piper	Cook Pine, Moreton Bay Fig	1 Wentworth Street	Lot 1, DP 220192	Local	285
Point Piper	Franciscan Missionaries of Mary—building by Manson and Pickering (c 1912), interiors, grounds, gardens, retaining walls, entrance gateposts and gates	6 Wentworth Street	Lots 3–6, DP 270495; SP 77598	Local	286
Point Piper	House and interiors	21 Wentworth Street	Lot 2, DP 616791; Lot 3, Section 2, DP 3556	Local	287
Point Piper	Residential flat building and interiors, gateposts, gates	23 Wentworth Street	SP 65101	Local	288
Point Piper	Uig Lodge—house and interiors, front gardens, sandstone walls, gateposts, gates	29 Wentworth Street (also known as 5 Wentworth Place)	Lots C and D, DP 30890	Local	284
Point Piper	House and interiors	1 Wolseley Crescent	Lot B, DP 411687	Local	289
Point Piper	Lady Martins Beach	1A and 2 Wolseley Crescent, 152–162 Wolseley Road and 16 Longworth Avenue	Lots 1 and 2, DP 224984; Lots 211 and 212, DP 877299; Lot 1, DP 1102598; Lot 1, DP 1102598; Lot A, DP 411687; Lot 5, Section 10, DP 3556; Lots 1 and 2, DP 502735	Local	279
Point Piper	Norfolk Island Pine	Wolseley Road (within road reserve outside 11 Wolseley Road)	Road reserve	Local	298
Point Piper	“Danmark”—residential flat building and interiors	16–18 Wolseley Road	SP 13491	Local	290

Point Piper	Building and interiors	26-28 Wolseley Road	Lot 1, DP 68485	Local	291
Point Piper	Stone walling	63-67 Wolseley Road	Lot 12, DP 700876	Local	292
Point Piper	Residential flat building and interiors	66 Wolseley Road	Lot 2, DP 501823	Local	293
Point Piper	"Vaynol"—house and interiors, sandstone walling, entrance archway	69 Wolseley Road	Lot 3, DP 212359	Local	294
Point Piper	House and interiors	136 Wolseley Road	Lot A, DP 392215	Local	295
Point Piper	House and interiors	138 Wolseley Road	Lot 1, DP 1133137	Local	296
Point Piper	House and interiors	142 Wolseley Road	Lot 5, Section 11, DP 3556	Local	297
Point Piper	Lady Martins Beach	152-162 Wolseley Road (also known as 1A and 2 Wolseley Crescent)	Lots 1 and 2, DP 224984; Lots 211 and 212, DP 877299; Lot 1, DP 1102598; Lot 1, DP 1102598; Lot A, DP 411687; Lot 5, Section 10, DP 3556	Local	279
Point Piper	Herewai—house and interiors	55 Wunulla Road	Lots 1-2, DP 1125744	Local	299
Point Piper	House and interiors	58 Wunulla Road	SP 17372	Local	300
Point Piper	Ravello—house and interiors	26 Wyuna Road	Lot D, DP 334247	Local	301
Point Piper	Street name inlays	Various		Local	675
Rose Bay	Avenue of Plane trees and Fig trees	Balfour Road (within road reserve)	Road reserve	Local	303
Rose Bay	Norfolk Island Pine	Balfour Road (within road reserve opposite 629 New South Head Road)	Road reserve	Local	308
Rose Bay	St Bernard Hall—residential flat building, interiors and grounds	9 Balfour Road	SP 67876210	Local	302

Rose Bay	Wycombe—residential flat building, interiors and grounds—Balfour Road heritage item group (see also 21, 23 and 25 Balfour Road, Rose Bay)	19 Balfour Road	SP 13796	Local	304
Rose Bay	Residential flat building, interiors and grounds—Balfour Road heritage item group (see also 19, 23 and 25 Balfour Road, Rose Bay)	21 Balfour Road	SP 8747	Local	305
Rose Bay	Residential flat building, interiors and grounds—Balfour Road heritage item group (see also 19, 21 and 25 Balfour Road, Rose Bay)	23 Balfour Road	SP 3432	Local	306
Rose Bay	Springfield— residential flat building, interiors and grounds— Balfour Road heritage item group (see also 19, 21 and 23 Balfour Road, Rose Bay)	25 Balfour Road	SP 15147	Local	307
Rose Bay	<i>Ficus superba var. henneana</i> (Cedar fig)	3 Fernleigh Gardens (also known as 3A Fernleigh Gardens and 20 Rawson Road)	Lots 1 and 2, DP 208880; Lots 1-4, DP 201835; Lot C, DP 392425; Lot Y, DP 403381; Lot 1, DP 392389	State	310
Rose Bay	<i>Ficus superba var. henneana</i> (Cedar fig)	3A Fernleigh Gardens (also known as 3 Fernleigh Gardens and 20 Rawson Road)	Lots 1 and 2, DP 208880; Lots 1-4, DP 201835; Lot C, DP 392425; Lot Y, DP 403381; Lot 1, DP 392389	State	310
Rose Bay	Fernleigh Castle—main building and interiors	5 Fernleigh Gardens	Lot 1, DP 25379; Lot A, DP 391099; Lot E, DP 395692; Lot 4, DP 114073	Local	309
Rose Bay	House and interiors	13 Ian Street	Lot 5, DP 669010	Local	311

Rose Bay	Royal Sydney Golf Club—Clubhouse and interiors, grove of approx 20 Broad-Leafed Paperbarks along Norwich Road	Kent Road	Lot 1, DP 630927; Lots 11-16, DP 5592	Local	318
Rose Bay	“Fermoyle”—residential flat building, interiors and front fence	4A Kent Road	SP 52029	Local	312
Rose Bay	Sherland Lodge—house, interiors and grounds	16 Kent Road	Lot 2928, DP 1085537	Local	313
Rose Bay	“Samares”—house, interiors and grounds	17 Kent Road	Lot 5, DP 564190	Local	314
Rose Bay	“The Knoll”—house, interiors and grounds	19 Kent Road	Lot 67, DP 1085005	Local	315
Rose Bay	Tudor House— residential flat building, interiors and grounds	20 Kent Road	Lot 27, DP 979103	Local	316
Rose Bay	House, interiors and grounds	32 Kent Road	Lot 21, DP 979103	Local	317
Rose Bay	Site of former Rose Bay Flying Boat Base	Lyne Park	Lots 1534 and 1535, DP 40022; Lot 7066, DP 1023381	Local	319
Rose Bay	Rose Bay seawall, balustrade and promenade including lamp standards, concrete stairs, avenue of Hill’s Weeping Figs and parking bays	New South Head Road	Mostly within road reserve	Local	328
Rose Bay	Bus stop shelter, former tram stop	New South Head Road, at intersection with Kent Road	Road reserve	Local	330
Rose Bay	War memorial	New South Head Road, at entrance to Lyne Park	Lot 7061, DP 1023378	Local	329
Rose Bay	The Chilterns— residential flat building, interiors and grounds	593 New South Head Road	SP 10366	Local	320
Rose Bay	House and interiors, outbuildings, front garden	629 New South Head Road	Lot 1, Section 2, DP 3696	Local	321

Rose Bay	Murong—house, interiors and grounds	633 New South Head Road	Lot C, DP 365041	Local	322
Rose Bay	Former Kings Theatre building and interiors	694–696 Old South Head Road	Lot 1, DP 1095986; SP 76919	Local	331
Rose Bay	House and interiors	699 New South Head Road	SP 75436	Local	323
Rose Bay	Former Post Office and interiors	757 New South Head Road	Lot 1, DP 776799	Local	324
Rose Bay	Kambala School—building formerly Tivoli and interiors, gateposts, gates and flanking walls with railing facing Tivoli Avenue, 2 Norfolk Island Pines	794 New South Head Road	Lot 67, DP 2538; Lot C, DP 310074; Lot 1, DP 1089403; Lots 1–12, DP 1116858	Local	325
Rose Bay	Rose Bay Hotel and interiors	807 New South Head Road	Lot 1, DP 65131	Local	326
Rose Bay	Mary Magdalene Catholic Church—church and interiors	835 New South Head Road	Lots 3–4, DP 5548	Local	327
Rose Bay	Former service station, interiors and grounds	51–55 O’Sullivan Road	Lot 1, DP 320799	Local	332
Rose Bay	Darnley—residential flat building, interiors and grounds	79 O’Sullivan Road	SP 137	Local	333
Rose Bay	<i>Ficus superba</i> var. <i>henniana</i> (Cedar fig)	20 Rawson Road (also known as 3 and 3A Fernleigh Gardens)	Lots 1 and 2, DP 208880; Lots 2 and 3, DP 201835; Lot C, DP 392425; Lot Y, DP 403381; Lot 1, DP 392389	State	310
Rose Bay	Rose Bay Lodge (Salisbury Court)— building and interiors	1–7 Salisbury Road	Lots 24–27, DP 6283	State	334
Rose Bay	“Simcha”—house, interiors and grounds	23 Salisbury Road	Lot 2, DP 313520	Local	335
Rose Bay	House, interiors and grounds	23 Spencer Street	Lot A, DP 354521	Local	336
Rose Bay	5 Norfolk Island Pines	Vickery Avenue (within road reserve)	Road reserve	Local	337
Rose Bay	Street name inlays	Various		Local	676

