

Leichhardt Local Environmental Plan 2013

[2013-758]



New South Wales

Status Information

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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—

- **See also**
[Planning Legislation Amendment Bill 2019](#)

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](#).

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Leichhardt Local Environmental Plan 2013



New South Wales

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Leichhardt Local Environmental Plan 2013



New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Leichhardt Local Environmental Plan 2013*.

1.1AA Commencement

This Plan commences 6 weeks after the day on which 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 Leichhardt in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
 - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
 - (a) to ensure that development applies the principles of ecologically sustainable development,
 - (b) to minimise land use conflict and the negative impact of urban development on the natural, social, economic, physical and historical environment,
 - (c) to identify, protect, conserve and enhance the environmental and cultural heritage of Leichhardt,
 - (d) to promote a high standard of urban design in the public and private domains,
 - (e) to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt,
 - (f) to maintain and enhance Leichhardt's urban environment,
 - (g) to ensure that land use zones are appropriately located to maximise access to

- sustainable transport, community services, employment and economic opportunities, public open space, recreation facilities and the waterfront,
- (h) to promote accessible and diverse housing types, including the provision and retention of—
 - (i) housing for seniors or people with a disability, and
 - (ii) affordable housing,
 - (i) to provide for development that promotes road safety for all users, walkable neighbourhoods and accessibility, reduces car dependency and increases the use of active transport through walking, cycling and the use of public transport,
 - (j) to ensure an adequate supply of land and housing to facilitate—
 - (i) employment and economic opportunities, and
 - (ii) the provision of goods and services that meet the needs of the local and subregional population,
 - (k) to protect and enhance—
 - (i) views and vistas of Sydney Harbour, Parramatta River, Callan Park and Leichhardt and Balmain civic precincts from roads and public vantage points, and
 - (ii) views and view sharing from and between private dwellings,
 - (l) to ensure that development is compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping and the desired future character of the area,
 - (m) to ensure that development provides high quality landscaped areas in residential developments,
 - (n) to protect, conserve and enhance the character and identity of the suburbs, places and landscapes of Leichhardt, including the natural, scientific and cultural attributes of the Sydney Harbour foreshore and its creeks and waterways, and of surface rock, remnant bushland, ridgelines and skylines,
 - (o) to prevent undesirable incremental change, including demolition, that reduces the heritage significance of places, conservation areas and heritage items,
 - (p) to provide for effective community participation and consultation for planning and development,
 - (q) to promote opportunities for equitable and inclusive social, cultural and community activities,

- (r) to promote the health and well being of residents, business operators, workers and visitors,
- (s) to ensure that development applies the principles of crime prevention through design to promote safer places and spaces,
- (t) to ensure that development responds to, conserves, protects and enhances the natural environment, including terrestrial, aquatic and riparian habitats, bushland, biodiversity, wildlife habitat corridors and ecologically sensitive land,
- (u) to promote energy conservation, water cycle management (incorporating water conservation, water reuse, catchment management, stormwater pollution control and flood risk management) and water sensitive urban design,
- (v) to ensure that existing landforms and natural drainage systems are protected,
- (w) to ensure that the risk to the community in areas subject to environmental hazards is minimised,
- (x) to ensure that the impacts of climate change are mitigated and adapted to.

1.3 Land to which Plan applies

- (1) This Plan applies to the land identified on the [Land Application Map](#).
- (1A) Despite subclause (1), this Plan does not apply to the land identified as “Deferred matter” 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 NSW Planning Portal. 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—

Interim Development Order No 27—Municipality of Leichhardt

- (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.

Note—

However, [Leichhardt Local Environmental Plan 2000](#) continues to apply to the land identified as “Deferred matter” under clause 1.3 (1A).

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 3.5 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 3.28 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 relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, 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 Subdivision 2 of Division 7.1 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 3.16 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

R1 General Residential

R3 Medium Density Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B4 Mixed Use

B7 Business Park

Industrial Zones

IN2 Light Industrial

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

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.
- 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 106 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 \(Housing\) 2021*](#)

[*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 R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To improve opportunities to work from home.
- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped

areas.

- To provide landscaped areas for the use and enjoyment of existing and future residents.
- To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Shops; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Helipads; High technology industries; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Light industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Retail

premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

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 permit increased residential density in accessible locations so as to maximise public transport patronage and to encourage walking and cycling.
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Home industries; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria;

Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Pond-based aquaculture Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

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 ensure that development is appropriately designed to minimise amenity impacts.
- To allow appropriate residential uses to support the vitality of neighbourhood centres.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Medical centres; Multi dwelling housing; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Residential flat buildings; Respite day care centres; Roads; Rural workers' dwellings; Semi-detached dwellings; Shop top housing; Tank-based aquaculture; Any other development not specified in item

2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; General industries; Group homes (transitional); Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Hostels; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Marinas; Open cut mining; Mooring pens; Mortuaries; Passenger transport facilities; Pond-based aquaculture Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Specialised retail premises; Storage premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

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 ensure that development is appropriately designed to minimise amenity impacts.
- To allow appropriate residential uses to support the vitality of local centres.
- To ensure that uses support the viability of local centres.
- To provide a mixture of compatible land uses.

- To reinforce and enhance the role, function and identity of local centres by encouraging appropriate development to ensure that surrounding development does not detract from the function of local centres.
- To integrate suitable business, office, residential, retail and other development in accessible locations.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Multi dwelling housing; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Rural workers' dwellings; Semi-detached dwellings; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Industrial training facilities; Marinas; Mooring pens; Open cut mining; Pond-based aquaculture Port facilities; Recreation facilities (major); Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Waste or resource transfer stations; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

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 support the renewal of specific areas by providing for quality medium density residential and small-scale retail and commercial uses.
- To ensure that development is appropriately designed to enhance the amenity of existing and future residents and the neighbourhood.
- To constrain parking and restrict car use.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or

distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone B7 Business Park

1 Objectives of zone

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To provide for limited residential development in conjunction with permissible active ground floor uses.
- To provide for certain business and office premises and light industries in the arts, technology, production and design sectors.

2 Permitted without consent

Home occupations

3 Permitted with consent

Centre-based child care facilities; Garden centres; Hardware and building supplies; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Food and drink premises; Forestry; Freight transport facilities; Function centres; General industries; Group homes; Heavy industrial storage establishments; Heavy

industries; Helipads; Highway service centres; Home occupations (sex services); Hostels; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Marinas; Markets; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Open cut mining; Plant nurseries; Pond-based aquaculture Port facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential flat buildings; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Seniors housing; Service stations; Shop top housing; Sewage treatment plants; Sex services premises; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To retain existing employment uses and foster a range of new industrial uses to meet the needs of the community.
- To ensure the provision of appropriate infrastructure that supports Leichhardt's employment opportunities.
- To retain and encourage waterfront industrial and maritime activities.
- To provide for certain business and office premises and light industries in the arts, technology, production and design sectors.

2 Permitted without consent

Nil

3 Permitted with consent

Agricultural produce industries; Depots; Educational establishments; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Storage premises; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Biosolids treatment facilities; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Forestry; Heavy industries; Home businesses; Intensive livestock agriculture; Hazardous storage establishments; Health services facilities; Helipads; Highway service centres; Home occupations (sex services); Information and education facilities; Livestock processing industries; Marinas; Markets; Mooring pens; Moorings; Offensive storage establishments; Open cut mining; Pond-based aquaculture Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Restaurants or cafes; Roadside stalls; Rural supplies; Shops; Stock and sale yards; Tourist and visitor accommodation; Waste disposal facilities

Zone SP1 Special Activities

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Roads; 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 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.
- To ensure the adequate provision of public, community and social infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Centre-based child care facilities; Community facilities; Entertainment facilities; Flood mitigation works; Information and education facilities; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; 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 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.
- To maximise the quantity and quality of open space areas to meet the existing and future needs of the community.
- To ensure the equitable distribution of, and access to, open space and recreation facilities.
- To retain, protect and promote public access to foreshore areas and to provide links between open space areas.
- To provide opportunities in open space for public art.
- To conserve, protect and enhance the natural environment, including terrestrial, aquatic and riparian habitats.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Emergency services facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Recreation facilities (major); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

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

Environmental protection works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Community facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Roads; Signage; Wharf or boating facilities

4 Prohibited

Any development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

- (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 Land Management Act 2016* 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 ensure that lot sizes are able to accommodate development that is consistent with relevant development controls,
 - (b) to ensure that lot sizes are capable of supporting a range of development types.

- (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.
- (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

[Not adopted]

4.2 Rural subdivision

[Not applicable]

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to establish the maximum height of buildings,
 - (b) to ensure that buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,
 - (baa) Zone RU3 Forestry,
 - (c) to nominate heights that will provide an appropriate transition in built form and land use intensity.
- (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](#).

4.3A Landscaped areas for residential accommodation in Zone R1

- (1) The objectives of this clause are as follows—
 - (a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,
 - (b) to maintain and encourage a landscaped corridor between adjoining properties,
 - (c) to ensure that development promotes the desired future character of the neighbourhood,

- (d) to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water,
 - (e) to control site density,
 - (f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space.
- (2) This clause applies to development for the purpose of residential accommodation on land in Zone R1 General Residential.
- (3) Development consent must not be granted to development to which this clause applies unless—
- (a) the development includes landscaped area that comprises at least—
 - (i) where the lot size is equal to or less than 235 square metres—15% of the site area, or
 - (ii) where the lot size is greater than 235 square metres—20% of the site area, and
 - (b) the site coverage does not exceed 60% of the site area.
- (4) For the purposes of subclause (3)—
- (a) the site area is to be calculated under clause 4.5 (3), and
 - (b) any area that—
 - (i) has a length or a width of less than 1 metre, or
 - (ii) is greater than 500mm above ground level (existing),is not to be included in calculating the proportion of landscaped area, and
 - (c) any deck or balcony or the like (whether enclosed or unenclosed) is not to be included in calculating the site coverage if—
 - (i) it is 2.4 metres or more above ground level (existing), as measured from the underside of the structure and the area below the structure is able to be landscaped or used for recreational purposes, or
 - (ii) the finished floor level is 500mm or less above ground level (existing).

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
- (a) to ensure that residential accommodation—

- (i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and
 - (ii) provides a suitable balance between landscaped areas and the built form, and
 - (iii) minimises the impact of the bulk and scale of buildings,
 - (b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form 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 development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.
- (2B) Despite subclause (2), the floor space ratio for development for the purpose of residential accommodation—
- (a) on land shown edged black or pink on the [Floor Space Ratio Map](#) is not to exceed—
 - (i) in the case of development on a lot with an area of less than 150 square metres—0.9:1, or
 - (ii) in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.8:1, or
 - (iii) in the case of development on a lot with an area of 300 square metres or more but less than 450 square metres—0.7:1, or
 - (iv) in the case of development on a lot with an area of 450 square metres or more—0.6:1, or
 - (b) on land shown edged red or green on the [Floor Space Ratio Map](#) is not to exceed—
 - (i) in the case of development on a lot with an area of less than 150 square metres—1.0:1, or
 - (ii) in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.9:1, or
 - (iii) in the case of development on a lot with an area of 300 square metres or more but less than 450 square metres—0.8:1, or
 - (iv) in the case of development on a lot with an area of 450 square metres or more—0.7:1, or

- (c) on land shown edged brown on the [Floor Space Ratio Map](#) is not to exceed—
 - (i) in the case of development on a lot with an area of less than 150 square metres—0.8:1, or
 - (ii) in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.7:1, or
 - (iii) in the case of development on a lot with an area of 300 square metres or more but less than 450 square metres—0.6:1, or
 - (iv) in the case of development on a lot with an area of 450 square metres or more—0.5:1, or
- (d) on land shown edged yellow on the [Floor Space Ratio Map](#) is not to exceed—
 - (i) in the case of development on a lot with an area of less than 150 square metres—0.9:1, or
 - (ii) in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.8:1, or
 - (iii) in the case of development on a lot with an area of 300 square metres or more—0.7:1.

4.4A Exception to maximum floor space ratio for active street frontages

- (1) The objective of this clause is to provide floor space incentives for mixed use development that incorporates active street frontages at ground floor level in Zone B1 Neighbourhood Centre or Zone B2 Local Centre.
- (2) This clause applies to land identified as “Area 1” on the [Floor Space Ratio Map](#).
- (3) Despite clause 4.4, the maximum floor space ratio for a building on land to which this clause applies is 1.5:1 if the consent authority is satisfied that—
 - (a) the building will have an active street frontage, and
 - (b) the building comprises mixed use development, including residential accommodation, and
 - (c) the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.
- (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following—
 - (a) entrances and lobbies (including as part of mixed use development),
 - (b) access for fire services,

(c) vehicular access.

(5) In this clause, a building has an **active street frontage** if all floor space on the ground floor of the building facing the street is used for a purpose other than residential accommodation.