Vaucluse	House and interiors	7 Boambillee Avenue	Lot 8, Section 6, DP 9245	Local	338
Vaucluse	2 Forest Red Gums	19 Boambillee Avenue	Lot 2, DP 953871; Lot 2, DP 318645	Local	339
Vaucluse	Sydney Pink Gum	20 Burrabirra Avenue	Lot, DP 228103	Local	340
Vaucluse	Forest Red Gum	Chapel Road (within road reserve)	Road reserve	Local	342
Vaucluse	Wentworth Mausoleum and interior, surrounding stone and wrought iron fence, grounds, trees	5 Chapel Road	Lot 2, DP 871485; Lot 3, DP 871485	State	341
Vaucluse and Watsons Bay	Bicentennial Coastal Cliff Walk	Coastal Cliff, within Christison Park, Macquarie Lightstation, Lighthouse Reserve, Signal Hill Reserve and Gap Park	Lots 7004 and 7005, DP 1066802; Lot 2, DP 811578; Lot 7084, DP 1069202; Lot 1, DP 531492; Lot 1608, DP 752011; Lot 7001, DP 1069204	Local	343
Vaucluse	House and interiors, gardens, landscaped front fencing, gateposts, gates	25 Coolong Road	Lot A, DP 330358	Local	344
Vaucluse	House and interiors, stone works, gardens	1 Fisher Avenue	Lot 2, DP 618291	Local	345
Vaucluse	Sydney Pink Gum	6 Fisher Avenue	Lot 1, DP 942852	Local	346
Vaucluse	Port Jackson Fig	7 Fisher Avenue	Lot B, DP 338086	Local	347
Vaucluse	Sydney Pink Gum	9 Fisher Avenue	Lot C, DP 338086	Local	348
Vaucluse	War memorial and bus stop shelter	Fitzwilliam Road, junction with Wentworth Road	Road reserve	Local	349
Vaucluse	3 Forest Red Gums	Fitzwilliam Road (within road reserve adjacent 18, 20 and 20A Fitzwilliam Road)	Road reserve	Local	350

Vaucluse	Grounds and native vegetation of Wentworth Memorial Church	32A and 32B Fitzwilliam Road	Lots 11 and 12, DP 1161266	Local	351
Vaucluse	Wentworth Memorial Church—church, interiors, grounds and moveable collection	32A and 32B Fitzwilliam Road	Lots 11 and 12, DP 1161266	Part Local/ Part State	352
Vaucluse	Forest Red Gum	49 Fitzwilliam Road	Lots 1-2, DP 227411	Local	353
Vaucluse	Tuckeroo	51A Fitzwilliam Road	Lot A, DP 367020	Local	354
Vaucluse	Forest Red Gum	57A Fitzwilliam Road	Lot 1, DP 342033	Local	355
Vaucluse	West Parsley Bay Obelisk	65 Fitzwilliam Road	Lot 5, Section 1, DP 4527	Local	356
Vaucluse	Remains of Vaucluse Point ferry wharf	83 Fitzwilliam Road	Lot 1, DP 1109931; Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; Lot 1, DP 188299	Local	357
Vaucluse	Scribbly Gum, Sydney Pink Gum, Swamp Mahogany	Gilliver Avenue (within road reserve opposite nos 11 and 19 and corner of Fisher Avenue)	Road reserve	Local	362
Vaucluse	Scribbly Gum	11 Gilliver Avenue	Lot 1, DP 900663	Local	358
Vaucluse	House and interiors	11A Gilliver Avenue (also known as 16 New South Head Road)	Lot B, DP 310398	Local	359
Vaucluse	House and interiors, gardens	19 Gilliver Avenue	Lot 1, DP 656285	Local	360
Vaucluse	House and interiors	25 Gilliver Avenue	Lots 3-4, DP 17198	Local	361
Vaucluse	House and interiors	6 Graylind Place	Lots A-C, DP 110617; Lot 3, DP 340902	Local	363

Vaucluse	Greycliff House—building and interiors, stone works	Greycliffe Avenue	Lot 33, DP 752011	Local	364
Vaucluse	Hermit Bay Slipway and landing	Hermit Bay	Lot 1722, DP 46545	Local	365
Vaucluse	House and interiors	80A Hopetoun Avenue	Lot D, DP 331389	Local	366
Vaucluse	Bus stop shelter, former tram stop	New South Head Road, opposite intersection with Captain Pipers Road	Lot 2, DP 533585; Road reserve	Local	369
Vaucluse	Bus stop shelter, former tram stop	New South Head Road, opposite intersection with Serpentine Parade	Road reserve	Local	370
Vaucluse	House and interiors	16 New South Head Road (also known as 11A Gilliver Avenue)	Lot B, DP 310398	Local	359
Vaucluse	“Kainga”—house and interiors, excluding the freestanding garage, cabana, pool, spa, gateposts	20B New South Head Road	Lot A, DP 371950	Local	367
Vaucluse	“Werribree”—house and interiors, gardens, retaining walls, fences, covered gateways, trees	37 New South Head Road	Lots 1 and 2, DP 4819	Local	368
Vaucluse	Bangalay	Nurran Road (within road reserve)	Road reserve	Local	371

Vaucluse	Macquarie Lightstation buildings, interiors and grounds, being Macquarie Lighthouse, assistant Keeper's quarters, the stables, Head Keeper's quarters, stone retaining wall east of lighthouse, gate posts, gas tank, four water tanks, remnant semi-circular entry drive, central open grassed lawns, remnant sandstone walls on the southern boundary, vegetation and grounds to the west of Keeper's quarters, the grounds to the east of the stone retaining wall, including the quarry	Old South Head Road	Lot 7002, DP 1069203	State	372
Vaucluse	Signal Hill Battery	Old South Head Road (within Signal Hill Reserve, opposite Belah Avenue)	Lot 1608, DP 752011	Local	384
Vaucluse	South Head Signal Station—tower, building and interiors, retaining wall and fence to Old South Head Road	21 Old South Head Road (opposite Myall Avenue)	Lot 7002, DP 1069203	State	383
Vaucluse	House and interiors, street fencing	218 Old South Head Road	Lot 1, DP 130685	Local	385
Vaucluse	Forest Red Gum	Olola Avenue (within road reserve, opposite 22 Olola Avenue)	Road reserve	Local	380
Vaucluse	Swamp Mahogany, 2 Sydney Pink Gums	Olola Avenue (within road reserve, opposite 30, 31 and 35 Olola Avenue)	Road reserve	Local	381
Vaucluse	Scribbly Gum	Olola Avenue (within road reserve, opposite 48A Olola Avenue)	Road reserve	Local	382
Vaucluse	Scribbly Gum	4 Olola Avenue	Lot 50, Section I, DP 9328	Local	373

Vaucluse	Weinreich House—house, including interior, and grounds	11 Olola Avenue	Lot B, DP 322489	Local	374
Vaucluse	Sydney Pink Gum	14 Olola Avenue	Lot 60, Section I, DP 9328	Local	375
Vaucluse	2 Forest Red Gums, Sydney Pink Gum, Scribbly Gum	24 Olola Avenue	Lot 70, Section I, DP 9328	Local	376
Vaucluse	Sydney Pink Gum, Swamp Mahogany	26–27 Olola Avenue	Lot 73, Section I, DP 9328	Local	377
Vaucluse	Sydney Pink Gum	33 Olola Avenue	Lot 2, DP 11901	Local	378
Vaucluse	2 Sydney Pink Gums	46 Olola Avenue	Lot 14, Section 7, DP 9245	Local	379
Vaucluse	Suspension footbridge	Parsley Bay (within Parsley Bay Park)	N/A	Local	386
Vaucluse	3 Forest Red Gums, Sydney Pink Gum	Parsley Road, within road reserve	Road reserve	Local	388
Vaucluse	2 Forest Red Gums	9 Parsley Road	Lot 15, Section 4, DP 9327	Local	387
Vaucluse	Sydney Pink Gum, Swamp Mahogany, Red Mahogany	Petrarch Avenue (within road reserve)	Road reserve	Local	389
Vaucluse	House and interiors, front fencing	6 Queens Avenue	Lot 4, DP 656580	Local	390
Vaucluse	Shark Beach promenade and amenities	Shark Beach (within Nielsen Park)		Local	391
Vaucluse	Steele (Shark) Point Battery, and associated underground remains (see also listing under Part 3—Archaeological sites)	Steele (Shark) Point	Lots 1–3, DP 607550	Local	392
Vaucluse	St Michael’s Anglican Church—church and interiors, grounds, sandstone works, gateposts and iron arch, obelisk	St Michael’s Place	Lot 74, DP 1022956	Local	393
Vaucluse	House and interiors, gardens, front fence, entrance archway and gate	20 The Crescent	Lot 18, DP 1078082	Local	394
Vaucluse	4 Norfolk Island Pines	51 Towns Road	Lot 4, DP 19609	Local	395

Vaucluse	Stone and wrought iron fence, formerly part of "The Hermitage"	Corner of Vaucluse Road and Carrara Road	Road reserve	Local	403
Vaucluse	Kincoppal, Roman Catholic Convent of the Sacred Heart and school—buildings and interiors, grounds, trees, sandstone and wrought iron fence, gateposts and gates	2 Vaucluse Road	Lot 104, DP 1092747	Local	396
Vaucluse	Former gatehouse to The Hermitage and interiors, front fencing, 3 sandstone gateposts	20A Vaucluse Road	Lot 100, DP 1168449	Local	397
Vaucluse	"The Hermitage"—house and interiors, grounds, gateposts and gates to Vaucluse Road, inner gateposts, gates and fencing, stone works associated with adjacent Watercourse	22 Vaucluse Road	Lot 7, DP 1140888	Local	398
Vaucluse	Watercourse— stormwater drainage to Hermit Bay comprising channels, bridge and stone walling	Adjacent to 22 and 22A Vaucluse Road		Local	402
Vaucluse	Norfolk Island Pine, Hoop Pine, Bunya Pine, fencing to Vaucluse Road	22A Vaucluse Road	Lot 8, DP 1140888	Local	399
Vaucluse	Gardens formerly part of "The Hermitage"	22D Vaucluse Road	Lot 2, DP 562550	Local	400
Vaucluse	2 Cook Pines, Norfolk Island Pine	22E Vaucluse Road	Lot E, DP 420682	Local	401
Vaucluse	House and interiors	26 Vaucluse Road	Lot 1, DP 948896	Local	404
Vaucluse	Swamp Mahogany	40 Vaucluse Road	Lot 1, DP 1134887	Local	405
Vaucluse	Sydney Pink Gums	42 Vaucluse Road	Lot 4A, DP 942202	Local	406