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 Planning Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Planning 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 Planning 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 any 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,
 - (caa) clause 5.5.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 3.15 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 2.5 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Transport for NSW
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the National Parks and Wildlife Act 1974

Note—

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

- (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.

5.2 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 and certain Crown land). 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 Land Management Act 2016*).

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

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 10 metres.
- (3) This clause does not apply to—
- (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.

Note—

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

- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining

zone, but only if the consent authority is satisfied that—

- (a) the development is not inconsistent with the objectives for development in both zones, and
- (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

(5) This clause does not prescribe a development standard that may be varied under this Plan.

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 3 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 30 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 30 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) 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or

(b) 100 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 20 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 on land other than land in a rural zone** If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, 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) 30% 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) 20% of the gross floor area of the industry, or
 - (b) 100 square metres,
- whichever is the lesser.

5.5 Controls relating to secondary dwellings on land in a rural zone

[Not adopted]

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 Leichhardt,
 - (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 adopted]

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

- (1) The objectives of this clause are—
 - (a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and

- (b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.
- (2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.
- (3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—
- (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,
 - (b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,
 - (c) the potential for the pollution of surface water and ground water,
 - (d) the potential for the degradation of soils,
 - (e) the measures proposed to mitigate any potential adverse impacts,
 - (f) the suitability of the site in the circumstances,
 - (g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,
 - (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.
- (4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—
- (a) the development is of a type specified in subclause (5), and
 - (b) the consent authority is satisfied that the development will not be located—
 - (i) in an environmentally sensitive area, or
 - (ii) within 100 metres of a natural watercourse, or
 - (iii) in a drinking water catchment, or
 - (iv) within 500 metres of any dwelling that is not associated with the

development, or a residential zone, or

(v) if the development is a poultry farm—within 500 metres of another poultry farm.

- (5) The following types of development are specified for the purposes of subclause (4)—
- (a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,
 - (b) a goat feedlot having a capacity to accommodate fewer than 200 goats,
 - (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,
 - (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),
 - (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,
 - (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).
- (6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.
- (7) In this clause—

environmentally sensitive area has the same meaning as in clause 1.5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.

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.

5.20 Standards that cannot be used to refuse consent—playing and performing music

(1) The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—

(a) the playing or performance of music, including the following—

(i) the genre of music played or performed, or

(ii) whether the music played or performed is live or amplified, or

(iii) whether the music played or performed is original music, or

(iv) the number of musicians or live entertainment acts playing or performing, or

(v) the type of instruments played,

(b) whether dancing occurs,

(c) the presence or use of a dance floor or another area ordinarily used for dancing,

- (d) the direction in which a stage for players or performers faces,
 - (e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.
- (2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.
- (3) In this clause—
- licensed premises*** has the same meaning as in the *Liquor Act 2007*.

5.21 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 flood function and behaviour on the land, taking into account projected changes as a result of climate change,
 - (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
 - (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.
- (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—
- (a) is compatible with the flood function and behaviour on the land, and
 - (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
 - (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

- (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—
- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
 - (b) the intended design and scale of buildings resulting from the development,
 - (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
 - (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.
- (4) A word or expression used in this clause has the same meaning as it has in the *Considering Flooding in Land Use Planning Guideline* unless it is otherwise defined in this clause.
- (5) In this clause—

Considering Flooding in Land Use Planning Guideline means the *Considering Flooding in Land Use Planning Guideline* published on the Department’s website on 14 July 2021.

flood planning area has the same meaning as it has in the *Floodplain Development Manual*.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

5.22 Special flood considerations

[Not adopted]

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) Before granting 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 (Repealed)

6.4 Stormwater management

- (1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.
- (2) This clause applies to all land in residential, business and industrial zones.
- (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 designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
 - (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
 - (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

6.5 Limited development on foreshore area

- (1) The objective of this clause is to ensure that development in the foreshore area will not adversely 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 the foreshore area except for the following purposes—
 - (a) the alteration or rebuilding of an existing building wholly or partly in the foreshore area,
 - (b) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).
- (3) Development consent must not be granted under subclause (2) 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, fauna and flora habitats, or
 - (iii) an adverse effect on drainage patterns, and
- (d) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
- (e) 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, and
- (f) 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, and
- (g) sea level rise or change of flooding patterns as a result of climate change has been considered.

(4) In this clause and clause 6.6—

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the [Foreshore Building Line Map](#).

foreshore building line means the line shown as the foreshore building line on the [Foreshore Building Line Map](#).

6.6 Development on the foreshore must ensure access

In deciding whether to grant consent for development in the foreshore area, 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 mean high water mark,
- (e) the reinforcing of the foreshore character and respect for existing environmental

conditions.

6.7 Airspace operations

- (1) The objectives of this clause are as follows—
 - (a) to provide for the effective and ongoing operation of the Sydney (Kingsford Smith) Airport by ensuring that its operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,
 - (b) to protect the community from undue risk from that operation.
- (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.
- (3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that—
 - (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or
 - (b) the development will not penetrate the Limitation or Operations Surface.
- (4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed.
- (5) In this clause—

Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map for the Sydney (Kingsford Smith) Airport.

relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Sydney (Kingsford Smith) Airport.

6.8 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows—
 - (a) to prevent certain noise sensitive developments from being located near the Sydney (Kingsford Smith) Airport and its flight paths,
 - (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive

buildings,

- (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.

(2) This clause applies to development—

- (a) that is on land that is near the Kingsford Smith Airport and in an ANEF contour of 20 or greater, and
- (b) that the consent authority considers is likely to be adversely affected by aircraft noise, and
- (c) that involves any one or more of the following—
 - (i) the erection of a new building,
 - (ii) a substantial alteration or addition to an existing building,
 - (iii) an alteration or addition to a building that is required by a development consent to be compliant with AS 2021—2015,
 - (iv) the change of use of any part of a building to a centre-based child care facility, educational establishment, entertainment facility, health services facility, place of public worship, public administration building or residential accommodation,
 - (v) the change of use of any part of a building on land that is in an ANEF contour of 25 or greater to business premises, a hostel, office premises, retail premises or tourist and visitor accommodation,
 - (vi) the change of use of any part of a building on land that is in an ANEF contour of 30 or greater to light industry.

(3) Before determining a development application for development to which this clause applies, the consent authority—

- (a) must consider whether the development will result in the creation of a new dwelling or an increase in the number of dwellings or people affected by aircraft noise, and
- (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2015, and
- (c) must consider whether the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2015.

(4) In this clause—

ANEF contour means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Kingsford Smith Airport prepared by the Department of the Commonwealth responsible for airports.

AS 2021—2015 means AS 2021—2015, *Acoustics—Aircraft noise intrusion—Building siting and construction*.

6.9 Business and office premises in Zone IN2

- (1) The objective of this clause is to promote certain types of business and office premises in Zone IN2 Light Industrial.
- (2) This clause applies to land in Zone IN2 Light Industrial.
- (3) Development consent must not be granted to development for the purpose of business premises or office premises on land to which this clause applies unless the consent authority is satisfied that the development will be used for a creative purpose such as media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions or other related purposes.

6.10 Use of existing buildings in Zone R1

- (1) The objective of this clause is to provide for the adaptive reuse of existing buildings for purposes other than residential accommodation.
- (2) This clause applies to land in Zone R1 General Residential.
- (3) Development consent must not be granted to development for the purposes of business premises, office premises, restaurants or cafes, shops or take away food and drink premises on land to which this clause applies unless—
 - (a) the development is a building that was constructed (wholly or partly) for a purpose other than residential accommodation and was erected before the commencement of this Plan, and
 - (b) the consent authority is satisfied that—
 - (i) the development will not adversely affect the amenity of the surrounding area, and
 - (ii) the development will retain the form and fabric of any architectural features of the existing building, and
 - (iii) the building is suitable for adaptive reuse, and
 - (iv) any modification of the footprint and facade of the building will be minimal, and

- (v) the gross floor area of any part of the building used for the purpose of a restaurant or cafe or take away food and drink premises will be less than 80 square metres.

6.11 Adaptive reuse of existing buildings in Zone R1

- (1) The objectives of this clause are as follows—
 - (a) to provide for the adaptive reuse of existing buildings for residential accommodation,
 - (b) to retain buildings that contribute to the streetscape and character of Leichhardt,
 - (c) to provide satisfactory amenity for future residents of the area,
 - (d) to ensure that development does not adversely affect the quality or amenity of existing buildings in the area.
- (2) This clause applies to land in Zone R1 General Residential.
- (3) Development consent must not be granted to the change of use to residential accommodation of a building on land to which this clause applies that was constructed before the commencement of this clause unless the consent authority is satisfied that—
 - (a) the development will not adversely affect the streetscape, character or amenity of the surrounding area, and
 - (b) the development will retain the form, fabric and features of any architectural or historic feature of the existing building, and
 - (c) any increase in the floor space ratio will be generally contained within the envelope of the existing building.

6.11A Residential accommodation in Zone B1 and Zone B2

- (1) The objective of this clause is to promote residential accommodation as part of mixed use developments in business zones to support the vitality of neighbourhood and local centres.
- (2) This clause applies to land in Zone B1 Neighbourhood Centre and Zone B2 Local Centre.
- (3) Development consent must not be granted to development for the purpose of residential accommodation on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the building comprises mixed use development, including residential accommodation, and

- (b) the building will have an active street frontage, and
 - (c) the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.
- (4) In this clause, a building has an **active street frontage** if all floor space on the ground floor of the building on the primary street frontage is used for a purpose other than residential accommodation (with the exception of areas for access or service purposes).

6.12 Residential accommodation in Zone B7

- (1) The objective of this clause is to provide for ancillary residential accommodation for small-scale live-work enterprises, to assist in the revitalisation of employment areas and to provide a transition between adjoining land use zones.
- (2) This clause applies to land in Zone B7 Business Park.
- (3) Development consent must not be granted to development for the purpose of a dwelling on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the dwelling is part of a mixed use development that includes office premises or light industries on the ground floor, and
 - (b) the dwelling and ground floor premises will be occupied by the same person or persons.
- (4) This clause does not apply to land at 1-5 Chester Street, Annandale, being Lot 11, DP 499846.

6.13 Diverse housing

- (1) The objective of this clause is to ensure the provision of a mix of dwelling types in residential flat buildings and mixed use development that includes shop top housing.
- (2) This clause applies to development for the purpose of a residential flat building or a mixed use development that includes shop top housing but only if the development includes at least 4 dwellings.
- (3) Development consent must not be granted to development to which this clause applies unless—
 - (a) at least 25% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development will include self-contained studio dwellings or one-bedroom dwellings, or both, and
 - (b) no more than 30% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development will include dwellings with at least 3

bedrooms.

6.14 Development control plans for certain development

- (1) The objective of this clause is to ensure that certain development occurs in a logical and cost-effective manner only after a development control plan that includes specific controls has been prepared.
- (2) This clause applies to the following development on a site with an area not less than 3,000 square metres, or with a water frontage of at least 20 metres—
 - (a) the erection of a building,
 - (b) development that will increase the gross floor area of an existing building by more than 5%,
 - (c) development involving alterations to at least 75% of the facade of an existing building that fronts a street,
 - (d) development involving more than 75% of the site coverage of existing buildings on the land.
- (3) Development consent must not be granted to development to which this clause applies unless a development control plan that provides for detailed development controls has been prepared for the land.
- (4) Without limiting subclause (3), the development control plan referred to in subclause (3) must provide for all of the following—
 - (a) the compatibility of the proposed development with the desired future character of the area,
 - (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,
 - (c) whether the proposed development has an adverse impact on view corridors,
 - (d) the site's suitability for the proposed development,
 - (e) the existing and proposed mix of land uses,
 - (f) cultural, heritage and archaeological issues,
 - (g) streetscape constraints,
 - (h) the height, bulk, scale, massing and modulation of buildings,
 - (i) the heights of buildings with street frontages,
 - (j) environmental constraints, including contamination and acid sulfate soils,

- (k) environmental impacts such as overshadowing, wind and reflectivity,
 - (l) whether the proposed development incorporates the principles of ecologically sustainable development,
 - (m) overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists,
 - (n) the proposed development's relationship and integration with existing and proposed public transport facilities,
 - (o) the overall landscaping of the site,
 - (p) stormwater management.
- (5) A development control plan is not required to be prepared if the consent authority is satisfied that such a plan would be unreasonable or unnecessary in the circumstances or that the development—
- (a) is a subdivision for the purpose of a realignment of boundaries that does not create additional lots, or
 - (b) is a subdivision of land and any of the lots proposed to be created are to be reserved or dedicated for public open space, public roads or any other public place or environment protection purpose, or
 - (c) is a subdivision of land in a zone in which the erection of structures is prohibited, or
 - (d) involves only alterations or additions to an existing building that—
 - (i) do not significantly increase the height or gross floor area of the building, and
 - (ii) do not have significant adverse impacts on adjoining buildings or the public domain, and
 - (iii) do not significantly alter any aspect of the building when viewed from public places, or
 - (e) is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.
- (6) This clause does not apply to development on land identified as—
- (a) "1 Kolotex Labelcraft Site" on the [Key Sites Map](#), and
 - (b) "J" on the [Additional Permitted Uses Map](#), being Lot 2, DP 1015843.