Vaucluse	Strickland House— building known as “Carrara” and interiors, the stables and interiors, sandstone wharf remains at Milk Beach, additional buildings and interiors, gardens and grounds, former quarry and former Porter’s Lodge site (see also listing under Part 3— Archaeological sites)	52 Vaucluse Road	Lot 1, DP 34388	State	407
Vaucluse	Eastern Channel Lighthouse—Front Lead	Wentworth Road (adjoining 80 and 82 Wentworth Road)		Local	419
Vaucluse	Sydney Pink Gum	Wentworth Road (within road reserve in front of 21A Wentworth Road)	Road reserve	Local	412
Vaucluse	Swamp Mahogany, 3 Forest Red Gums	Wentworth Road (within road reserve in front of 77 Wentworth Road and opposite 73, 75 and 79 Wentworth Road)	Road reserve	Local	418
Vaucluse	4 Forest Red Gums	Wentworth Road (within road reserve in front of 93 Wentworth Road)	Road reserve	Local	420

Vaucluse	Vaucluse (Wentworth) House—buildings and interiors, stables and interiors, outbuildings and interiors, gateposts, gates, original driveway, remnant landscape features and plantings (including Moreton Bay Fig, Bunya Pine, Hoop Pine, 13 Broad-Leaved Paperbarks, Bald Cypress and 2 Lilli Pilli), parklands, trees and grounds being Vaucluse Park (including the Beach Paddock north of Wentworth Road), bounded by Vaucluse Bay, Coolong Road, Olola Avenue and Wentworth Road	Wentworth Road (within Vaucluse Park)	Lot 6, DP 937598; Lots 1-3, DP 937598; Lots 16A and 17-21, DP 4527	State	408
Vaucluse	Eastern Channel Lighthouse—Rear Lead	12A Wentworth Road	Lot 2, DP 739195	Local	409
Vaucluse	Glasson House—house and interiors	19 Wentworth Road	Lot 4, DP 607540	Local	410
Vaucluse	House and interiors, front fencing	20 Wentworth Road	Lot A, DP 167602; Lot 1, DP 316835	Local	411
Vaucluse	“Greenway”—all buildings, interiors and works, grounds, grove of approx 8 Sydney Pink Gums	24 Wentworth Road	Lot 101, DP 621888	Local	413
Vaucluse	House and interiors	34 Wentworth Road	Lot 1, DP 937970; Lot 1, DP 321813	Local	414
Vaucluse	House and interiors	38 Wentworth Road	Lot 1, DP 216792	Local	415
Vaucluse	Sydney Pink Gum	48 Wentworth Road	Lot 1, DP 947941	Local	416
Vaucluse	“Palmeyrie”—house and interiors, front gardens and sandstone works	54 Wentworth Road	Lot 53, DP 9328	Local	417
Vaucluse	Street name inlays	Various		Local	677

Watsons Bay	Constable's Cottage group, comprising Police Station and interiors, 32 Cliff Street and interiors; 68 pounder MI and rifle posts and surrounds; sandstone defensive wall and roadway	Cliff Street (within South Head Sydney Harbour National Park)	Lot 3, DP 605078	Local	427
Watsons Bay	Sydney Water pumping station and internal elements	11 Cliff Street (also known as Short Street)	Lot 1, DP 85933	Local	421
Watsons Bay	Cottage and interiors	12 Cliff Street	Lot 1, DP 1103992	Local	422
Watsons Bay	Cottage and interiors	14 Cliff Street	Lot 1, DP 86807	Local	423
Watsons Bay	"Doo-Mee"—cottage and interiors	15 Cliff Street	Lot 26, DP 738835	Local	424
Watsons Bay	"Isabel"—cottage and interiors	16 Cliff Street	Lot 27, DP 867257	Local	425
Watsons Bay	Cottage and interiors	17 Cliff Street	Lot 28, DP 612567	Local	426
Watsons Bay	Dunbar House— building and interiors	11 Clovelly Street	Lots 1-4, DP 975647; Lot 1, DP 921820	Local	428
Watsons Bay	Cottage and interiors	11 Cove Street	Lot 18, DP 88034	Local	429
Watsons Bay	House and interiors	13 Cove Street	Lot 17, DP 745259	Local	430
Watsons Bay	Cottage and interiors	15 Cove Street	Lot 16, DP 88034	Local	431
Watsons Bay	Cottage and interiors	17 Cove Street	Lot 1, DP 91226	Local	432
Watsons Bay	Cottage and interiors	19 Cove Street	Lot 14, DP 1090915	Local	433
Watsons Bay	Gunnery School group, comprising: former officers' mess (part of conference centre); former battery workshop (Ranger's cottage); former armoury (part of conference centre); former School of Gunnery latrine (toilets); interiors of all buildings; practice battery at seaward cliffs	Gap Bluff (within South Head Sydney Harbour National Park)	Lot 3, DP 605078	Local	434
Watsons Bay	Dunbar anchor	Gap Park	Lot 7084, DP 1069202	State	435

Watsons Bay	Dunbar rock inscription	Gap Park (opposite 248 Old South Head Road)	Lot 7001, DP 1069204	State	437
Watsons Bay	Monument to Lieutenant G. J. Grieve	Gap Park (opposite 262 Old South Head Road)	Lot 7001, DP 1069204	Local	438
Watsons Bay	Tramway cutting	Gap Park	Lot 7084, DP 1069202	Local	436
Watsons Bay	Green (Laings) Point Battery	Green (Laings) Point Reserve	Lots 1 and 3, DP 536603	Local	439
Watsons Bay	Green Point Obelisk	Green (Laings) Point Reserve	Lot 1, DP 536603	Local	440
Watsons Bay	South Head Artillery Barracks group comprising: officers' quarters and interiors (asset 25); former officers' mess and interiors (Cliff House quarters); former sergeants' mess and interiors (officers' quarters); former stable/carriage shed and interiors (garden store) (asset 29); gun carriage coach house and annex and interiors (garage/store) (asset 37); former guard house and interiors (asset 26); former artillery barracks and interiors (officers' quarters) (asset 33); sandstone drainage moat and rifle post wall (adjoining asset 28); 80 pounder battery and five connected gun emplacements (1871/2) (north of asset 25); World War 1 and World War 2 artillery fortifications on seaward cliffs; HMAS Watson's Naval Memorial Chapel of St. George the Martyr and interiors; Aboriginal rock carving seaward side of Chapel (spotlight mounted within)	HMAS Watson	Lot 4, DP 605078	Local	441
Watsons Bay	Promenade	Marine Parade	Reserve	Local	444

Watsons Bay	Tea Gardens—kiosk, interiors and grounds	8 Marine Parade	Lot 1699, DP 752011	Local	442
Watsons Bay	“Mandalay”—house and interiors, fencing to Marine Parade	26 Marine Parade	Lot 3, DP 738853	Local	443
Watsons Bay	Building and interiors	17 Military Road	Lot A, DP 103616	Local	445
Watsons Bay	Building and interiors	25 Military Road	Lot 3, DP 76137	Local	446
Watsons Bay	House and interiors, front garden, retaining wall and fencing	272 Old South Head Road	Lot 1, DP 19845	Local	447
Watsons Bay	Bay Cottage—house and interiors, fence and retaining wall to Hopetoun Avenue	306-308 Old South Head Road	Lot 21, DP 654645	Local	448
Watsons Bay	St. Peter’s Anglican Church—church and interiors, bushland to the west of the church, Greycliffe memorial gates	331 Old South Head Road	Lot 2, DP 622595	Local	449
Watsons Bay	House and interiors, sandstone toilet building, front fencing	333 Old South Head Road	Lot 1512, DP 752011	Local	450
Watsons Bay	Scout Hall (former Watsons Bay Public School) and interiors, and all grounds, but excluding the amenities and storage building	335 Old South Head Road	Lot 1698, DP 752011	Local	451
Watsons Bay	Former St Anthony’s Church—sandstone and timber building including interiors	341 Old South Head Road	Lot 1, DP 1113547; Lot 2, DP 231114	Local	453
Watsons Bay	St. Mary’s Our Lady Star of the Sea Roman Catholic Church—church and interiors, sandstone fencing and retaining wall	341 Old South Head Road	Lot 578, DP 752011	Local	452
Watsons Bay	“Caldale”—house, interiors and grounds	12 Pacific Street	Lot 1, DP 570382	Local	454
Watsons Bay	“Boongaree”—house, interiors and grounds	14-14A Pacific Street	Lot 6, DP 499728; Lot 5, DP 58040	Local	455

Watsons Bay	Former Marine Biology Station—building, interiors and grounds	31 Pacific Street	Lot 2, DP 536603	Local	456
Watsons Bay	Milestone Obelisk	Robertson Place (within Robertson Road reserve Park)		Local	459
Watsons Bay	“Warrawee”— semi-detached house, interiors and grounds— Robertson Place heritage item group (see also 17 Robertson Place)	15 Robertson Place	Lot 23, DP 10398	Local	457
Watsons Bay	“Thalassa”— semi-detached house, interiors and grounds— Robertson Place heritage item group (see also 15 Robertson Place)	17 Robertson Place	Lot 24, DP 10398	Local	458
Watsons Bay	“Kerrisford”—building and interiors, palisade fences and grounds	8 Salisbury Street	Lot 1, DP 664793	Local	460
Watsons Bay	Sydney Water pumping station and internal elements	Short Street (also known as 11 Cliff Street)	Lot 1, DP 85933	Local	421
Watsons Bay	Cottage and interiors, street fencing	1 Short Street	Lot 1, DP 85517	Local	461
Watsons Bay	Hornby Lighthouse group comprising: Hornby Lighthouse and interiors; 2 cottages and interiors; gun emplacements and fortifications	South Head (inner) (within South Head Sydney Harbour National Park)	Lot 415, DP 752011; Lots 1 and 2, DP 605078	Local	462
Watsons Bay	Camp Cove Beach	15-25 Victoria Street	Lots A and B, DP 442342; Lots 17-18, DP 89866; Lots 15-16, DP 75357; Lots 1 and 2, DP 156415	Local	463
Watsons Bay	Street name inlays	Various		Local	678
Woollahra	Sandstone retaining wall and railing facing Cooper Park	Adelaide Parade	Road reserve	Local	478