6.15 Development on certain land at Rozelle

- (1) This clause applies to 118, 120 and 124 Terry Street, Rozelle, being Lot 1, DP 540118, Lot 2, DP 234045 and Lot 3, Section D, DP 119 (the **Terry Street site**).
- (2) Despite any other provision of this Plan, development consent may be granted to a single development application for development on land to which this clause applies that is both of the following—
 - (a) a proposal to develop the Terry Street site in its entirety,
 - (b) a proposal for development with a maximum floor space ratio of 1.5:1 for the purposes of bed and breakfast accommodation, business premises, hardware and building supplies, light industries, office premises, plant nurseries, residential accommodation, restaurants or cafes, roadside stalls and shops.
- (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that—
 - (a) a high standard of architectural and urban design appropriate to the building type and location will be achieved, with articulated height and massing providing an appropriate transition to the existing streetscape, and
 - (b) the total gross floor area of the part of the development that is used for the purposes of business premises, hardware and building supplies, office premises, plant nurseries, restaurants or cafes and shops will not exceed 1,300 square metres, and
 - (c) the development will not exceed—
 - (i) if a building has a street frontage on Terry Street—3 storeys in height, or
 - (ii) in any other case—6 storeys in height, and
 - (d) the development will minimise overshadowing of neighbouring properties on Crystal Street, and
 - (e) the development will not significantly increase the amount of traffic on Terry Street, Wellington Street, Merton Street, Nelson Street or Victoria Road, Rozelle, and
 - (f) those parts of the development that are used for a purpose other than bed and breakfast accommodation or residential accommodation will not have a significant adverse impact on local commercial centres, and
 - (g) the development will provide and facilitate pedestrian and cycle access through the Terry Street site to Merton and Margaret Streets, and
 - (h) the development will incorporate environmentally sustainable design principles,

and

- (i) the development will include the necessary design and acoustic measures to ensure that light industries within the development, as well as any existing industrial uses on land surrounding the development, do not have a significant adverse impact on the amenity of future residents of the development, and
- (j) premises used for the purpose of light industries will only be located in buildings that have a street frontage on Crystal Street.

6.16 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 R1 General 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 proposed development, or
 - (ii) that can be viewed from the proposed development, or
 - (iii) from which a person can view the proposed development.

6.17 Development of land at 141 and 159 Allen Street, Leichhardt

- (1) The objective of this clause is to facilitate the development of the land to which this clause applies by specifying controls for different maximum heights and minimum setbacks for buildings on the land without adversely affecting the streetscape, character, amenity or solar access of surrounding land.
- (2) This clause applies to the following land—
 - (a) Lot 1, DP 632522, 141 Allen Street, Leichhardt, identified as “2 141 Allen Street Leichhardt” on the [Key Sites Map \(Site 2\)](#),
 - (b) Lot X, DP 381373, 159 Allen Street, Leichhardt, identified as “3 159 Allen Street Leichhardt” on the [Key Sites Map \(Site 3\)](#).

- (3) Development consent must not be granted to development on Site 2 unless the consent authority is satisfied that the development complies with the following—
- (a) any proposed building is set back at least—
 - (i) 3.5 metres from the Allen Street and Flood Street boundaries, and
 - (ii) 10 metres from the northern site boundary, and
 - (iii) 11 metres from that part of the western site boundary that is north of Site 3,
 - (b) the height in storeys of any proposed building will not exceed—
 - (i) 3 storeys, or
 - (ii) 4 storeys—if the building is adjacent to Allen Street, Flood Street, the northern site boundary or that part of the western boundary that is north of Site 3 (**the 4 boundaries**), the highest storey of the building is set back at least 6 metres from any building wall that faces one or more of the 4 boundaries and any such building wall does not exceed 3 storeys in height, or
 - (iii) 6 storeys—if the building is not adjacent to Allen Street, Flood Street or the northern site boundary.
- (4) Development consent must not be granted to development on Site 3 unless the consent authority is satisfied that the development complies with the following—
- (a) any proposed building is set back at least—
 - (i) 3.5 metres from the Allen Street boundary, and
 - (ii) 6 metres from the western site boundary,
 - (b) the height in storeys of any proposed building will not exceed—
 - (i) 3 storeys, or
 - (ii) 4 storeys—if the building has street frontage to Allen Street, the highest storey of the building is set back at least 6 metres from any building wall that faces Allen Street or the western site boundary and any such building wall does not exceed 3 storeys in height, or
 - (iii) 4 storeys—if the building does not have street frontage to Allen Street, or
 - (iv) 5 storeys—if the building does not have street frontage to Allen Street, the highest storey of the building is set back at least 6 metres from any building wall that does not exceed 4 storeys in height and any such building wall is on the western side of the building.

Note—

For the purposes of this clause—

3 storeys is approximately 9.3 metres.

4 storeys is approximately 12.4 metres.

5 storeys is approximately 15.5 metres.

6 storeys is approximately 18.6 metres.

6.18 Development of land at 168 Norton Street, Leichhardt

- (1) The objective of this clause is to enable seniors housing with minimal adverse impacts.
- (2) This clause applies to 168 Norton Street, Leichhardt, being Lots 1 and 2, DP 1119151, Lot 1, DP 963000, Lot 5, DP 1112635 and Lots 3 and 4, Section 3, DP 328, identified as “4 168 Norton Street Leichhardt” on the [Key Sites Map](#).
- (3) Despite clause 4.3 (2), the maximum building height for development for the purposes of seniors housing involving only a group of self-contained dwellings on land to which this clause applies is RL 50.4, but only if the development does not exceed 5 storeys in height.
- (4) Despite clauses 4.4 (2) and 4.4A, the maximum floor space ratio for development for the purposes of seniors housing involving only a group of self-contained dwellings on land to which this clause applies is 3:1, but only if the consent authority is satisfied that at least 15% of the self-contained dwellings for the accommodation of residents in the proposed development will be set aside as affordable places.
- (5) In this clause—

affordable place has the same meaning as in clause 45 of [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#).

6.19 Development of land at 101-103 Lilyfield Road, Lilyfield

- (1) This clause applies to Lot 1, DP 432612, being 101-103 Lilyfield Road, Lilyfield, identified as “5 101-103 Lilyfield Road Lilyfield” on the [Key Sites Map](#).
- (2) Development consent may be granted to development for either or both of the following purposes on land to which this clause applies—
 - (a) restaurants or cafes,
 - (b) takeaway food and drink premises.
- (3) However, development consent must not be granted under this clause unless the consent authority is satisfied that the gross floor area of any part of a building used for either or both of those purposes will not exceed 50 square metres in total.

- (4) This clause applies despite clause 6.10.

6.20 Development of land at 17 Marion Street, Leichhardt

- (1) The objective of this clause is to enable seniors housing with minimal adverse impacts.
- (2) This clause applies to 17 Marion Street, Leichhardt, being Lots 21, 22, 24 and 25, Section 1, DP 328 and Lots A and B, DP 377714 and identified as “6 17 Marion Street Leichhardt” on the [Key Sites Map](#).
- (3) Despite clause 4.3 (2), the maximum building height for development for the purposes of seniors housing on land to which this clause applies is RL 57.50, but only if the consent authority is satisfied that consent could be granted to the development without reliance on the relevant bonus floor space provisions.
- (4) Despite clauses 4.4 (2) and 4.4A, the maximum floor space ratio for development for the purposes of seniors housing on land to which this clause applies is 2:1, but only if the consent authority is satisfied that—
- (a) at least 15% of the self-contained dwellings for the accommodation of residents in the proposed development will be set aside as affordable places, and
- (b) consent could be granted to the development without reliance on the relevant bonus floor space provisions.
- (5) In this clause—

affordable place has the same meaning as in clause 45 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

relevant bonus floor space provisions means the requirements of clause 45 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

6.21 Development of land at 469-483 Balmain Road, Lilyfield

- (1) This clause applies to Lot 2, DP 1015843, 469-483 Balmain Road, Lilyfield.
- (2) The objective of this clause is to ensure the ongoing provision of employment, service and creative enterprise opportunities on the land.
- (3) Development consent must not be granted to mixed use development on the land that includes a residential flat building unless the consent authority is satisfied of the matters specified in subclause (4) and the conditions specified in subclauses (5)-(7) are met.
- (4) The consent authority must be satisfied that—

- (a) at least 6,000 square metres of the total gross floor area will be set aside for employment uses, and
 - (b) at least 1,200 square metres of the 6,000 square metres set aside for employment uses will be used for a creative purpose, and
 - (c) the development provides for the adaptive reuse of existing buildings on the land, as far as is practicable, and
 - (d) at least 5% of the gross floor area that is to be used for the purpose of residential accommodation will be used for affordable housing.
- (5) Development consent must not be granted unless—
- (a) a development control plan that provides for the matters specified in subclause (6) has been prepared for or applies to the land, or
 - (b) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated.
- (6) The development control plan must provide for all of the following—
- (a) design principles drawn from an analysis of the site and its context,
 - (b) buildings to be retained in, and incorporated into, any future mixed use development,
 - (c) distribution of land uses, including open space (its function and landscaping),
 - (d) building envelopes and built form controls, including specified building storeys, setbacks (both to the ground floor and upper storeys), bulk, massing and modulation of buildings,
 - (e) housing mixes, including affordable and adaptable housing,
 - (f) vehicle access arrangements,
 - (g) encouraging sustainable transport, including increased use of public transport, walking and cycling, and appropriate car parking provision,
 - (h) improvements to the public domain and opportunities for its passive surveillance,
 - (i) the application of the principles of ecologically sustainable development,
 - (j) environmental impacts such as overshadowing and solar access and visual and acoustic privacy,
 - (k) measures to mitigate land use conflict between the residential component and employment uses of the mixed use development,

- (l) measures to mitigate land use conflict between the residential component of any future development and the employment uses surrounding the site, including light industrial uses.
- (7) Development consent must not be granted to the development unless conditions are imposed by the consent authority to the effect that—
 - (a) for at least 30 years from the date of the issue of the occupation certificate—
 - (i) the accommodation proposed to be used for affordable housing will be used for affordable housing, and
 - (ii) the accommodation that is used for affordable housing will be managed by a registered community housing provider, and
 - (b) before the date of the issue of the occupation certificate, a restriction will be registered against the title of the land in accordance with section 88E of the [Conveyancing Act 1919](#) that will ensure that the requirements of paragraph (a) are met.
- (8) Subclause (7) does not apply to development on land owned by a public authority or to a development application made by, or on behalf of, a public authority or registered community housing provider.
- (9) A word or expression used in this clause has the same meaning as in [State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#) unless it is otherwise defined in this Plan.
- (10) In this clause—

employment uses do not include home businesses, home industries, home occupations, residential accommodation or tourist and visitor accommodation.

creative purpose includes media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions, community facilities or other related purposes, but does not include business premises or office premises.

6.22 Development of land at 1-5 Chester Street, Annandale

- (1) The objective of this clause is to encourage the commercial, education, health and cultural sectors in Annandale.
- (2) This clause applies to land at 1-5 Chester Street, Annandale, being Lot 11, DP 499846 and identified as “7 1-5 Chester Street Annandale” on the [Key Sites Map](#).
- (3) Development consent must not be granted for the subdivision of land to which this clause applies.

- (4) A building on land to which this clause applies—
- (a) must not have a building height that exceeds 17 metres, and
 - (b) must have 5 or fewer storeys.
- (5) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a building that has a maximum floor space ratio of 2:1 if the consent authority is satisfied that—
- (a) the building will include development for the purposes of—
 - (i) business premises or light industries for the biomedical, arts, technology, production or design sectors, and
 - (ii) boarding houses for student accommodation, and
 - (b) at least 980 square metres of the gross floor area of the building will be used for the purposes referred to in paragraph (a)(i), and
 - (c) no more than 1,635 square metres of the gross floor area of the building will be used for the purposes referred to in paragraph (a)(ii), and
 - (d) the boarding house will be managed by an onsite boarding house manager, and
 - (e) the development will not have a significant adverse impact on the amenity of the neighbourhood, and
 - (f) the development will include the necessary design and acoustic measures to ensure that the business premises and light industries within the development, as well as any existing industrial uses on land surrounding the development, do not have a significant adverse impact on the amenity of future residents of the development, and
 - (g) the development will include a 6 metre wide pedestrian and cycle path with landscaping adjacent to Johnstons Creek, and
 - (h) the development will not result in a significant increase to the amount of vehicular traffic in the area, including on Chester Street, Chester Street West, Susan Street, Taylor Street and Pymont Bridge Road, and
 - (i) the development will incorporate environmentally sustainable design principles, including measures to minimise the consumption of energy and water, and
 - (j) the development will provide active frontages on Chester Street and Johnstons Creek.