Woollahra	Holy Cross Catholic Church—church and interiors	17 Adelaide Parade	Lot 12, DP 1034661	Local	479
Woollahra	Terrace house and interiors, front fencing	85 Adelaide Parade	Lot 1, DP 438838	Local	464
Woollahra	Terrace house and interiors, front fencing	87 Adelaide Parade	Lot 2, DP 438838	Local	465
Woollahra	Terrace house and interiors, front fencing	89 Adelaide Parade	Lot 3, DP 438838	Local	466
Woollahra	Terrace house and interiors, front fencing	91 Adelaide Parade	Lot 4, DP 438838	Local	467
Woollahra	Terrace house and interiors, front fencing	93 Adelaide Parade	Lot 5, DP 438838	Local	468
Woollahra	Terrace house and interiors, front fencing	95 Adelaide Parade	Lot 6, DP 438838	Local	469
Woollahra	Terrace house and interiors, front fencing	97 Adelaide Parade	Lot 7, DP 438838	Local	470
Woollahra	Terrace house and interiors, front fencing	99 Adelaide Parade	Lot 8, DP 438838	Local	471
Woollahra	Terrace house and interiors, front fencing	101 Adelaide Parade	Lot 9, DP 438838	Local	472
Woollahra	Terrace house and interiors, front fencing	103 Adelaide Parade	Lot 10, DP 438838	Local	473
Woollahra	Terrace house and interiors, front fencing	105 Adelaide Parade	Lot 11, DP 438838	Local	474
Woollahra	Terrace house and interiors, front fencing	107 Adelaide Parade	Lot 12, DP 438838	Local	475
Woollahra	Terrace house and interiors, front fencing	109 Adelaide Parade	Lot 13, DP 438838	Local	476
Woollahra	Terrace house and interiors, front fencing	111 Adelaide Parade	Lot 14, DP 438838	Local	477
Woollahra	Reddam College—Federation Romanesque school building, interiors and grounds (former Holy Cross School)	70–78 Edgecliff Road	Lots 1–10, DP 4896; Lot 11, DP 1034661	Local	480
Woollahra	Norfolk Island Pine	71–95 Edgecliff Road	Lots 1–5, DP 23857; Lot 1, DP 945697; Lot 2, DP 67771	Local	481

Woollahra	Seventh Day Adventist Church—church, interiors and grounds	219 Edgecliff Road	Lots 20–22, DP 976587	Local	482
Woollahra	“Althorne”—house and interiors, front fencing	281 Edgecliff Road	Lot D, DP 385586	Local	483
Woollahra	Norfolk Island Pine	281A Edgecliff Road	SP 10692	Local	484
Woollahra	Building and interiors, iron fencing	293–295 Edgecliff Road	Lot 1, DP 77989	Local	485
Woollahra	“Kilvington”—building and interiors, front fencing	313 Edgecliff Road	Lot 2, DP 13539	Local	486
Woollahra	“Gainsborough”—residential flat building, interiors and grounds	313A Edgecliff Road	SP 713	Local	487
Woollahra	Building and interiors, street fencing	388 Edgecliff Road (also known as 1 Trelawney Street)	SP 47705	Local	488
Woollahra	“Rosemount”—residential flat building and interiors, garages, entrance from Edgecliff Road comprising flower beds and steps	410 Edgecliff Road	SP 4038; SP 55978	Local	489
Woollahra	“Hillside”—residential flat building and interiors, stone retaining wall, main entrance comprising flower beds and steps	412 Edgecliff Road	SP 61347; SP 81685	Local	490
Woollahra	Edgecliff Gardens—residential flat building and interiors	414 Edgecliff Road	SP 32026	Local	491
Woollahra	Woollahra Public School—buildings comprising 1877 hall and 1899 classrooms and interiors	Forth Street	Lots 1–6, DP 795238	Local	493
Woollahra	Fire Station and interiors	2 Forth Street	Lot 1, DP 194682	Local	492
Woollahra	“Fearnan”—house, interiors and grounds	16 Fullerton Street	Lot 3, DP 68546	Local	494

Woollahra	“Westbourne”—house and interiors, outbuildings, front fencing—Jersey Road heritage item group (see also 19, 21 and 23 Jersey Road)	17 Jersey Road	Lots 3-5, Section C, DP 12; Lot 1, DP 73658	Local	495
Woollahra	Selby House—house and interiors, stables and grounds—Jersey Road heritage item group (see also 17, 21 and 23 Jersey Road)	19 Jersey Road	Lot 1, DP 83426	Local	496
Woollahra	“Orama”—house and interiors, stables and grounds—Jersey Road heritage item group (see also 17, 19 and 23 Jersey Road)	21 Jersey Road	Lot 21, DP 793311	Local	497
Woollahra	“Runnymede”—house and interiors, grounds, front garden and fencing, 2 Norfolk Island Pines—Jersey Road heritage item group (see also 17, 19 and 21 Jersey Road)	23 Jersey Road	Lot 1, DP 741084	Local	498
Woollahra	Former Uniting Church—church building and interiors, street fencing	109A Jersey Road, south-east corner of Moncur Street	SP 65667	Local	500
Woollahra	Building and interiors, sandstone retaining wall	250-290 Jersey Road	Lot 100, DP 773106	Local	499
Woollahra	House, interiors and grounds	5 Kilminster Lane	Lot 2, DP 631693	Local	501
Woollahra	House, interiors and grounds	20 Milton Avenue	Lot 1, DP 616097	Local	502
Woollahra	Building and interiors	28 Moncur Street	Lot 2, DP 554492	Local	503
Woollahra	“Brougham”—building and interiors, grounds (also known as 118A Wallis Street)	4A Nelson Street	Lot 3, DP 1150167	Local	504
Woollahra	Building and interiors	21A Nelson Street	Lot 4, DP 206105	Local	505
Woollahra	Terrace house and interiors, front fencing	22 Nelson Street	Lot 1, DP 177253	Local	506

Woollahra	Montefiores Private Hospital—19th Century building and interiors, front garden, retaining walls, gate posts excluding later extension	23 Nelson Street	Lots 3–4, DP 65215	Local	507
Woollahra	Terrace house and interiors, front fencing	24 Nelson Street	Lot 1, DP 178513	Local	508
Woollahra	Gateposts and gates, on the Nelson Street frontage from former estate Apheta	25 Nelson Street	Lot 1, DP 878126	Local	511
Woollahra	2 Kaffir Plum trees from former estate Apheta	25A Nelson Street	Lot 2, DP 878126	Local	509
Woollahra	“Apheta”—building including original internal fabric, set of steps to the north-east of the building	25B Nelson Street	Lot 3, DP 878126	Local	510
Woollahra	Terrace house and interiors, front fencing	26 Nelson Street	Lot 1, DP 177264	Local	512
Woollahra	“Larissa”—building including original internal fabric	27 Nelson Street	Lot A, DP 341924	Local	513
Woollahra	Terrace house and interiors, front fencing	28 Nelson Street	Lot 5, DP 227056	Local	514
Woollahra	Terrace house and interiors	30 Nelson Street	Lot 4, DP 227056	Local	515
Woollahra	Terrace house and interiors	32 Nelson Street	Lot 3, DP 227056	Local	516
Woollahra	Terrace house and interiors, front fencing	34 Nelson Street	Lot 2, DP 227056	Local	517
Woollahra	Terrace house and interiors, front fencing	36 Nelson Street	Lot 1, DP 227056	Local	518
Woollahra	Norfolk Island Pine	Ocean Street, corner of Queen Street	Road reserve	Local	539
Woollahra	Emmanuel Synagogue—synagogue complex of buildings, interiors and grounds (including Moreton Bay Fig)	7–9 Ocean Street	Lot 8, DP 18228; Lot 1, DP 189813; Lot 1, DP 206058; Lot 3, DP 189813; Lot 4, DP 189813	Local	519
Woollahra	Semi-detached house and interiors	27 Ocean Street	Lot 1, DP 183908	Local	520
Woollahra	Semi-detached house and interiors, front fencing	29 Ocean Street	Lot 1, DP 663494	Local	521

Woollahra	Building and interiors	31 Ocean Street	Lot 2, DP 212959	Local	522
Woollahra	Building and interiors	33 Ocean Street	Lots 1 and 3, DP 212959	Local	523
Woollahra	St. Columba Uniting Church—church and interiors	53A Ocean Street	Lot 1, DP 794868	Local	524
Woollahra	Terrace house and interiors	55 Ocean Street	Lot 1, DP 583123	Local	525
Woollahra	Terrace house and interiors, front fencing	57 Ocean Street	Lot 1, DP 737878	Local	526
Woollahra	Terrace house and interiors	59 Ocean Street	Lot 1, DP 79967	Local	527
Woollahra	House and interiors, front gardens and fencing	61 Ocean Street	Lot 1, DP 198735	Local	528
Woollahra	House and interiors	73 Ocean Street	Lot 1, DP 77752	Local	529
Woollahra	“Icilus”—house and interiors, front garden and fencing	75 Ocean Street	Lot 1, DP 73799	Local	530
Woollahra	Semi-detached house and interiors, front fencing	76 Ocean Street	Part SP 16939	Local	531
Woollahra	“Wallangra”—house and interiors	77 Ocean Street	SP 33189	Local	532
Woollahra	Semi-detached house and interiors, front fencing	78 Ocean Street	Part SP 16939	Local	533
Woollahra	Semi-detached house and interiors	80 Ocean Street	Lot 6, DP 717022	Local	534
Woollahra	House and interiors, front garden, retaining wall and fencing	81 Ocean Street	Lot 1, DP 66763	Local	535
Woollahra	Semi-detached house and interiors	82 Ocean Street	Lot 5, DP 717022	Local	536
Woollahra	All Saints Anglican Church—church and interiors, grounds, front garden, retaining wall and fencing	85 Ocean Street	Lot 1, DP 1050919	Local	537
Woollahra	Building and interiors (former Council Chambers), and grounds including Eureka Reserve	90 and 90A Ocean Street	Lots A and B, DP 89013	Local	538
Woollahra	Terrace building and interiors	20 Queen Street	Lot 1, DP 913650	Local	540