6.23 Development of land at 1-5 Chester Street, Annandale—concurrence of Planning

Secretary

- (1) This clause applies to development—
 - (a) on land at 1-5 Chester Street, Annandale, being Lot 11, DP 499846 and identified as “7 1-5 Chester Street Annandale” on the [Key Sites Map](#), and
 - (b) that results in an increase in the gross floor area, in relation to all buildings on the land, used for the purposes of residential accommodation.
- (2) Development consent to development to which this clause applies must not be granted unless the consent authority has obtained the concurrence of the Planning Secretary.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) the impact of the development on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (b) the cumulative impact of the development with other development that has been, or is likely to be, carried out in surrounding areas on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.
- (4) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.
- (5) In this clause—

designated State public infrastructure means the following kinds of public facilities or services that are provided or financed by the State or, if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State—

 - (a) State and regional roads,
 - (b) bus interchanges and bus lanes,
 - (c) rail infrastructure and land,

- (d) regional parks and public space,
- (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

6.24 Development of land at 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield

- (1) This clause applies to the following land in Lilyfield—
 - (a) Lots 2-4, DP 1257743, 36 Lonsdale Street,
 - (b) Lots 1 and 2, DP 529451, Lot 22 DP 977323 and Lot 1 DP 1057904, 64-70 Brenan Street.
- (2) If a development control plan that complies with subclause (3) has been prepared for the land—
 - (a) the maximum height of a building is RL 33.2, and
 - (b) the maximum floor space ratio for a building is 1.5:1.
- (3) The development control plan must provide for the following—
 - (a) the objectives for development on the land,
 - (b) building envelopes and built form controls, including the following—
 - (i) the bulk, massing and modulation of buildings,
 - (ii) set backs, both to the ground floor and upper storeys of buildings,
 - (iii) specified building storeys,
 - (c) the heights of buildings that will provide an appropriate transition in built form to the surrounding low density development,
 - (d) encouraging sustainable transport, including increased use of public transport, walking and cycling, and appropriate car parking provision,
 - (e) environmental impacts, for example, overshadowing and solar access and visual and acoustic privacy,
 - (f) the application of the principles of ecologically sustainable development.
- (4) Development consent must not be granted to development that will result in a dwelling on the ground floor of a building if a wall of the dwelling faces the City West Link.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at Buchanan and Reynolds Streets, Balmain

- (1) This clause applies to land identified as “A” on the [Additional Permitted Uses Map](#), being Lots 85–93 and 126–145, SP 65243.
- (2) Development for the purposes of business premises, kiosks, office premises, recreation facilities (indoor), restaurants or cafes, roadside stalls and shops is permitted with development consent.

2 Use of certain land at Gladstone Park, Darvall Street, Balmain

- (1) This clause applies to land identified as “F” on the [Additional Permitted Uses Map](#), being part of Lot 1, DP 724348.
- (2) Development for the purpose of a registered club is permitted with development consent.

3 Use of certain land at Elliot Street, Balmain

- (1) This clause applies to land identified as “B” on the [Additional Permitted Uses Map](#), being Lot 1, DP 852863, Lot 26, DP 850832 and part of Lot E, DP 36161.
- (2) Development for the purpose of restaurants or cafes is permitted with development consent.

4 Use of certain land at Rosebery Place, Balmain

- (1) This clause applies to land identified as “C” on the [Additional Permitted Uses Map](#), being Lots 1–3, SP 60159, Lots 5–9, SP 62009 and Lots 1–20, SP 60158.
- (2) Development for the purposes of business premises, kiosks, office premises, restaurants or cafes, roadside stalls and shops is permitted with development consent.

5 Use of certain land at 91 Canal Road, Leichhardt and 1 Canal Road, Lilyfield

- (1) This clause applies to land identified as “G” on the [Additional Permitted Uses Map](#), being Lot 103, DP 826775 and Lot 1, DP 1070825.
- (2) Development for any of the following purposes is permitted with development consent—
 - (a) building identification signs,
 - (b) business identification signs,
 - (c) entertainment facilities,

- (d) industrial retail outlets,
 - (e) information and education facilities,
 - (f) light industries,
 - (g) markets,
 - (h) restaurants or cafes,
 - (i) take away food and drink premises.
- (3) Development for the purpose of office premises is permitted with development consent if—
- (a) the gross floor area of the site used for that purpose does not exceed 20%, and
 - (b) the maximum gross floor area of any single premises used for office premises does not exceed 300m².

6 Use of certain land at 237 Marion Street, Leichhardt

- (1) This clause applies to land identified as “D” on the [Additional Permitted Uses Map](#), being Lot 121, DP 1106716.
- (2) Development for the purpose of seniors housing is permitted with development consent.

6A Use of certain land at 43 Mary Street, Lilyfield

- (1) This clause applies to land identified as “H” on the [Additional Permitted Uses Map](#), being part of Lot 6643, DP 1137663.
- (2) Development for the purpose of a function centre is permitted with development consent if the development will be located within an existing building.
- (3) In this clause, an **existing building** includes a proposed building that has been granted development consent.

7 Use of certain land at Terry Street, Rozelle

- (1) This clause applies to land identified as “E” on the [Additional Permitted Uses Map](#), being Lots 84 and 85, SP 72790 and Lot 1, SP 58291.
- (2) Development for the purposes of business premises, kiosks, office premises, restaurants or cafes, roadside stalls and shops is permitted with development consent.

8 Use of certain land at Smith Street, Rozelle

- (1) This clause applies to land identified as “I” on the [Additional Permitted Uses Map](#),

being Lots 1 and 2, DP 782330, Lot 1, DP 782348 and Lot 1, DP 228261.

- (2) Development for the purposes of boarding houses, function centres, hospitals, markets, places of public worship, public administration facilities, residential care facilities, seniors housing and telecommunication facilities is permitted with development consent.

9 Use of certain land at Balmain Road, Lilyfield

- (1) This clause applies to land identified as “J” on the [Additional Permitted Uses Map](#), being Lot 2, DP 1015843.
- (2) Development for the purpose of residential flat buildings is permitted with development consent.
- (3) This clause is repealed on the day that is 3 years after the day on which [Leichhardt Local Environmental Plan 2013 \(Amendment No 18\)](#) commenced (**the repeal date**) if a development application for consent to development on the land for the purpose of a residential flat building has not been made before the repeal date.

10 Use of certain land at 1-5 Chester Street, Annandale

- (1) This clause applies to land identified as “K” on the [Additional Permitted Uses Map](#), being Lot 11, DP 499846.
- (2) Development for the purposes of business premises used for a business in the biomedical, arts, technology, production or design sector is permitted with development consent.
- (3) Development for the purposes of boarding houses used for student accommodation is permitted with development consent.

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.

Aerials and antennae constructed or installed on or in a heritage item or draft heritage

item

- (1) Must be used for the purpose of receiving television or radio signals, or for use in connection with community band radio (or any combination of these uses).
- (2) Must be located at least 900mm from each lot boundary.
- (3) Must be located behind any primary street frontage.
- (4) Must be designed, fabricated and installed in accordance with any applicable Australian Standard.
- (5) Must be securely fixed.
- (6) Maximum 1 per heritage item or draft heritage item.
- (7) Must not extend higher than 1.8m above the highest point of the roof of any commercial premises, dwelling, light industry or warehouse or distribution centre on the lot.
- (8) Must not be a free standing structure.
- (9) Must be located wholly within the property boundary.
- (10) Must not result in damage to, or removal of, any part of the historic fabric of the building.

Demolition of detached toilets, laundries or the like

- (1) Must not be carried out on, in or in relation to a heritage item or draft heritage item.
- (2) Maximum area of building to be demolished—10m².
- (3) Must not be carried out forward of the roof ridge line of the dwelling.
- (4) Any essential service must be disconnected from the structure being demolished or removed in accordance with the requirements of the relevant authority.
- (5) If the demolition involves the demolition of a common wall, the following must be obtained—
 - (a) the consent of the owner of the affected wall,
 - (b) a certificate from a structural engineer certifying that the demolition will not affect the structural adequacy of the remaining wall.

Drainage works (minor)

- (1) Must involve drainage from a single lot only.
- (2) Must be undertaken wholly within the subject property and within a drainage

easement benefiting the subject property and must not traverse more than a single property benefited by the works and not more than 1 associated drainage easement.

Letterboxes on or in a heritage item or draft heritage item

- (1) Must not be higher than 1.2m above ground level (existing).
- (2) Must be visible from the road.
- (3) Must have appropriate numbering that is visible from the road.
- (4) Maximum width—0.6m.
- (5) Maximum depth—0.6m.
- (6) Must be structurally stable with adequate footings.
- (7) Must be designed, fabricated and installed in accordance with any applicable Australian Standard.
- (8) Must be designed to complement the architectural style of the building in relation to style and materials.
- (9) Must not involve any damage to, or removal of, historical fabric or trees or vegetation subject to protection.
- (10) 1 letterbox per site.

Lighting (external)

- (1) Must not be for the lighting of tennis courts or sports fields.
- (2) Must not cause glare to adjoining properties or streets.
- (3) Must be for domestic purposes.
- (4) Must comply with AS 4282—1997, *Control of the Obtrusive Effects of Outdoor Lighting*.

Minor routine maintenance of heritage items or on land in heritage conservation areas

- (1) Must comprise one or more of the following works—
 - (a) repainting existing painted surfaces,
 - (b) the repair of a window, glazing areas or a door,
 - (c) the repair or replacement of non-structural wall cladding,
 - (d) the repair of a balustrade or fence,

- (e) the replacement of a timber paling fence located behind the building fence,
 - (f) the repair of existing roof sheeting or replacement of broken or damaged tiles, or
 - (g) the repair of existing landscape structures and retaining walls by either repointing (reinstating mortar) or the introduction of matching materials, which comprise less than 5% of the external surface,
 - (h) the installation of insulation material in the ceiling, floor or wall of a building where it can be easily removed and does not involve disturbance of, damage to or removal of existing fabric,
 - (i) the replacement of services such as cabling, plumbing, wiring or fire services that use existing service routes, cavities or voids, or replace existing surface-mounted services but do not involve damage to, or the removal of, significant fabric,
 - (j) if the land is in a heritage conservation area—the installation of lightweight perforated security screens or grills on a door or window, or a security door that does not include roller shutters.
- (2) Must not comprise the making of, or an alteration to the size of, any opening in a wall or roof, such as a doorway, window or skylight.
 - (3) Must not affect the means of egress from the building in an emergency.
 - (4) Must not affect any fire resisting components of the building.
 - (5) If repointing in sandstone, must use soft mortar (being lime rich or composite mortar).
 - (6) Materials and colours must, where possible, be the same or similar to existing materials and colours and consistent with the style and age of the building.
 - (7) Replacement glass must meet any applicable Australian Standards.

Outdoor dining areas in Zone B1 or Zone B2

- (1) Must be associated with a restaurant or cafe being carried out with lawful consent.
- (2) Must not be associated with a pub or take away food and drink premises.
- (3) Must be located adjacent to the associated premises.
- (4) Must not provide seating for more than 6 patrons.
- (5) Must not result in the premises exceeding its approved seating capacity.
- (6) Must not be used before 7.30am or after 10.00pm.
- (7) Must be set back to accommodate a straight, unobstructed path that is at least 1.5m wide for pedestrians.

- (8) Must not include the installation of any structures other than tables, chairs, umbrellas, heaters and barriers, which must be maintained and in good working order.
- (9) Tables, chairs and umbrellas must not incorporate advertising.
- (10) Maximum height of barriers—1m.
- (11) If located on the footway of a public road, must be consistent with an approval granted under section 125 of the *Roads Act 1993*.
- (12) If located on community land, use must be consistent with an approval under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993*.

Public art on footpaths (including sculptures, murals and pavement installations)

- (1) Must be installed by or on behalf of Council.
- (2) Must be structurally sound.
- (3) Must not contain advertising material.
- (4) Must be designed, fabricated and installed in accordance with any applicable Australian Standard.
- (5) Must allow a minimum 1.5m wide pathway for pedestrians.
- (6) Must be consistent with any approval required under the *Roads Act 1993*.

Repair of structural foundations (external) on land in a heritage conservation area

- (1) Must not be associated with a dwelling house.
- (2) Must not result in a change to the height of the structure being repaired.
- (3) Must be carried out by a qualified builder.

Roller doors attached to freestanding structures

- (1) Must not be carried out on or in, or in relation to, a heritage item.
- (2) If the roller door is to provide vehicular access to the site, must have approval for vehicular access.
- (3) Maximum width—3m.
- (4) Maximum height—2.6m above ground level (existing).
- (5) Roller door roll must be covered or enclosed when elevated.
- (6) Materials must be consistent with any existing fence, if possible.

- (7) Must be installed in accordance with any applicable Australian Standard.
- (8) Must be located off a rear lane.

Note—

Clause 4.3A specifies specific controls for landscaped areas in Zone R1 General Residential.