Woollahra	Terrace building and interiors	22 Queen Street	Lot 2 DP 913650	Local	541
Woollahra	Terrace building and interiors	24 Queen Street	Lot 3, DP 913650	Local	542
Woollahra	Terrace building and interiors	26 Queen Street	Lot 4, DP 913650	Local	543
Woollahra	Building and interiors, front fencing	28 Queen Street	Lot 1, DP 446819	Local	544
Woollahra	Building and interiors	32 Queen Street	Lot 89, Section B, DP 12	Local	545
Woollahra	Terrace building and interiors	34 Queen Street	Lot 88, Section B, DP 12	Local	546
Woollahra	Building and interiors	36-40 Queen Street	Lot 1, DP 165023	Local	547
Woollahra	Building and interiors	42-44 Queen Street	Lot 1, DP 191221	Local	548
Woollahra	Building and interiors	46 Queen Street	Lot 83, Section B, DP 12	Local	549
Woollahra	Building and interiors	48 Queen Street	Lot 82, Section B, DP 12	Local	550
Woollahra	Terrace house and interiors	50 Queen Street	Lot A, DP 442592	Local	551
Woollahra	Terrace house and interiors	52 Queen Street	Lot B, DP 442592	Local	552
Woollahra	Terrace house and interiors	54 Queen Street	Lot C, DP 442592	Local	553
Woollahra	Terrace house and interiors	56 Queen Street	Lot D, DP 442592	Local	554
Woollahra	Terrace house and interiors	58 Queen Street	Lot 1, DP 169828	Local	555
Woollahra	Terrace house and interiors	60 Queen Street	Lot 1, DP 301346	Local	556
Woollahra	Terrace house and interiors, front fencing	62 Queen Street	Lot 76, DP 446820	Local	557
Woollahra	Building and interiors	64 Queen Street	Lot 75, Section B, DP 12	Local	558
Woollahra	Building and interiors	66 Queen Street	Lot 74, Section B, DP 12	Local	559
Woollahra	Terrace house and interiors, front fencing	68 Queen Street	Lot 73, Section B, DP 12	Local	560
Woollahra	Terrace house and interiors, front fencing	70 Queen Street	Lot 72, Section B, DP 12	Local	561

Woollahra	Building and interiors	72 Queen Street	Lot 1, DP 956671; Lot 1, DP 956672	Local	562
Woollahra	Building and interiors	74 Queen Street	Lot 3, DP 1041129	Local	563
Woollahra	Building and interiors	76 Queen Street	Lot 2, DP 1041129	Local	564
Woollahra	Building and interiors	78 Queen Street,	Lot 1, DP 1041129	Local	565
Woollahra	Former Post Office building and interiors	97 Queen Street	Lot 1, DP 119261; Lot 26, DP 12	Local	566
Woollahra	Building and interiors	101 Queen Street	Lot 1, DP 718104	Local	567
Woollahra	House and interiors	115 Queen Street	Lot 115, DP 1108151	Local	568
Woollahra	Woollahra Hotel and interiors	116 Queen Street	Lot 1, DP 431271	Local	569
Woollahra	St. Kevin's—house and interiors, front garden and fencing, trees	117 Queen Street	Lot 1, DP 588692	Local	570
Woollahra	House and interiors	119 Queen Street	Lot 1, DP 542090	Local	571
Woollahra	Building and interiors, front fencing	123 Queen Street	Lot 1, DP 541518	Local	572
Woollahra	Terrace house and interiors, street fencing	139 Queen Street	Lot 1, DP 170674	Local	573
Woollahra	Terrace house and interiors	141 Queen Street	Lot 1, DP 170673	Local	574
Woollahra	Terrace house and interiors	143 Queen Street	Lot 5, DP 189813	Local	575
Woollahra	"Marathon"—terrace house and interiors, front fencing	145 Queen Street	Lot 1, DP 326218	Local	576
Woollahra	"Arabella"—terrace house and interiors	147 Queen Street	Lot 1, DP 321225	Local	577
Woollahra	Semi-detached house and interiors, front fencing	147A Queen Street	Lot 2, DP 501159	Local	578
Woollahra	Semi-detached house and interiors, front fencing	147B Queen Street	Lot 1, DP 501159	Local	579

Woollahra	Terrace house and interiors, front fencing	149 Queen Street	Lot 1, DP 246615	Local	580
Woollahra	Terrace house and interiors	151 Queen Street	Lot 1, DP 317846	Local	581
Woollahra	Latona—building and interiors	153 Queen Street	Lot 1, DP 319694	Local	582
Woollahra	The Grove group—four cottages and interiors, landscaped accessway, front fencing	1/153A, 2/153A, 3/153A, 4/153A, 4A/153A Queen Street (also known as 1-4 The Grove)	Lot 100, DP 815044; Lot 1, DP 184125; Lot 1, DP 168261; Lot 1, DP 569504; Lots 21 and 22, DP 1022279	Local	583
Woollahra	“Libya”—terrace house and interiors, front fencing	155 Queen Street	Lot 1, DP 168868	Local	584
Woollahra	Terrace house and interiors, front fencing	157 Queen Street	Lot 1, DP 169816	Local	585
Woollahra	Semi-detached house and interiors, outbuildings	159 Queen Street	Lot 1, DP 577699	Local	586
Woollahra	Semi-detached house and interiors	161 Queen Street	Lot 2, DP 577699	Local	587
Woollahra	Building and interiors	170 Queen Street	Lot 2, DP 200733	Local	588
Woollahra	Building and interiors	172 Queen Street	Lot 1, DP 175250	Local	589
Woollahra	Cottage and interiors, front fencing	178 Queen Street	Lot 6, DP 110025	Local	590
Woollahra	Cottage and interiors	180 Queen Street	Lot 7, DP 11025	Local	591
Woollahra	Cottage and interiors, front fencing	182 Queen Street	Lot 1, DP 167316	Local	592
Woollahra	Semi-detached house and interiors	184 Queen Street	Lot 1, DP 178937	Local	593
Woollahra	Semi-detached house and interiors	186 Queen Street	Lot 1, DP 724124	Local	594
Woollahra	Semi-detached house and interiors, front garden and fencing	188 Queen Street	Lot 1, DP 105906	Local	595

Woollahra	Semi-detached house and interiors, front garden and fencing	190 Queen Street	Lot 1, DP 177632	Local	596
Woollahra	Semi-detached house and interiors	192 Queen Street	Lot 1, DP 176331	Local	597
Woollahra	Semi-detached house and interiors	194 Queen Street	Lot 1, DP 308470	Local	598
Woollahra	House and interiors	196 Queen Street	Lot 1, DP 177844	Local	599
Woollahra	The former schoolhouse and interiors, being an outbuilding at the rear of the property	198 Queen Street	Lot 1, DP 178026	Local	600
Woollahra	London Plane Trees—approx. 35 trees	Rosemont Avenue (within road reserve)	Road reserve	Local	605
Woollahra	“Lenana”—residential flat building and interiors, iron gateposts and gates	1 Rosemont Avenue	SP 1389	Local	601
Woollahra	Lyndhurst Gardens—residential flat building and interiors, forecourt	3 Rosemont Avenue	SP 11682	Local	602
Woollahra	“Rosemont”—house and interiors, outbuildings, gardens	14 Rosemont Avenue	Lot 2, DP 554201	State	603
Woollahra	“Gowrie”—residential flat building and interiors	26 Rosemont Avenue	Lot 1, DP 330825	Local	604
Woollahra	“Hawthornden”—house and interiors, gardens, gateposts, gates, Bunya Pine	6–12 Roslyndale Avenue	Lot 100, DP 738428	Local	606
Woollahra	Struan Lodge—house and interiors	14 Roslyndale Avenue	Lot 101, DP 738428	Local	607
Woollahra	“Roslyndale”—house and interiors, fence	38 Roslyndale Avenue	Lot 1, DP 662915	Local	608
Woollahra	Terrace house and interiors, front fencing	2 Spicer Street	Lot A, DP 110671	Local	609
Woollahra	Terrace house and interiors, front fencing	4 Spicer Street	Lot B, DP 110671	Local	610
Woollahra	Terrace house and interiors, front fencing	6 Spicer Street	Lot 1, DP 111849	Local	611

Woollahra	Terrace house and interiors, front fencing	8 Spicer Street	Lot 19, Section 1, DP 1137384	Local	612
Woollahra	Terrace house and interiors, front fencing	10 Spicer Street	Lot B, DP 447493	Local	613
Woollahra	Terrace house and interiors, front fencing	12 Spicer Street	Lot A, DP 447493	Local	614
Woollahra	The Grove group—four cottages and interiors, landscaped accessway, front fencing	1-4 The Grove (also known as 1/153A, 2/153A, 3/153A, 4/153A, 4A/153A Queen Street)	Lot 100, DP 815044; Lot 1, DP 184125; Lot 1, DP 168261; Lot 1, DP 569504; Lots 21 and 22, DP 1022279	Local	583
Woollahra	Building and interiors, street fencing	1 Trelawney Street (also known as 388 Edgecliff Road)	SP 47705	Local	488
Woollahra	Kauri Pine	2 Trelawney Street	Lot 2, DP 105468	Local	615
Woollahra	Great Tree—house and interiors, street fencing	7 Trelawney Street	Lot 4, DP 996794	Local	616
Woollahra	House and interiors, front fencing	12 Victoria Avenue	Lot 100, DP 116739	Local	617
Woollahra	Terrace house and interiors, front fencing	1 Waimea Avenue	Lot 2, DP 246615	Local	618
Woollahra	Terrace house and interiors, front fencing	2 Waimea Avenue	Lot 1, DP 207436	Local	619
Woollahra	Terrace house and interiors, front fencing	3 Waimea Avenue	Lot 3, DP 246615	Local	620
Woollahra	Terrace house and interiors, front fencing	4 Waimea Avenue	Lot 2, DP 207436	Local	621
Woollahra	Terrace house and interiors, front fencing	5 Waimea Avenue	Lot 4, DP 246615	Local	622
Woollahra	Terrace house and interiors, front fencing	6 Waimea Avenue	Lot 3, DP 207436	Local	623
Woollahra	Terrace house and interiors, front fencing	7 Waimea Avenue	Lot 5, DP 246615	Local	624
Woollahra	Terrace house and interiors, front fencing	8 Waimea Avenue	Lot 4, DP 207436	Local	625