Signage—general requirements

Must comply with the following requirements—

- (a) must be erected in accordance with any applicable Australian Standard,
- (b) must not cover mechanical ventilation inlets or outlets or obscure other signs,
- (c) if erected over a public road, must be at least 600mm from kerb or roadway edge,
- (d) must not be flashing.

Signage—business identification signs for home businesses and home occupations

- (1) Must comply with the general requirements for signage.
- (2) Maximum area—0.75m².
- (3) 1 sign per premises.
- (4) Must be attached to the ground floor facade of a dwelling.
- (5) Must not be illuminated, unless the sign is an illuminated gate light box identifying premises as place of practice of health professional.
- (6) Must not relate to home occupations (sex services), restricted premises or sex services premises.

Signage—business identification signs in Zone R1

- (1) Must comply with the general requirements for signage.
- (2) Must not be constructed or installed on or in, or in relation to, a heritage item or a draft heritage item.
- (3) Maximum area—0.75m².
- (4) 1 sign per premises.
- (5) Must not be illuminated.
- (6) Must not protrude above an awning.
- (7) If over a public road—must be erected at a height of no less than 2.6m above ground/

pavement level.

Signage—business identification signs in zones other than Zone R1

- (1) Must comply with the general requirements for signage.
- (2) Must not be constructed or installed on or in, or in relation to, a heritage item or a draft heritage item.
- (3) Maximum area of signage per premises—5.75m².
- (4) Must not protrude above an awning.
- (5) Must be erected at ground floor level.
- (6) **Fascia signs** Signs attached to the fascia or return end of an awning must comply with the following requirements—
 - (a) 1 sign per premises or occupancy.
 - (b) Must be flush-mounted.
 - (c) Must not project above or below the existing fascia or return end of the existing awning.
 - (d) Must not be illuminated.
 - (e) Must be securely fixed.
- (7) **Flush wall signs** Signs flush-mounted to walls must comply with the following requirements—
 - (a) 1 sign per premises or occupancy.
 - (b) Maximum size—0.75m².
 - (c) Must not project above or beyond wall to which it is attached.
 - (d) Must not cover any window or architectural feature.
 - (e) Must not be illuminated.
- (8) **Painted wall signs** Signs painted on walls must comply with the following requirements—
 - (a) 1 sign per wall.
 - (b) Maximum size—0.75m².
 - (c) Must not be illuminated.

- (9) **Suspended under awning signs** Signs attached to the underside of an awning must comply with the following requirements—
- (a) 1 sign per premises or occupancy.
 - (b) Must be erected at right angles to building.
 - (c) Must be securely fixed by metal supports not exceeding 0.05m in width or diameter.
 - (d) Maximum length—2.5m.
 - (e) Maximum height—0.5m.
 - (f) If erected over a public road—must be suspended at least 2.6m above ground level.
 - (g) Must not project beyond the edge of the awning.
 - (h) Must be at least 3m between centre of sign and centre of any other under awning sign.
- (10) **Top hamper signs** Signs attached to the transom of a doorway or display window of a building must comply with the following requirements—
- (a) 1 sign per premises or occupancy.
 - (b) Maximum area—2.5m².
 - (c) Must not extend below the head of the doorway or window to which it is attached.
 - (d) Must be flush-mounted.
 - (e) Must not project beyond building.
 - (f) Must be securely fixed.
- (11) **Window signs** Signs attached to, or displayed on, shop windows must comply with the following requirements—
- (a) 1 sign per premises or occupancy.
 - (b) Must not cover more than 20% of window area.

Signage—community notice and directional signs

- (1) Must comply with the general requirements for signage.
- (2) Maximum size—6m².
- (3) Must not be illuminated.

Signage—real estate signs (advertising premises or land for sale or lease)

- (1) Must comply with the general requirements for signage.
- (2) 1 sign per premises.
- (3) Maximum size—
 - (a) if located in Zone R1 General Residential—1.5m², or
 - (b) if located in any other zone—3.5m².
- (4) Must not be internally illuminated, but may be floodlit.
- (5) Must be removed no later than 10 days after sale or lease of premises.
- (6) Must be flush-mounted to wall or fence of premises to which it relates.

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

Change of use of land from restaurant or cafe to small bar or from small bar to restaurant or cafe

Land must be in Zone B2 Local Centre.

Note—

The use of a footpath as an outdoor dining area may be exempt development if it is associated with a restaurant or cafe but cannot be exempt development if it is associated with a small bar: see *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 2, Division 1, Subdivision 20A (Footpaths—outdoor dining).

Structural works (other than works to which [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) applies)

- (1) Must not be carried out on or in, or in relation to, a heritage item or draft heritage item.
- (2) External works must not alter the appearance of the building.
- (3) External works must only be carried out for the purpose of replacing existing external features.
- (4) If the work involves a wall, floor or ceiling shared between 2 properties, the written

approval of the affected owners must be obtained.

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](#).

Condition that applies to change of use of land from restaurant or cafe to small bar or from small bar to restaurant or cafe

- (1) This clause applies to a change of use of land—
 - (a) from a restaurant or cafe to a small bar, or
 - (b) from a small bar to a restaurant or cafe.
- (2) The development is subject to a condition that the new use must be in accordance with the conditions of development consent applying to the old use that relate to hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management and landscaping.

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
Lilyfield	Lot B, DP 159831, near Church Street, and being part of the land known as the Le Montage Function Centre car park
Lilyfield	Part of Lot 2, DP 599686, near Church Street, identified as “Operational Land” on the Land Reclassification (Part Lots) Map , and being part of the land known as the Le Montage Function Centre car park

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
Annandale	Street trees	Annandale Street	Road reserve	Local	19
Annandale	Substation	33 Annandale Street	Lot 18, DP 667337	Local	11
Annandale	House, "Haledon", including interiors	181 Annandale Street	Lot 20, DP 1013935	Local	12
Annandale	Former shop and residence, including interiors	216 Annandale Street	Lot 13, DP 1030554	Local	13
Annandale	Former shop and residence, "Craiglea", including interiors	291 Annandale Street	Lot 1, DP 917246	Local	14
Annandale	Former shop and residence, "Craiglea", including interiors	293 Annandale Street	Lot 12, DP 667545	Local	15
Annandale	Terrace, including interiors	302 Annandale Street	Corner Lot 12, DP 658898	Local	16
Annandale	Semi-detached house, "Pen Dinas", including interiors	342 Annandale Street	Lot A, DP 179915	Local	17
Annandale	Shop and residence, including interiors	349 Annandale Street	Corner Lot 73, DP 5547	Local	18

Annandale	Street trees—row of Brush Box	Bayview Crescent	Road reserve	Local	I10
Annandale	Iron/sandstone palisade fence	Bayview Crescent	Road reserve	Local	I11
Annandale	Annandale Post Office, including interiors	115-117 Booth Street	Lot 2, DP 404947	Local	I12
Annandale	House, including interiors	11 Collins Street	Lot 11, DP 746846	Local	I13
Annandale	Semi-detached house, “Agincourt”, including interiors	13-15 Collins Street	Lots 1-8, CP/SP 57719	Local	I14
Annandale	Former police station, including interiors	21 Collins Street	Lots 30 and 31, Section 26, DP 854	Local	I15
Annandale	St Brendan’s Parish Home, including interiors	34 Collins Street	Lots 5 and 6, DP 2973	Local	I16
Annandale	St Brendan’s Convent, including interiors	36 Collins Street	Lot 4, DP 1762	Local	I17
Annandale	Semi-detached house, including interiors	57 Ferris Street	Lot 1, DP 247446	Local	I18
Annandale	Semi-detached house, including interiors	59 Ferris Street	Lot 2, DP 247446	Local	I19
Annandale	Semi-detached house, including interiors	61 Ferris Street	Lot 3, DP 247446	Local	I20
Annandale	Semi-detached house, including interiors	63 Ferris Street	Lot 4, DP 247446	Local	I21
Annandale	Semi-detached house, including interiors	65 Ferris Street	Lot 15, DP 805301	Local	I22
Annandale	Semi-detached house, including interiors	67 Ferris Street	Lot 16, DP 805301	Local	I23
Annandale	Semi-detached house, including interiors	69 Ferris Street	Lot 17, DP 805301	Local	I24

Annandale	Semi-detached house, including interiors	71 Ferris Street	Lot 18, DP 805301	Local	125
Annandale	Substation—Sydney Water (SP:5), including interiors	1B Hutchinson Street	Lot 1, DP 777651	Local	126
Annandale	Hunter Baillie Memorial Church, including interiors	Johnston Street	Lot 13, Section 27, DP 638; Lot 14, Section 27, DP 638	State	147
Annandale	St Brendan's Catholic Church, including interiors	Johnston Street	Corner Lot 3, DP 1762	Local	144
Annandale	Street trees—Brush Box	Johnston Street	Road reserve	Local	166
Annandale	Sandstone retaining wall and Winkworth steps	Johnston Street, intersection with Rose Street	Road reserve	Local	158
Annandale	House, including interiors	1 Johnston Street	Lot 28, DP 1023; Lot 1, DP 130284	Local	128
Annandale	Goodman's Building, including interiors	6 Johnston Street	Lot 4, DP 33479	State	130
Annandale	House, including interiors	7 Johnston Street	Lots 21 and 22, DP 1023	Local	129
Annandale	Goodman's Building, including interiors	8 Johnston Street	Lot 3, DP 33479	State	131
Annandale	Goodman's Building, including interiors	10 Johnston Street	Lot 2, DP 33479	State	132
Annandale	Goodman's Building, including interiors	12 Johnston Street	Lot 1, DP 33479	State	133
Annandale	Annandale House gates	25 Johnston Street	Lot 1, DP 791747	Local	135
Annandale	Annandale Public School, including interiors	25 Johnston Street	Lot 1, DP 791747	Local	134
Annandale	"Norton House", including interiors	33 Johnston Street	Lot 2, DP 601796	Local	136
Annandale	House, including interiors	35 Johnston Street	Lot 1, DP 928301	Local	137

Annandale	House, including interiors	36 Johnston Street	Lot 11, DP 664256	Local	I40
Annandale	Semi-detached house, including interiors	38 Johnston Street	Lot 1, DP 796747	Local	I41
Annandale	House, including interiors	39 Johnston Street	Lot 1, DP 918129	Local	I38
Annandale	Semi-detached house, including interiors	40 Johnston Street	Lot 1, DP 448305	Local	I42
Annandale	House, including interiors	41 Johnston Street	Lot 1, DP 918075	Local	I39
Annandale	House, "Wallscourt", including interiors	46 Johnston Street	Lot 8, DP 998; Lot 7, DP 911926; Lot 1, DP 973769	Local	I43
Annandale	Former Annandale Council Chambers, including interiors	79 Johnston Street	Lot 8, Section 1, DP 1048; Lot 9, Section 1, DP 1048	Local	I45
Annandale	Uniting Church and hall, including interiors	81-81A Johnston Street	Lot 10, DP 667401; Lot 1, DP 908723	Local	I46
Annandale	House, including interiors	84 Johnston Street	Lot 101, DP 1000701	Local	I48
Annandale	Shop and residence "The Colonnade", including interiors	99 Johnston Street	Lot C, DP 442806	Local	I50
Annandale	Shop and residence "The Colonnade", including interiors	101 Johnston Street	Lot B, DP 442806	Local	I51
Annandale	Shop and residence "The Colonnade", including interiors	103 Johnston Street	Lot A, DP 442806	Local	I52
Annandale	House, including interiors	132 Johnston Street	Lot 4, DP 907892	Local	I53
Annandale	House, including interiors	134 Johnston Street	Lot 1, DP 304675	Local	I54
Annandale	Substation, including interiors	182 Johnston Street	Lots 3 and 4, DP 131214	State	I55
Annandale	House, including interiors	191 Johnston Street	Lot 2, DP 203919	Local	I56

Annandale	North Annandale Public School, including interiors	196-212 Johnston Street	Lot 1, DP 723531; Lot 1, DP 122326; Lot 1, DP 122327; Lot 12, DP 34187; Lots 1 and 2, DP 203367; Lot 1, DP 1093196	Local	157
Annandale	Large sandstone wall and gateways to homes	258-272 Johnston Street		Local	159
Annandale	House, "Kenilworth", including interiors	260 Johnston Street	Lot 1, DP 34646; Lot 19, DP 483	Local	160
Annandale	House, "Highroyd", including interiors	262 Johnston Street	Lot 20, DP 483	Local	161
Annandale	House, "Hockingdon", including interiors	264 Johnston Street	Lot 21, DP 483	Local	162
Annandale	House, "Greba", including interiors	266 Johnston Street	Lot 1, DP 740187	Local	163
Annandale	House, "Oybin", including interiors	270 Johnston Street	Lot 501, DP 834867	Local	164
Annandale	House, "The Abbey", including interiors	272 Johnston Street	Corner Lot 1, DP 34644	Local	165
Annandale	Sandstone retaining wall	279 Johnston Street	Lot 1, DP 851142	Local	183
Annandale	Bridge at Parramatta Road, including interiors	Johnston's Creek	Part Lot 2, DP 739883	Local	127
Annandale	Goodman's Building, including interiors	105 Parramatta Road	Lot 1, DP 566925; Lot 2, DP 566925	State	167
Annandale	Goodman's Building, including interiors	107 Parramatta Road	Lot 5A, DP 33479	State	168
Annandale	Goodman's Building, including interiors	111 Parramatta Road	Lot 6, DP 33479	State	169
Annandale	Goodman's Building, including interiors	113 Parramatta Road	Lot 7, DP 33479	State	170