Woollahra	Terrace house and interiors, front fencing	9 Waimea Avenue	Lot 6, DP 246615	Local	626
Woollahra	Terrace house and interiors, front fencing	10 Waimea Avenue	Lot 5, DP 207436	Local	627
Woollahra	Terrace house and interiors, front fencing	11 Waimea Avenue	Lot 7, DP 246615	Local	628
Woollahra	Terrace house and interiors, front fencing	12 Waimea Avenue	Lot 6, DP 207436	Local	629
Woollahra	Hellen Keller House (formerly Waimea)— house and interiors, grounds, trees	14 Waimea Avenue	Lot 100, DP 828991	State	630
Woollahra	House and interiors	2 Wallaroy Road	Lot C, DP 328186	Local	631
Woollahra	House and interiors	42 Wallaroy Road	Lot 3, DP 329500	Local	632
Woollahra	Kauri Pine	66 Wallaroy Road	Lot 10, DP 236631	Local	633
Woollahra	House and interiors, front garden and retaining wall	67 Wallaroy Road	Lot 2, DP 326017	Local	634
Woollahra	“Glen Rhoda”—house and interiors, front garden, fencing, Cook Pine, Norfolk Island Pine	71 Wallaroy Road	Lot 1, DP 183967; Lot 3, DP 15485	Local	635
Woollahra	Norfolk Island Pine	75 Wallaroy Road	Lot B, DP 331923	Local	636
Woollahra	Sandstone carved gateposts to Woods Avenue	Wallis Street	Road reserve	Local	649
Woollahra	House, interiors and grounds	10 Wallis Street	Lot 12, DP 738258	Local	637
Woollahra	“Tralawera”— semi-detached house, interiors and grounds—Wallis Street heritage item group (see also 86 Wallis Street)	84 Wallis Street	Lot 1, DP 771174	Local	638
Woollahra	“Dela Kaba”— semi-detached house, interiors and grounds—Wallis Street heritage item group (see also 84 Wallis Street)	86 Wallis Street	Lot 2, DP 771174	Local	639
Woollahra	Terrace house and interiors, front fencing	102 Wallis Street	Lot 19, DP 248440	Local	640
Woollahra	Terrace house and interiors, front fencing	104 Wallis Street	Lot 18, DP 248440	Local	641

Woollahra	Terrace house and interiors, front fencing	106 Wallis Street	Lot 17, DP 248440	Local	642
Woollahra	Terrace house and interiors, front fencing	108 Wallis Street	Lot 16, DP 248440	Local	643
Woollahra	Terrace house and interiors, front fencing	110 Wallis Street	Lot 13, DP 248440	Local	644
Woollahra	Terrace house and interiors, front fencing	112 Wallis Street	Lot 12, DP 248440	Local	645
Woollahra	Terrace house and interiors, front fencing	114 Wallis Street	Lot 11, DP 248440	Local	646
Woollahra	Terrace house and interiors, front fencing	116 Wallis Street	Lot 10, DP 248440	Local	647
Woollahra	2 Norfolk Island pines, and grounds associated with Brougham (at 118A Wallis Street)	118 Wallis Street	SP 61424	Local	648
Woollahra	Norfolk Island Pine	Wallis Street (within road reserve opposite 118 Wallis Street)	Road reserve	Local	650
Woollahra	"Brougham"—building, interiors and grounds (also known as 4A Nelson Street)	118A Wallis Street	Lot 3, DP 1150167	Local	504
Woollahra	"Dilbhor"—house and interiors	6 Wellington Street	Lot 4, DP 319974	Local	651
Woollahra	House and interiors, gardens, front fencing	11 Wellington Street	Lot B, DP 342453	Local	652
Woollahra	Terrace house and interiors, front fencing	1 Woods Avenue	Lot 1, DP 514214	Local	653
Woollahra	Terrace house and interiors, front fencing	1A Woods Avenue	Lot 15, DP 248440	Local	654
Woollahra	Terrace house and interiors, front fencing	2 Woods Avenue	Lot 2, DP 514214	Local	655
Woollahra	Terrace house and interiors, front fencing	3 Woods Avenue	Lot 3, DP 514214	Local	656
Woollahra	Terrace house and interiors, front fencing	4 Woods Avenue	Lot 4, DP 514214	Local	657
Woollahra	Terrace house and interiors, front fencing	5 Woods Avenue	Lot 2, DP 206681	Local	658

Woollahra	Terrace house and interiors, front fencing	6 Woods Avenue	Lot 1, DP 206681	Local	659
Woollahra	Norfolk Island Pine	10 Woods Avenue	Lot 101, DP 828991	Local	660
Woollahra	Terrace house and interiors, front fencing	11 Woods Avenue	Lot 2, DP 248440	Local	661
Woollahra	Terrace house and interiors, front fencing	12 Woods Avenue	Lot 3, DP 248440	Local	662
Woollahra	Terrace house and interiors, front fencing	13 Woods Avenue	Lot 4, DP 248440	Local	663
Woollahra	Terrace house and interiors, front fencing	14 Woods Avenue	Lot 5, DP 248440	Local	664
Woollahra	Terrace house and interiors, front fencing	15 Woods Avenue	Lot 6, DP 248440	Local	665
Woollahra	Terrace house and interiors, front fencing	16 Woods Avenue	Lot 7, DP 248440	Local	666
Woollahra	Terrace house and interiors, front fencing	17 Woods Avenue	Lot 8, DP 248440	Local	667
Woollahra	Terrace house and interiors, front fencing	18 Woods Avenue	Lot 9, DP 248440	Local	668
Woollahra	Terrace house and interiors, front fencing	19 Woods Avenue	Lot 14, DP 248440	Local	669
Woollahra	Street name inlays	Various		Local	679

Part 2 Heritage conservation areas

Suburb	Name of heritage conservation area	Significance	Item no
Bellevue Hill	Aston Gardens	Local	C1
Bellevue Hill	Victoria Road	Local	C2
Darling Point	Darling Point Road	Local	C3
Darling Point	Etham Avenue	Local	C4
Darling Point	Loftus Road and Mona Road	Local	C5
Darling Point	Mona Road	Local	C6
Double Bay	Transvaal Avenue	Local	C7
Paddington, including parts of Woollahra and Edgecliff	Paddington	Local	C8
Rose Bay	Balfour Road	Local	C9

Rose Bay	Beresford Estate	Local	C10
Rose Bay	Kent Road	Local	C11
Rose Bay	Rose Bay Gardens Estate	Local	C12
Vaucluse	Bell Street	Local	C13
Watsons Bay	Watsons Bay	Local	C14
Woollahra	Woollahra	Local	C15

Part 3 Archaeological sites

Suburb	Site name	Address	Property description	Significance	Item no
Darling Point	Fence, gates and foundation remains of former house Canonbury, located within McKell Park (see also listing under Part 1—Heritage items)	159 Darling Point Road	Lot 7051, DP 93654; Lot 1553, DP 752011	Local	A1
Double Bay	Double Bay Compressed Air Ejector Station	Cross Street, corner Jamberoo Lane	Lot 1, DP 137217	State	A2
Rose Bay	Emma's Well	New South Head Road, below entrance ramp to No 899	Road reserve	Local	A3
Vaucluse	Steele (Shark) Point Battery, and associated underground remains (see also listing under Part 1—Heritage items)	Steele (Shark) Point	Lots 1-3, DP 607550	Local	A4

Vaucluse	Strickland House— building known as Carrara and interiors, the stables and interiors, sandstone wharf remains at Milk Beach, additional buildings and interiors, gardens and grounds, former quarry and former Porter’s Lodge site (see also listing under Part 1—Heritage items)	52 Vaucluse Road	Lot 1, DP 34388	State	A5
Watsons Bay	Cobbled sandstone road archaeology	Cliff St, within road reservation	Road reserve	Local	A6

Schedule 6 Pond-based and tank-based aquaculture

(Clause 5.19)

Part 1 Pond-based and tank-based aquaculture

Division 1 Site location requirements

1 Conservation exclusion zones

- (1) Must not be carried out on the following land, except to the extent necessary to gain access to water—
 - (a) land declared an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,
 - (b) vacant Crown land,
 - (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.
- (2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned—
 - (a) land declared as an aquatic reserve under the *Marine Estate Management Act 2014*,
 - (b) land declared as a marine park under the *Marine Estate Management Act 2014*.

Note—

Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

Division 2 Operational requirements

2 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

3 Pond-based aquaculture that is also intensive aquaculture—pond design

For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.

4 Pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—freshwater discharges

For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.

5 Outlets from culture ponds etc

All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.

6 Definition

In this Division—

intensive aquaculture has the same meaning as it has in the [Fisheries Management \(Aquaculture\) Regulation 2017](#).

Part 2 Extensive pond-based aquaculture

Division 1 Site location requirements

7 Conservation exclusion zones

- (1) Must not be carried out on the following land, except to the extent necessary to gain access to water—
 - (a) land declared an area of outstanding biodiversity value under the [Biodiversity Conservation Act 2016](#),
 - (b) vacant Crown land,

- (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

Note—

Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

8 Flood liability

Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.

Division 2 Operational requirements

9 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

10 Pond design

- (1) Must not require the construction of new ponds, water storages, dams or buildings.
- (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers.
- (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.

11 Culture water

Must use freshwater.

Dictionary

(Clause 1.4)

Note—

The Act and the [Interpretation Act 1987](#) contain definitions and other provisions that affect the interpretation and application of this Plan.

Aboriginal object means any deposit, object or other material evidence (not being a handcraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place of heritage significance means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the [Heritage Map](#), that is—

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Note—

The term may include (but is not limited to) places that are declared under section 84 of the [National Parks and Wildlife Act 1974](#) to be Aboriginal places for the purposes of that Act.

acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

Acid Sulfate Soils Map means the [Woollahra Local Environmental Plan 2014 Acid Sulfate Soils Map](#).

advertisement has the same meaning as in the Act.

Note—

The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure has the same meaning as in the Act.

Note—

The term is defined as a structure used or to be used principally for the display of an advertisement.

Advertising structures are a type of **signage**—see the definition of that term in this Dictionary.

affordable housing has the same meaning as in the Act.