Annandale	Goodman's Building, including interiors	115 Parramatta Road	Lot 8, DP 33479	State	171
Annandale	Goodman's Building, including interiors	117 Parramatta Road	Lot 9, DP 33479	State	172
Annandale	Goodman's Building, including interiors	119 Parramatta Road	Lot 10, DP 33479	State	173
Annandale	Hinsby Reserve	Piper Street	Lot 57, Section 13, DP 638	Local	176
Annandale	War memorial	Piper Street	Lot 57, Section 13, DP 638	Local	177
Annandale	Whites Creek Aqueduct	Piper Street	Part Lots 1 and 2, DP 343175; Part Lot 3, Section 53, DP 1577; Part Lot 3, Section 16, DP 1577; Part Lots 1 and 2, DP 1164677; Part Lots 1 and 2, DP 1046985; Part DP 192372	State	174
Annandale	<i>Avenue of Phoenix canariensis</i>	Railway Parade	Road reserve	Local	179
Annandale	Street trees—row of Palms	Railway Parade	Road reserve	Local	178
Annandale	Sewer Pumping Station No. 4, including interiors	Rose Street	Lot 1, DP 434247	Local	180
Annandale	Johnston's Creek sewer aqueduct	Taylor Street (Hogan Park)		State	175
Annandale	House, including interiors	1 The Avenue	Lot 1, DP 780027	Local	181
Annandale	House, including interiors	3 The Avenue	Lot 1, DP 911437	Local	182
Annandale	House, "Edwinville", including interiors	41 Trafalgar Street	Lot 14, DP 668070	Local	185

Annandale	Former Beales Piano Factory, including interiors	43-47 Trafalgar Street	Lot 1, DP 270185; Lot 8, DP 270185; Lots 1-30, CP/SP 58575; Lots 1-22, CP/SP 58576; Lots 1-21, CP/SP 58708; Lots 1-12, CP/SP 58709; Lots 1-22, CP/SP 58710; Lots 1-24, CP/SP 58711	Local	186
Annandale	House, including interiors	49 Trafalgar Street	Lot 24, Section 3, DP 245	Local	187
Annandale	Former shop and residence, including interiors	55 Trafalgar Street	Lot 1, DP 900219	Local	188
Annandale	Semi-detached house, including interiors	233 Trafalgar Street	Lot 1, DP 900867	Local	189
Annandale	Semi-detached house, including interiors	235 Trafalgar Street	Lot 1, DP 921170	Local	190
Annandale	Former house, including interiors	245 Trafalgar Street	Lot 30, Section 14, DP 1080	Local	191
Annandale	Former shop and residence, including interiors	268 Trafalgar Street	Lot 1, DP 216795	Local	192
Annandale	Former shop and residence, including interiors	81 Young Street	Lot A, DP 342765	Local	193
Balmain	Semi-detached house, including interiors	3 Adolphus Street	Lot 1, DP 1076407	Local	194
Balmain	Semi-detached house, including interiors	5 Adolphus Street	Lot 2, DP 1076407	Local	195
Balmain	House, former church and hall, including interiors	7 Adolphus Street	Lot 16, DP 939721	Local	196
Balmain	House, including interiors	9 Adolphus Street	Lot 15, DP 1087641	Local	197
Balmain	House, including interiors	11 Adolphus Street	Lot 100, DP 1042296	Local	198

Balmain	Semi-detached house, including interiors	13 Adolphus Street	Lot 101, DP 1042296	Local	I99
Balmain	Semi-detached house, including interiors	15 Adolphus Street	Lot 1, DP 711732	Local	I100
Balmain	Semi-detached house, including interiors	17 Adolphus Street	Lot 1, DP 226058	Local	I101
Balmain	Former stone outbuilding, including interiors	18A Adolphus Street	Part Lot 3, Section B, DP 396; Part Lot 4, Section B, DP 396	Local	I110
Balmain	Semi-detached house, including interiors	19 Adolphus Street	Lot 2, DP 226058	Local	I102
Balmain	Semi-detached house, including interiors	21 Adolphus Street	Lot 3, DP 226058	Local	I103
Balmain	Semi-detached house, including interiors	23 Adolphus Street	Lot 4, DP 226058	Local	I104
Balmain	House, including interiors	25 Adolphus Street	Lot 1, DP 710966	Local	I105
Balmain	Semi-detached house, including interiors	27 Adolphus Street	Lot A, DP 107252	Local	I106
Balmain	Semi-detached house, including interiors	29 Adolphus Street	Lot B, DP 107252	Local	I107
Balmain	Semi-detached house, including interiors	31 Adolphus Street	Lot C, DP 107252	Local	I108
Balmain	Semi-detached house, including interiors	33 Adolphus Street	Lot D, DP 107252	Local	I109
Balmain	Terrace, including interiors	3 Alexander Street	Lot 103, DP 1119442	Local	I111
Balmain	Terrace, including interiors	5 Alexander Street	Lot 102, DP 1097279	Local	I112
Balmain	House, including interiors	27 Ann Street	Lot A, DP 438598	Local	I113

Balmain	Street trees—row of <i>Phoenix canariensis</i>	Barr Street	Road reserve	Local	I114
Balmain	Anne Cashman Reserve	Beattie Street	Lot 647, DP 729093	Local	I128
Balmain	Commercial building, including interiors	88 Beattie Street	Lot 3, DP 62614	Local	I115
Balmain	Commercial terrace, including interiors	91 Beattie Street	Lot 5, DP 436922; FO 13	Local	I117
Balmain	Commercial terrace, including interiors	93 Beattie Street	Lot 4, DP 436922	Local	I118
Balmain	Exchange Hotel, including interiors	94 Beattie Street	Lot 1, DP 1088486	Local	I116
Balmain	Commercial terrace, including interiors	95 Beattie Street	Lot 3, DP 436922	Local	I119
Balmain	Commercial terrace, including interiors	97 Beattie Street	Lot 2, DP 436922	Local	I120
Balmain	Commercial terrace, including interiors	99 Beattie Street	Lot 1, DP 436922	Local	I121
Balmain	Former Mertonville Hotel, including interiors	141 Beattie Street	Lot B, DP 158621	Local	I122
Balmain	Timber terrace, including interiors	147 Beattie Street	Lot 1, DP 770442	Local	I123
Balmain	Timber terrace, including interiors	149 Beattie Street	Lot 1, DP 198451	Local	I124
Balmain	Timber terrace, including interiors	151 Beattie Street	Lot 1, DP 715933	Local	I125
Balmain	Terrace, including interiors	186 Beattie Street	Lot 12, DP 2320	Local	I126
Balmain	Terrace, including interiors	188 Beattie Street	Corner Lot 11, DP 2320	Local	I127
Balmain	The Riverview Hotel, including interiors	29 Birchgrove Road	Corner Lot 1, DP 306689	Local	I129
Balmain	House, “Lorne Villa”, including interiors	33 Birchgrove Road	Lot B, DP 323145	Local	I130
Balmain	“Lilywill”, including interiors	54 Birchgrove Road	Lot 4, DP 71747	Local	I131

Balmain	Semi-detached house, including interiors	66 Birchgrove Road	Lot 4, DP 650473	Local	I132
Balmain	Semi-detached house, including interiors	68 Birchgrove Road	Lot 1, DP 106241	Local	I133
Balmain	House, "St Kilda", including interiors	75 Birchgrove Road	Lot 1, DP 945460	Local	I134
Balmain	House, including interiors	77 Birchgrove Road	Lot 1, DP 723365	Local	I135
Balmain	Single terrace, including interiors	79 Birchgrove Road	Lot 4, DP 574403	Local	I136
Balmain	House, "Ewenton", gatepost and fig trees, including interiors	1 Blake Street	Lot 4, DP 712619	State	I137
Balmain	Balmain Hospital complex, including interiors	37 Booth Street	Lot 11, DP 1006912; Lot 1, DP 1012848	Local	I139
Balmain	Balmain Hospital—Main Building, including interiors	37 Booth Street	Lot 11, DP 1006912	State	I138
Balmain	House, including interiors	39 Booth Street	Lot 1, DP 112755	Local	I140
Balmain	House, including interiors	41 Booth Street	Lot A, DP 377778	Local	I141
Balmain	House, including interiors	1 Bridge Street	Lot 1, DP 799643	Local	I142
Balmain	House, including interiors	4 Broderick Street	Lot 2, DP 1031094	Local	I144
Balmain	Semi-detached house, including interiors	6 Broderick Street	Lot 1, DP 555123	Local	I145
Balmain	Semi-detached house, including interiors	8 Broderick Street	Lot 2, DP 555123	Local	I146
Balmain	Dry Dock Hotel, including interiors	22 Cameron Street	Lot 1, DP 65627	Local	I147
Balmain	House, "The Old Place", including interiors	1 Campbell Lane	Lot B, DP 419893	Local	I148

Balmain	Presbyterian Church, including interiors	7A Campbell Street	Lot 115, DP 1017474	Local	I149
Balmain	Presbyterian Church and terrace house, including interiors	9 Campbell Street	Lot 116, DP 1017474	Local	I150
Balmain	Presbyterian Manse, including interiors	11 Campbell Street	Lot 7, DP 51868	Local	I151
Balmain	Stone houses, including interiors	20 Campbell Street	Lot 1, DP 199800	Local	I152
Balmain	Stone houses, including interiors	22 Campbell Street	Lot 1, DP 1041915	Local	I153
Balmain	House, including interiors	33-37 Campbell Street	Lot 13, DP 598643	Local	I154
Balmain	Stone terrace house, including interiors	34 Campbell Street	Corner Lot 1, DP 584728	Local	I155
Balmain	Stone terrace house, including interiors	36 Campbell Street	Lot 11, DP 1099843	Local	I156
Balmain	House, "Kinsale", including interiors	68 Campbell Street	Lot 1, DP 780859; Lot 421, DP 752049	Local	I157
Balmain	House, including interiors	70 Campbell Street	Lot 1, DP 723756; Lot 1, DP 58701	Local	I158
Balmain	House, including interiors	72 Campbell Street	Lot 9, DP 741035; Lot 1, DP 559580	Local	I159
Balmain	Street trees—various species	Carrington Street	Road reserve	Local	I160
Balmain	Semi-detached house, including interiors	2 Charles Street	Corner Lot 2, DP 572085	Local	I161
Balmain	Semi-detached house, including interiors	4 Charles Street	Lot 1, DP 572085	Local	I162
Balmain	House, "Moorfield", including interiors	6 Charles Street	Lot A, DP 317986	Local	I163
Balmain	Semi-detached weatherboard house, including interiors	42 Clayton Street	Lot 1, DP 709844	Local	I164

Balmain	Semi-detached weatherboard house, including interiors	44 Clayton Street	Lot 1, DP 538321	Local	I165
Balmain	Stone house, including interiors	1 Colgate Avenue	Lot 1, DP 1117295	Local	I166
Balmain	Terrace house, including interiors	5 Colgate Avenue	Lot 1, DP 228605	Local	I167
Balmain	Terrace house, including interiors	7 Colgate Avenue	Lot 2, DP 228605	Local	I168
Balmain	Terrace house, including interiors	9 Colgate Avenue	Lot 3, DP 228605	Local	I169
Balmain	Terrace house, including interiors	11 Colgate Avenue	Lot 4, DP 228605	Local	I170
Balmain	Terrace house, including interiors	13 Colgate Avenue	Lot 5, DP 228605	Local	I171
Balmain	Former Colgate Palmolive factory buildings, including interiors	22-23 Colgate Avenue	Lots 1-109, CP/SP 61138	Local	I172
Balmain	Public reserve (part of site of former Colgate Palmolive factory)	24 Colgate Avenue	Lot 210, DP 1006214; road reserve	Local	I173
Balmain	Royal Oak Hotel, including interiors	36 College Street	Lot 1, DP 724879; Lot B, DP 345827	Local	I174
Balmain	Terrace, including interiors	33 Curtis Road	Lot 2, DP 228643	Local	I175
Balmain	Terrace, including interiors	35 Curtis Road	Lot 1, DP 228643	Local	I176
Balmain	Former corner shop, including interiors	106 Curtis Road	Lot 106, DP 622126	Local	I177
Balmain	Former shop and residence and original signs, including interiors	113 Curtis Road	Lot B, DP 38700	Local	I178
Balmain	Former post office mail box	Darling Street (Balmain Post Office)	Road reserve adjacent to 366B Darling Street	Local	I204
Balmain	War memorial	Darling Street (Loyalty Square)	Road reserve	Local	I206

Balmain	Gladstone Park, including pump house, bandstand remains, plantings and other landscape elements	Darling Street	Part Lot 1, DP 724348	Local	I207
Balmain	Stone kerb	Corner Darling and Beattie Streets (Unity Hall Hotel)	Road reserve adjacent to 292-294 Darling Street	Local	I205
Balmain	Stone building, including interiors	139-143 Darling Street	Lot 1, DP 1009431	Local	I179
Balmain	Stone house, including interiors	147 Darling Street	Lot A, DP 442842	Local	I180
Balmain	Terrace house, including interiors	149 Darling Street	Lot B, DP 442842	Local	I181
Balmain	Terrace house, including interiors	151 Darling Street	Lot C, DP 442842	Local	I182
Balmain	Former shop and residence, including interiors	153 Darling Street	Lot 1, DP 709057	Local	I183
Balmain	Former shop and residence, including interiors	155 Darling Street	Lot B, DP 157294	Local	I184
Balmain	Former shop and residence, including interiors	157 Darling Street	Lot A, DP 157294	Local	I185
Balmain	Semi-detached former shop and residence, including interiors	165 Darling Street	Lot 281, DP 601910	Local	I186
Balmain	Semi-detached former shop and residence, including interiors	167 Darling Street	Lot 280, DP 601910	Local	I187
Balmain	House, former shop, including interiors	177 Darling Street	Lot B, DP 155019	Local	I188
Balmain	Balmain watch house, including interiors	179 Darling Street	Lot 650, DP 729255	Local	I189
Balmain	Former Volunteer Hotel, including interiors	214 Darling Street	Lot 2, DP 1102531	Local	I190

Balmain	St Andrew's Congregational Church group, including interiors	217-223 Darling Street	Lot 1, DP 1014393	Local	I191
Balmain	The London Hotel, including interiors	234 Darling Street	Corner Lot P, DP 88024	Local	I192
Balmain	Former Oddfellows Hall, including interiors	236 Darling Street	Lot 1, DP 588248	Local	I193
Balmain	Commercial building, including interiors	238 Darling Street	Lot 11, DP 1168946	Local	I194
Balmain	Westpac Bank, including interiors	274 Darling Street	Lots 16-18, DP 2654	Local	I195
Balmain	Former Working Men's Institute, including interiors	332 Darling Street	Lot 12, Section A, DP 77; Lot 13, Section A, DP 77	Local	I196
Balmain	Commercial building, including interiors	363-377 Darling Street	Lot 2, DP 225095	Local	I199
Balmain	Balmain Post Office, including interiors	366B Darling Street	Lot 2, DP 777129	Local	I197
Balmain	Balmain Courthouse and Police Station, including interiors	368 Darling Street	Lots 1-4, DP 772485	Local	I198
Balmain	Balmain Town Hall, including interiors	370 Darling Street	Lot 1, DP 797901	Local	I200
Balmain	Fire Station, including interiors	391 Darling Street	Lot 1, DP 1042027	Local	I201
Balmain	House, including interiors	393 Darling Street	Lot 1, DP 997020	Local	I202
Balmain	House, including interiors	449 Darling Street	Lot 2, Section 1, DP 901; Lot 3, Section 1, DP 901	Local	I203
Balmain	Birrung Park	Donnelly Street	Lot 660, DP 729275	Local	I208
Balmain	Balmain Public School, including interiors	1 Eaton Street	Lots 651 and 652, DP 729096; Lot 1, DP 724309	Local	I209
Balmain	Father John Therry Catholic Primary School, including interiors	2 Eaton Street	Lot 393, DP 752049	Local	I210

Balmain	Street tree— <i>Ficus macrophylla</i>	Elliot Street	Road reserve	Local	I212
Balmain	Street trees—2 <i>Ficus macrophylla</i>	Elliot Street	Road reserve	Local	I213
Balmain	House, “Braeside”, including interiors	96 Elliot Street	Lots 1, 2 and 6, DP 301; Lot 1, DP 909271; Lot 1, DP 909386	Local	I211
Balmain	Terrace, including interiors	8 Evans Street	Lot B, DP 439157	Local	I214
Balmain	Terrace, including interiors	10 Evans Street	Lot A, DP 439157	Local	I215
Balmain	House, “Kinvarra”, including interiors	3 Ewenton Street	Corner Lot 1, DP 980513	Local	I216
Balmain	House, “Shannon Grove”, including interiors	10 Ewenton Street	Lot 1, Section A, DP 396	Local	I217
Balmain	House, “Bayview”, including interiors	14 Fawcett Street	Lot 1, DP 198762	Local	I218
Balmain	Fitzroy Avenue Park	1 Fitzroy Avenue	Lot 1, DP 131599; Lots 49–55, DP 1352; Lots 1 and 2, DP 829155	Local	I219
Balmain	Terrace house, including interiors	2 Fitzroy Avenue	Lot 1, DP 240015	Local	I220
Balmain	Terrace house, including interiors	4 Fitzroy Avenue	Lot 2, DP 240015	Local	I221
Balmain	Terrace house, including interiors	6 Fitzroy Avenue	Lot 3, DP 240015	Local	I222
Balmain	Terrace house, including interiors	8 Fitzroy Avenue	Lot 4, DP 240015	Local	I223
Balmain	Terrace house, including interiors	10 Fitzroy Avenue	Lot 5, DP 240015	Local	I224
Balmain	Terrace house, including interiors	12 Fitzroy Avenue	Lot 6, DP 240015	Local	I225
Balmain	Semi-detached house, including interiors	2 Gladstone Street	Lot 4, DP 567741	Local	I226
Balmain	Semi-detached house, including interiors	4 Gladstone Street	Lot 3, DP 567741	Local	I227

Balmain	Dawn Fraser Swimming Pool, including interiors	Glassop Street	Lot 639, DP 752049; Lot 1, DP 179092, Lease lot Lease Plan PM1054XL	State	I237
Balmain	Elkington Park	Glassop Street	Lot 1, DP 724787; Lots 1 and 2, DP 797906; Lot 1, DP 952059; Lot UNUM	Local	I238
Balmain	House, including interiors	6 Glassop Street	Lot 1, DP 194044	Local	I228
Balmain	Terrace, including interiors	41 Glassop Street	Lot B, DP 443896	Local	I229
Balmain	Terrace, including interiors	43 Glassop Street	Lot A, DP 443896	Local	I230
Balmain	Terrace, including interiors	44 Glassop Street	Lot 5, DP 923768	Local	I231
Balmain	Terrace, including interiors	46 Glassop Street	Lot 4, DP 923768, VOL 1499 Folio 89	Local	I232
Balmain	Terrace, including interiors	48 Glassop Street	Lot 3, DP 923768, VOL 7003 Folio 55	Local	I233
Balmain	Terrace, including interiors	50 Glassop Street	Lot 2, DP 923768	Local	I234
Balmain	Terrace, including interiors	52 Glassop Street	Lot 1, DP 923768	Local	I235
Balmain	Terrace, including interiors	54 Glassop Street	Corner Lot 15, DP 3064	Local	I236
Balmain	Ewenton Park	Grafton Street	Lot 2, DP 712618; Lot 101, DP 706127; Local road reserve	Local	I240
Balmain	House, "Hampton Villa", including interiors	12B Grafton Street	Corner Lot C, DP 398936	State	I239
Balmain	Street trees—row of Brush Box	Hyam Street	Road reserve	Local	I241
Balmain	Street trees—row of <i>Phoenix canariensis</i>	Isabella Street	Road reserve	Local	I242
Balmain	Victorian sandstone terraces, including interiors	2 Jane Street	Lot 2, DP 548573	Local	I243

Balmain	St Augustine of Hippo Church, Chapel and Presbytery, including interiors	3 Jane Street	Lot 60, DP 48; Lot 1, DP 86277	Local	I250
Balmain	Terrace, including interiors	4 Jane Street	Lot 1, DP 545638	Local	I244
Balmain	Terrace, including interiors	6 Jane Street	Lot 3, DP 548573	Local	I245
Balmain	Terrace, including interiors	8 Jane Street	Lot 1, DP 233994	Local	I246
Balmain	Terrace, including interiors	10 Jane Street	Lot 2, DP 233994	Local	I247
Balmain	Terrace and front fence, "Rosebank", including interiors	11 Jane Street	Lot 3, DP 66415	Local	I251
Balmain	Terrace, including interiors	12 Jane Street	Lot 3, DP 233994	Local	I248
Balmain	Terrace and front fence, "Cairngorm", including interiors	13 Jane Street	Lot 1, DP 64178	Local	I252
Balmain	Former convent and fence, including interiors	14A, 14B and 14C Jane Street	Lots 11-13, DP 1041574	Local	I249
Balmain	Street trees—Brush Box and <i>Ficus hillii</i> sp	Llewellyn Street	Road reserve	Local	I254
Balmain	Former Masonic Hall, including interiors	27A Llewellyn Street	Lot 30, DP 662296	Local	I253
Balmain	Stone drain	Little Stephen Street abutting 52 Palmer Street	Road reserve	Local	I255
Balmain	Rowntree Memorial	Macquarie Terrace	Road reserve	Local	I257
Balmain	Street trees—Brush Box and palms	Macquarie Terrace	Road reserve	Local	I256
Balmain	Former Masonic Hall, including interiors	6 Montague Street	Lot 30, DP 662295; Lots 3 and 4, DP 905298	Local	I258
Balmain	Former Masonic Hall, including interiors	8 Montague Street	Lot 5, DP 905298	Local	I259

Balmain	Former Central Methodist Mission, including interiors	19 Montague Street	Lot B, DP 394886	Local	I260
Balmain	Balmain Co-op Society Limited, including interiors	28-30A Montague Street	Corner Lots 10 and 12, DP 2821; Lot 11, DP 2821	Local	I261
Balmain	Former Ship Painters & Dockers Union Hall, including interiors	36 Mort Street	Lot 1, DP 503471	Local	I262
Balmain	Former Star Hotel, including interiors	91 Mort Street	Lots 1-10, CP/SP 50371	Local	I263
Balmain	House, including interiors	93 Mort Street	Lot 9, Section 26, DP 111126	Local	I264
Balmain	Former Star Hotel, including interiors	97 Mort Street	Lot 3, DP 562948	Local	I266
Balmain	Former Forth and Clyde Hotel, including interiors	101 Mort Street	Lot 2, DP 562209	Local	I267
Balmain	Sandstone retaining wall	107 Mort Street	Lot 2, DP 601541	Local	I268
Balmain	Sandstone retaining wall	109 Mort Street	Lot 2, DP 16001	Local	I269
Balmain	House, including interiors	20 Palmer Street	Lot 1, DP 194773	Local	I270
Balmain	Semi-detached house, including interiors	36 Palmer Street	Lot 1, DP 198350	Local	I271
Balmain	Semi-detached house, including interiors	38 Palmer Street	Lot 1, DP 986373	Local	I272
Balmain	House, including interiors	46 Palmer Street	Corner Lot 1, DP 196151	Local	I273
Balmain	House, including interiors	48 Palmer Street	Lot 1, DP 200271	Local	I274
Balmain	House, including interiors	50 Palmer Street	Lot 1, DP 216915	Local	I275
Balmain	House and former shop, including interiors	52 Palmer Street	Lot 2, DP 216915	Local	I276
Balmain	Stone wall	54 Palmer Street	Corner Lot 6, DP 44	Local	I277

Balmain	Street walls	56 Palmer Street	Corner Lot 5, DP 44	Local	I278
Balmain	House, including interiors	60 Palmer Street	Corner Lot 3, DP 44	Local	I279
Balmain	House, including interiors	62 Palmer Street	Corner Lot 2, DP 44	Local	I280
Balmain	House, including interiors	64 Palmer Street	Corner Lot 1, DP 44; Lot 2, DP 664599	Local	I281
Balmain	Terrace, including interiors	94 Palmer Street	Lot 2, DP 790866	Local	I282
Balmain	Terrace, including interiors	96 Palmer Street	Lot B, DP 105931	Local	I283
Balmain	Terrace, including interiors	98 Palmer Street	Lot C, DP 105931	Local	I284
Balmain	Terrace, including interiors	100 Palmer Street	Lot D, DP 105931	Local	I285
Balmain	Terrace, including interiors	102 Palmer Street	Lot 1, DP 107740	Local	I286
Balmain	Terrace, including interiors	104 Palmer Street	Lot 2, DP 107740	Local	I287
Balmain	Terrace, including interiors	106 Palmer Street	Lot 3, DP 107740	Local	I288
Balmain	Terrace, including interiors	108 Palmer Street	Lot 4, DP 107740	Local	I289
Balmain	Terrace, including interiors	110 Palmer Street	Lot 5, DP 107740	Local	I290
Balmain	Former shop and residence, including interiors	1 Queens Place	Corner Lot 1, DP 718567	Local	I291
Balmain	Terrace, including interiors	5 Queens Place	Lot 3, DP 540767	Local	I292
Balmain	Terrace, including interiors	7 Queens Place	Lot 2, DP 540767	Local	I293
Balmain	Terrace, including interiors	9 Queens Place	Lot 1, DP 540767	Local	I294
Balmain	Street trees—row of Brush Box	Reynolds Street	Road reserve	Local	I303
Balmain	Semi-detached house, including interiors	69 Reynolds Street	Lot F, DP 371411	Local	I295