Note—

The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Note—

Agricultural produce industries are a type of **rural industry**—see the definition of that term in this Dictionary.

agriculture means any of the following—

- (a) aquaculture,

- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Note—

Part 6 of the *Plantations and Reafforestation Act 1999* provides that exempt farm forestry within the meaning of that Act is not subject to the *Environmental Planning and Assessment Act 1979*.

air transport facility means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

airport means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

Note—

Airports are a type of **air transport facility**—see the definition of that term in this Dictionary.

airstrip means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

amusement centre means a building or place (not being part of a pub or registered club) used principally for playing—

- (a) billiards, pool or other like games, or
- (b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

aquaculture has the same meaning as in the *Fisheries Management Act 1994*. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

Note—

Aquaculture is a type of **agriculture**—see the definition of that term in this Dictionary.

archaeological site means a place that contains one or more relics.

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note—

See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of **light industry**—see the definition of that term in this Dictionary.

attached dwelling means a building containing 3 or more dwellings, where—

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

Note—

Attached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

backpackers' accommodation means a building or place that—

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

Note—

Backpackers' accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where—

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note—

See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

bee keeping means a building or place used for the keeping and breeding of bees for commercial

purposes.

Note—

Bee keeping is a type of **extensive agriculture**—see the definition of that term in this Dictionary.

biodiversity or **biological diversity** means the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems.

biosolids treatment facility means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

Note—

Biosolids treatment facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

boarding house means a building that—

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note—

Boarding houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

boat building and repair facility means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

boat launching ramp means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

brothel has the same meaning as in the Act.

Note—

This definition is relevant to the definitions of **home occupation (sex services)** and **sex services premises** in this Dictionary.

building has the same meaning as in the Act.

Note—

The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

building height (or **height of building**) means—

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

Note—

Building identification signs are a type of **signage**—see the definition of that term in this Dictionary.

building line or **setback** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and—

- (a) a building wall, or
- (b) the outside face of any balcony, deck or the like, or
- (c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

bush fire hazard reduction work has the same meaning as in the [Rural Fires Act 1997](#).

Note—

The term is defined as follows—

bush fire hazard reduction work means—

- (a) the establishment or maintenance of fire breaks on land, and
- (b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

bush fire prone land has the same meaning as in the Act.

Note—

The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 146 (2) of the Act.

bush fire risk management plan means a plan prepared under Division 4 of Part 3 of the [Rural Fires Act 1997](#) for the purpose referred to in section 54 of that Act.

business identification sign means a sign—

- (a) that indicates—
 - (i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note—

Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.

business premises means a building or place at or on which—

(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or

(b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note—

Business premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

camping ground means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

canal estate development means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either—

(a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to—

(i) dwellings that are permitted on rural land, and

(ii) dwellings that are used for caretaker or staff purposes, or

(b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

caravan park means land (including a camping ground) on which caravans (or caravans and other

moveable dwellings) are, or are to be, installed or placed.

catchment action plan has the same meaning as in the *Catchment Management Authorities Act 2003*.

Note—

The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the *Catchment Management Authorities Act 2003*.

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

Note—

Cellar door premises are a type of **retail premises**—see the definition of that term in this Dictionary.

cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Note—

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided.

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring,

or

- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

classified road has the same meaning as in the [Roads Act 1993](#).

Note—

The term is defined as follows—

classified road means any of the following—

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(See [Roads Act 1993](#) for meanings of these terms.)

clearing native vegetation has the same meaning as in Part 5A of the [Local Land Services Act 2013](#).

clearing vegetation has the same meaning as in [State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#).

coastal hazard has the same meaning as in the [Coastal Management Act 2016](#).

coastal lake means a body of water identified in Schedule 1 to [State Environmental Planning Policy \(Coastal Management\) 2018](#).

coastal protection works has the same meaning as in the [Coastal Management Act 2016](#).

coastal waters of the State—see section 58 of the [Interpretation Act 1987](#).

coastal zone has the same meaning as in the [Coastal Management Act 2016](#).

commercial premises means any of the following—

- (a) business premises,

- (b) office premises,
- (c) retail premises.

community facility means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

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

correctional centre means—

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the [Crimes \(Administration of Sentences\) Act 1999](#), including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5 (1) of the [Children \(Detention Centres\) Act 1987](#),

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

Council means the Woollahra Municipal Council.

crematorium means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

Crown reserve means—

- (a) a reserve within the meaning of Part 5 of the [Crown Lands Act 1989](#), or
- (b) a common within the meaning of the [Commons Management Act 1989](#), or
- (c) lands within the meaning of the [Trustees of Schools of Arts Enabling Act 1902](#),

but does not include land that forms any part of a reserve under Part 5 of the [Crown Lands Act 1989](#) provided for accommodation.

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

dairy (pasture-based) means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

Note—

Dairies (pasture-based) are a type of **extensive agriculture**—see the definition of that term in this Dictionary.

dairy (restricted) means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

Note—

Dairies (restricted) are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

drainage means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

Note—

Dual occupancies are a type of **residential accommodation**—see the definition of that term in this Dictionary.

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Note—

Dual occupancies (attached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Note—

Dual occupancies (detached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

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 only one dwelling.

Note—

Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

early education and care facility means a building or place used for the education and care of children, and includes any of the following—

- (a) a centre-based child care facility,
- (b) home-based child care,
- (c) school-based child care.

earthworks means excavation or filling.

ecologically sustainable development has the same meaning as in the Act.

eco-tourist facility means a building or place that—

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

Note—

See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

educational establishment means a building or place used for education (including teaching), being—

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

electricity generating works means a building or place used for the purpose of making or generating electricity.

emergency services facility means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

emergency services organisation means any of the following—

- (a) Ambulance Service of New South Wales,
- (b) Fire and Rescue NSW,
- (c) NSW Rural Fire Service,
- (d) NSW Police Force,
- (e) State Emergency Service,
- (f) New South Wales Volunteer Rescue Association Incorporated,
- (g) New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*,
- (h) an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but

does not include a pub or registered club.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

estuary has the same meaning as in the [Water Management Act 2000](#).

Note—

The term is defined as follows—

estuary means—

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the [Water Management Act 2000](#)) to be an estuary,

but does not include anything declared by the regulations (under the [Water Management Act 2000](#)) not to be an estuary.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

extensive agriculture means any of the following—

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,
- (c) bee keeping,
- (d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar

husbandry purposes, of the animals.

Note—

Extensive agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

Note—

Extractive industries are not a type of **industry**—see the definition of that term in this Dictionary.

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

Note—

See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Note—

Feedlots are a type of **intensive livestock agriculture**. Intensive livestock agriculture does not include **extensive agriculture**. See the definitions of those terms in this Dictionary.

fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include—

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include—

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or

- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

fish has the same meaning as in the [Fisheries Management Act 1994](#).

Note—

The term is defined as follows—

Definition of “fish”

(1)

Fish means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).

(2)

Fish includes—

- (a) oysters and other aquatic molluscs, and
- (b) crustaceans, and
- (c) echinoderms, and
- (d) beachworms and other aquatic polychaetes.

(3)

Fish also includes any part of a fish.

(4)

However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the [Fisheries Management Act 1994](#).

flood mitigation work means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

Flood Planning Map means the [Woollahra Local Environmental Plan 2014 Flood Planning Map](#).

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the [Woollahra Local Environmental Plan 2014 Floor Space Ratio Map](#).

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note—

Food and drink premises are a type of **retail premises**—see the definition of that term in this Dictionary.

Foreshore Building Line Map means the [Woollahra Local Environmental Plan 2014 Foreshore Building Line Map](#).

forestry means forestry operations within the meaning of the [Forestry Act 2012](#) or Part 5B of the [Local Land Services Act 2013](#).

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note—

Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following—

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

Note—

Garden centres are a type of **retail premises**—see the definition of that term in this Dictionary.

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note—

General industries are a type of **industry**—see the definition of that term in this Dictionary.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and

- (c) any shop, auditorium, cinema, and the like, in a basement or attic,
but excludes—
- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement—
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

ground level (existing) means the existing level of a site at any point.

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

group home means a permanent group home or a transitional group home.

Note—

Group homes are a type of **residential accommodation**—see the definition of that term in this Dictionary.

group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#) applies.

Note—

Permanent group homes are a type of **group home**—see the definition of that term in this Dictionary.

group home (transitional) or transitional group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and

whether or not those persons are related or payment for board and lodging is required, and

- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

Note—

Transitional group homes are a type of **group home**—see the definition of that term in this Dictionary.

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

Note—

Hardware and building supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

hazardous industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), pose a significant risk in the locality—

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

Note—

Hazardous industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

hazardous storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), pose a significant risk in the locality—

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

Note—

Hazardous storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

headland includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

health care professional means any person registered under an Act for the purpose of providing health care.

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

Note—

Health consulting rooms are a type of **health services facility**—see the definition of that term in this Dictionary.

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

heavy industrial storage establishment means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following—

- (a) a hazardous storage establishment,
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes—

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

Note—

Heavy industries are a type of **industry**—see the definition of that term in this Dictionary.

Height of Buildings Map means the [Woollahra Local Environmental Plan 2014 Height of Buildings Map](#).

helipad means a place not open to the public used for the taking off and landing of helicopters.

heliport means a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes—

- (a) a terminal building, or

(b) facilities for the parking, storage or repair of helicopters.

Note—

Heliports are a type of **air transport facility**—see the definition of that term in this Dictionary.

heritage conservation area means an area of land of heritage significance—

(a) shown on the [Heritage Map](#) as a heritage conservation area, and

(b) the location and nature of which is described in Schedule 5,

and includes any heritage items situated on or within that area.

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Public Service agency responsible to the Minister administering the [Heritage Act 1977](#) that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of—

(a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and

(b) an assessment of the impact that proposed development will have on that significance, and

(c) proposals for measures to minimise that impact.

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

Note—

An inventory of heritage items is also available at the office of the Council.

heritage management document means—

(a) a heritage conservation management plan, or

(b) a heritage impact statement, or

(c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Heritage Map means the [Woollahra Local Environmental Plan 2014 Heritage Map](#).

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

high technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following—

(a) electronic or micro-electronic systems, goods or components,

- (b) information technology (such as computer software or hardware),
 - (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
 - (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
 - (e) film, television or multi-media technologies, including any post production systems, goods or components,
 - (f) telecommunications systems, goods or components,
 - (g) sustainable energy technologies,
 - (h) any other goods, systems or components intended for use in a science or technology related field,
- but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note—

High technology industries are a type of **light industry**—see the definition of that term in this Dictionary.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

home-based child care means a family day care residence (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)) at which the education and care service is provided at any one time to no more than 7 children (including any child of the person providing the service) all of whom are under the age of 13 years and no more than 4 of whom are children who do not ordinarily attend school.

Note—

A family day care residence is a residence at which a family day care educator educates and cares for children as part of a family day care service—see the [Children \(Education and Care Services\) National Law \(NSW\)](#).

home business means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve—

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or

- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note—

See clause 5.4 for controls relating to the floor area used for a home business.

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following—

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

Note—

See clause 5.4 for controls relating to the floor area used for a home industry.

Home industries are a type of **light industry**—see the definition of that term in this Dictionary.

home occupation means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve—

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve—

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

horticulture means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Note—

Horticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following—

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

Note—

Hospitals are a type of **health services facility**—see the definition of that term in this Dictionary.

hostel means premises that are generally staffed by social workers or support providers and at which—

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

Note—

Hostels are a type of **residential accommodation**—see the definition of that term in this Dictionary.

hotel or motel accommodation means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that—

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note—

Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

industrial retail outlet means a building or place that—

- (a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

Note—

See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

industrial training facility means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

industry means any of the following—

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include—

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—

- (a) dairies (restricted),
- (b) feedlots,
- (c) pig farms,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

Note—

Intensive livestock agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

intensive plant agriculture means any of the following—

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

Note—

Intensive plant agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

jetty means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

kiosk means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note—

See clause 5.4 for controls relating to the gross floor area of a kiosk.

Kiosks are a type of **retail premises**—see the definition of that term in this Dictionary.

Land Application Map means the [Woollahra Local Environmental Plan 2014 Land Application Map](#).

Land Reservation Acquisition Map means the [Woollahra Local Environmental Plan 2014 Land Reservation Acquisition Map](#).

Land Zoning Map means the [Woollahra Local Environmental Plan 2014 Land Zoning Map](#).

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note—

Landscaping material supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

light industry means a building or place used to carry out an industrial activity that does 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 includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry.

Note—

Light industries are a type of **industry**—see the definition of that term in this Dictionary.

liquid fuel depot means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

Note—

Liquid fuel depots are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackereries, tanneries, woolscours and rendering plants.

Note—

Livestock processing industries are a type of **rural industry**—see the definition of that term in this Dictionary.

local distribution premises means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but

from which no retail sales are made.

Note—

Local distribution premises are a type of **warehouse or distribution centre**—see the definition of that term in this Dictionary.

Lot Size Map means the [Woollahra Local Environmental Plan 2014 Lot Size Map](#).

maintenance, in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

marina means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities—

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,
- (b) any facility for providing fuelling, sewage pump-out or other services for boats,
- (c) any facility for launching or landing boats, such as slipways or hoists,
- (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,
- (e) any berthing or mooring facilities.

market means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

Note—

Markets are a type of **retail premises**—see the definition of that term in this Dictionary.

mean high water mark means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

Note—

Medical centres are a type of **health services facility**—see the definition of that term in this Dictionary.

mezzanine means an intermediate floor within a room.

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

mine subsidence district means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

mining means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes—

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

Note—

Mining is not a type of **industry**—see the definition of that term in this Dictionary.

mixed use development means a building or place comprising 2 or more different land uses.

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

mooring pen means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the *Local Government Act 1993*.

Note—

The term is defined as follows—

moveable dwelling means—

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act 1993*) for the purposes of this definition.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note—

Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

native fauna means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

native flora means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the *Fisheries Management Act 1994*.

native vegetation has the same meaning as in Part 5A of the *Local Land Services Act 2013*.

navigable waterway means any waterway that is from time to time capable of navigation and is

open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include neighbourhood supermarkets or restricted premises.

Note—

See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of **shop**—see the definition of that term in this Dictionary.

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

Note—

See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets.

Neighbourhood supermarkets are a type of **shop**—see the definition of that term in this Dictionary.

nominated State heritage item means a heritage item that—

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

offensive industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note—

Offensive industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

offensive storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note—

Offensive storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

office premises means a building or place used for the purpose of administrative, clerical, technical,

professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note—

Office premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

open cut mining means mining carried out on, and by excavating, the earth's surface, but does not include underground mining.

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

oyster aquaculture means the cultivation of any species of edible oyster for a commercial purpose.

Note—

Oyster aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary.

parking space means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

people who are socially disadvantaged means—

- (a) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or
- (b) people who require protection because of domestic violence or upheaval.

people with a disability means people of any age who, as a result of having an intellectual, psychiatric, sensory, physical or similar impairment, or a combination of such impairments, either permanently or for an extended period, have substantially limited opportunities to enjoy full and active lives.

pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

Note—

Pig farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

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.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Note—

Plant nurseries are a type of **retail premises**—see the definition of that term in this Dictionary.

pond-based aquaculture means aquaculture undertaken predominantly in ponds, raceways or dams (including any part of the aquaculture undertaken in tanks such as during the hatchery or depuration phases), but not including natural water-based aquaculture.

Note—

Pond-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the [Ports and Maritime Administration Act 1995](#)—

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

potable water means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Note—

Poultry farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

property vegetation plan mean a property vegetation plan approved under Part 4 of the [Native Vegetation Act 2003](#) before the repeal of that Act (as continued in force by the regulations under the [Biodiversity Conservation Act 2016](#)).

pub means licensed premises under the [Liquor Act 2007](#) the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note—

Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary.

public administration 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, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public land has the same meaning as in the *Local Government Act 1993*.

Note—

The term is defined as follows—

public land means any land (including a public reserve) vested in or under the control of the council, but does not include—

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

public reserve has the same meaning as in the *Local Government Act 1993*.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency 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 includes a reference to a council, electricity supply authority, Public Service agency, corporation, firm or authority carrying on the undertaking.

rainwater tank means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Reduced Level (RL) means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971.

registered club means a club that holds a club licence under the [Liquor Act 2007](#).

relic has the same meaning as in the [Heritage Act 1977](#).

Note—

The term is defined as follows—

relic means any deposit, artefact, object or material evidence that—

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following—

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

residential care facility means accommodation for seniors or people with a disability that includes—

(a) meals and cleaning services, and

(b) personal care or nursing care, or both, and

(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

Note—

Residential care facilities are a type of **seniors housing**—see the definition of that term in this Dictionary.

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note—

Residential flat buildings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

Note—

Resource recovery facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

respite day care centre means a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre.

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note—

Restaurants or cafes are a type of **food and drink premises**—see the definition of that term in this Dictionary.

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

restriction facilities means facilities where animals are constrained for management purposes,

including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note—

Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

road means a public road or a private road within the meaning of the [Roads Act 1993](#), and includes a classified road.

roadside stall means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note—

See clause 5.4 for controls relating to the gross floor area of roadside stalls.

Roadside stalls are a type of **retail premises**—see the definition of that term in this Dictionary.

rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note—

Rural industries are not a type of **industry**—see the definition of that term in this Dictionary.

rural supplies means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

Note—

Rural supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

rural worker's dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Note—

Rural workers' dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note—

Sawmill or log processing works are a type of **rural industry**—see the definition of that term in this Dictionary.

school means a government school or non-government school within the meaning of the [Education Act 1990](#).

Note—

Schools are a type of **educational establishment**—see the definition of that term in this Dictionary.

school-based child care means a building or place within a school that is used to provide out-of-school-hours care (including vacation care) for school children only.

Note—

Accordingly, a building or place within a school that is used to provide out-of-school-hours care for both school children and pre-school children is not school-based child care.

secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note—

See clause 5.4 for controls relating to the total floor area of secondary dwellings.

Secondary dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

self-storage units means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

Note—

Self-storage units are a type of **storage premises**—see the definition of that term in this Dictionary.

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Note—

Semi-detached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

seniors housing means a building or place that is—

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
and that is, or is intended to be, used permanently for—
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

Note—

Seniors housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,

- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note—

Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated—

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

Note—

Sewage reticulation systems are a type of **sewerage system**—see the definition of that term in this Dictionary.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

Note—

Sewage treatment plants are a type of **sewerage system**—see the definition of that term in this Dictionary.

sewerage system means any of the following—

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Note—

Shops are a type of **retail premises**—see the definition of that term in this Dictionary.

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Note—

Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

Note—

The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage—

- (a) any basement,
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,
- (d) unenclosed balconies, decks, pergolas and the like.

small bar means a small bar within the meaning of the [Liquor Act 2007](#).

Note—

Small bars are a type of **food and drink premises**—see the definition of that term in this Dictionary.

spa pool has the same meaning as in the [Swimming Pools Act 1992](#).

Note—

The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note—

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of **retail premises**—see the definition of that term in this Dictionary.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

Note—

Stock and sale yards are a type of **rural industry**—see the definition of that term in this Dictionary.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include—

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

swimming pool has the same meaning as in the [Swimming Pools Act 1992](#).

Note—

The term is defined as follows—

swimming pool means an excavation, structure or vessel—

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the [Swimming Pools Act 1992](#) not to be a swimming pool for the purposes of that Act.

take away food and drink premises means premises that are predominantly used for the

preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

Note—

Take away food and drink premises are a type of **food and drink premises**—see the definition of that term in this Dictionary.

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note—

Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

telecommunications facility means—

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note—

The term is defined as follows—

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

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

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

Note—

Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,

(e) serviced apartments,

but does not include—

(f) camping grounds, or

(g) caravan parks, or

(h) eco-tourist facilities.

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

Note—

Turf farming is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

underground mining means—

(a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and

(b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

Note—

Vehicle sales or hire premises are a type of **retail premises**—see the definition of that term in this Dictionary.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

Note—

Viticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises.

waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

Note—

Waste disposal facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

waste or resource management facility means any of the following—

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note—

Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note—

Water recycling facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

Note—

Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note—

Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following—

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note—

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means—

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet

meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or

- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

wharf or boating facilities means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities—

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the [A New Tax System \(Australian Business Number\) Act 1999](#) of the Commonwealth.