Balmain	Semi-detached house, including interiors	71 Reynolds Street	Lot 1, DP 870932	Local	I296
Balmain	Semi-detached house, including interiors	73 Reynolds Street	Lot A, DP 317544	Local	I298
Balmain	Semi-detached house, including interiors	75 Reynolds Street	Lot 4, DP 14700	Local	I299
Balmain	Semi-detached house, including interiors	77 Reynolds Street	Lot 5, DP 14700	Local	I300
Balmain	Semi-detached house, including interiors	79 Reynolds Street	Lot 5A, DP 14700	Local	I301
Balmain	Former Unilever administration building and fence, including interiors	100-104 Reynolds Street	Lot 1, DP 801399	Local	I302
Balmain	Former Unilever vim plant, including interiors	5 Rosebery Place	Lots 1-3, CP/SP 60159; Lots 5-9, CP/SP 62009	Local	I304
Balmain	Former Unilever oil mill, including interiors	7 Rosebery Place	Lots 1-20, CP/SP 60158	Local	I305
Balmain	Former Unilever copra store, including interiors	9 Rosebery Place	Lots 1-58, CP/SP 56169; Lots 60-107, CP/SP 57389; Lots 109-140, CP/SP 57817; Lot 1000, DP 1009969	Local	I306
Balmain	House, including interiors	40 Rowntree Street	Lot 1, DP 74645	Local	I307
Balmain	Former corner shop and residence, including interiors	45 Rowntree Street	Lots 1 and 2, CP/SP 15406	Local	I308
Balmain	House, "Providence", including interiors	73 Smith Street	Lots 10-12, DP 345; Lot 1, DP 536666	Local	I313
Balmain	Former house and front fence, including interiors	75 Smith Street	Lots 6-8, DP 345; Lot 1, DP 1033587	Local	I314

Balmain	Single terrace, including interiors	1 St Andrew Street	Lot D, DP 442842	Local	I309
Balmain	Terrace, including interiors	14 St Andrew Street	Lot 2, DP 233714	Local	I310
Balmain	Terrace, including interiors	3 St John Street	Lot 1, DP 742629	Local	I311
Balmain	Terrace, including interiors	5 St John Street	Lot 1, DP 741307	Local	I312
Balmain	Former Pacific Hotel, including interiors	4 Stephen Street	Lots 1 and 2, CP/SP 56618	Local	I315
Balmain	Semi-detached house, including interiors	31 Stephen Street	Lot 1, DP 998969	Local	I316
Balmain	Semi-detached house, including interiors	33 Stephen Street	Lot 2, DP 231455	Local	I317
Balmain	Sandstone retaining wall and drainage culvert	Corner Thames and Mort Streets	Road reserve	Local	I325
Balmain	Thames Street Wharf, including interiors	Thames Street (northern end)	Lot 637, DP 752049; R100049	Local	I326
Balmain	Christian Brothers home and provincial office, including interiors	4 Thames Street	Lot 2, DP 1042777	Local	I318
Balmain	Former Christian Brothers High School, including interiors	6 Thames Street	Lots 1-34, CP/SP 62448; Lot 2, DP 882455	Local	I319
Balmain	Terrace, including interiors	7 Thames Street	Lot C, DP 439065	Local	I320
Balmain	Terrace, including interiors	9 Thames Street	Lot B, DP 439065	Local	I321
Balmain	Terrace, including interiors	11 Thames Street	Lot A, DP 439065	Local	I322
Balmain	Former House, "Montrose", including interiors	13-13A Thames Street	Lot 2, DP 225785	Local	I323
Balmain	Sandstone retaining wall	40 Thames Street	Lot 1, DP 1052410	Local	I324

Balmain	Terrace, including interiors	1 Trouton Street	Corner Lot 24, DP 556323	Local	I327
Balmain	Terrace, including interiors	3 Trouton Street	Lot 23, DP 556323	Local	I328
Balmain	Terrace, including interiors	5 Trouton Street	Lot 22, DP 556323	Local	I329
Balmain	Terrace, including interiors	7 Trouton Street	Lot 21, DP 556323	Local	I330
Balmain	Semi-detached house with former shop, including interiors	25 Trouton Street	Lot 1, DP 772289	Local	I331
Balmain	Semi-detached house, including interiors	27 Trouton Street	Lot 1, DP 772324	Local	I332
Balmain	House, "The Grange", including interiors	7 Vincent Street	Lot 1, DP 933996	Local	I333
Balmain	House, "Ardenlea", including interiors	14 Vincent Street	Lot 12, DP 598026	Local	I334
Balmain	House, including interiors	1 Wallace Street	Lot B, DP 387003	Local	I335
Balmain	House, "Puiriri", including interiors	2 Wallace Street	Lot 2, Section B, DP 396; Lot 1, DP 121091	Local	I336
Balmain	Former House, "Clontarf", including interiors	4 Wallace Street	Part Lot 3, Section B, DP 396; Part Lot 4, Section B, DP 396	Local	I337
Balmain	House, including interiors	3 Waterview Street	Lot 102, DP 874373	Local	I338
Balmain	House and stone marker, including interiors	6 Waterview Street	Lot 1, DP 136787	Local	I339
Balmain	House, including interiors	8 Waterview Street	Lot 231, DP 1040358	Local	I340
Balmain	Timber house, including interiors	12 Waterview Street	Lot 14, DP 1124174	Local	I341
Balmain	Semi-detached house, including interiors	16 Waterview Street	Lot 101, DP 1015541	Local	I342

Balmain	Semi-detached house, including interiors	18 Waterview Street	Lot 102, DP 1015541	Local	I343
Balmain	Timber house, including interiors	20-22 Waterview Street	Lot 103, DP 877625	Local	I344
Balmain	House, including interiors	27 Waterview Street	Corner Lot 67, DP 60094	Local	I345
Balmain	House, "Balmoral", including interiors	46 Waterview Street	Corner Lot 16, DP 8247	Local	I346
Balmain	House, "Joldwen", including interiors	47 Waterview Street	Lot 1, DP 1008625	Local	I347
Balmain	House, "Regimbah", including interiors	49 Waterview Street	Lot 3, DP 598913	Local	I348
Balmain	House and stone retaining wall, including interiors	70 Waterview Street	Corner Lot 2, DP 614076	Local	I349
Balmain	Yeend's Terrace, including interiors	1 Wells Street	Lot X, DP 438752	Local	I351
Balmain	House, "Louisaville", including interiors	2 Wells Street	Lot 1, DP 634624	State	I350
Balmain	Yeend's Terrace, including interiors	3 Wells Street	Lot 1, DP 224176	Local	I352
Balmain	Yeend's Terrace, including interiors	5 Wells Street	Lot 2, DP 224176	Local	I353
Balmain	Yeend's Terrace, including interiors	7 Wells Street	Lot 3, DP 224176	Local	I354
Balmain	Yeend's Terrace, including interiors	9 Wells Street	Lot 4, DP 224176	Local	I355
Balmain	Yeend's Terrace, including interiors	11 Wells Street	Lot 5, DP 224176	Local	I356
Balmain	Yeend's Terrace, including interiors	13 Wells Street	Lot 6, DP 224176	Local	I357
Balmain	Yeend's Terrace, including interiors	15 Wells Street	Lot 7, DP 224176	Local	I358
Balmain	House, "Bishopsthorpe", including interiors	8 White Street	Lot 2, DP 566677	Local	I359
Balmain	House, "Tilba Tilba", including interiors	18 White Street	Lot B, DP 102929	Local	I360

Balmain	Punch Park	16-30 Wortley Street	Corner Lot 1, DP 797902	Local	I361
Balmain East	House, including interiors	1 Brett Avenue	Lot 1, DP 224624	Local	I362
Balmain East	House, including interiors	14 Clifton Street	Lot 1, DP 1100371; Lot 1, DP 68016; Lot 2 66363	Local	I363
Balmain East	Formerly "The Shipwright's Arms", including interiors	10 Darling Street	Lot A, DP 366527	Local	I364
Balmain East	House, "Waterman", including interiors	12 Darling Street	Lot 1, DP 85820	Local	I365
Balmain East	Plym Terrace, including interiors	21 Darling Street	Lots 1 and 2, CP/SP 21778	Local	I366
Balmain East	Plym Terrace, including interiors	23 Darling Street	Lot E, DP 439960	Local	I367
Balmain East	House, including interiors	24 Darling Street	Lot 1, DP 196728	Local	I372
Balmain East	Plym Terrace, including interiors	25 Darling Street	Lot D, DP 439960	Local	I368
Balmain East	Semi-detached house, including interiors	26 Darling Street	Lot 1, DP 744111	Local	I373
Balmain East	Plym Terrace, including interiors	27 Darling Street	Lot C, DP 439960	Local	I369
Balmain East	Semi-detached house, including interiors	28 Darling Street	Lot 1, DP 137353	Local	I374
Balmain East	Plym Terrace, including interiors	29 Darling Street	Lot B, DP 439960	Local	I370
Balmain East	Terrace, including interiors	30 Darling Street	Lot 1, DP 549465	Local	I375
Balmain East	Plym Terrace, including interiors	31 Darling Street	Lot A, DP 439960	Local	I371
Balmain East	Terrace, including interiors	32 Darling Street	Lot 1, DP 611670	Local	I376
Balmain East	Terrace, including interiors	34 Darling Street	Lot 1, DP 806896	Local	I377
Balmain East	Terrace, including interiors	40 Darling Street	Lot 1, DP 378229	Local	I378

Balmain East	Terrace, including interiors	42 Darling Street	Lot 2, DP 378229	Local	I379
Balmain East	Terrace, including interiors	44 Darling Street	Lot 81, DP 1045468	Local	I380
Balmain East	Terrace, including interiors	46 Darling Street	Lot 82, DP 1045468	Local	I381
Balmain East	Terrace, including interiors	48 Darling Street	Lot 83, DP 1045468	Local	I382
Balmain East	House, "Cahermore", including interiors	50 Darling Street	Lot 1, DP 1082198	Local	I383
Balmain East	Former Unity Hall Hotel, including interiors	51 Darling Street	Lots 1-4, CP/SP 13420; Lots 8-10, SP 39428	Local	I384
Balmain East	Shop and residence, including interiors	53 Darling Street	Lot 1, DP 569806	Local	I385
Balmain East	Shop and residence, including interiors	55 Darling Street	Lot 1, DP 770484	Local	I386
Balmain East	Commercial building, including interiors	62 Darling Street	Lot 1, DP 581778	Local	I387
Balmain East	Terrace, including interiors	63 Darling Street	Lot 7, DP 205163	Local	I388
Balmain East	Terrace, including interiors	65 Darling Street	Lot 100, DP 1178704	Local	I389
Balmain East	Timber terrace, including interiors	67 Darling Street	Lot 9, DP 155402	Local	I390
Balmain East	House, including interiors	68 Darling Street	Lot B, DP 325561	Local	I391
Balmain East	Shop and residence, including interiors	69-71 Darling Street	Lots 1 and 2, DP 155402	Local	I392
Balmain East	Terrace, including interiors	74 Darling Street	Lot 4, DP 218871	Local	I394
Balmain East	Single storey terrace, including interiors	75-77 Darling Street	Lots 3 and 4, DP 220489	Local	I393
Balmain East	Terrace, including interiors	76 Darling Street	Lot 3, DP 218871	Local	I395
Balmain East	Terrace, including interiors	78 Darling Street	Lot 2, DP 218871	Local	I396

Balmain East	Corner shop and residence, including interiors	80 Darling Street	Lot 1, DP 218871	Local	I397
Balmain East	St Mary's Anglican Church, including interiors	85 Darling Street	Corner Lot 100, DP 861875	Local	I398
Balmain East	Flats, "Glentworth", including interiors	86 Darling Street	Lots 1-12, CP/SP 11684	Local	I399
Balmain East	Shop and residence, including interiors	88 Darling Street	Lot A, DP 86116	Local	I400
Balmain East	Single terrace, including interiors	90 Darling Street	Lot C, DP 406260	Local	I401
Balmain East	Single storey terrace, including interiors	92 Darling Street	Lot B, DP 406260	Local	I402
Balmain East	Single storey terrace, including interiors	94 Darling Street	Lot A, DP 406260	Local	I403
Balmain East	House, including interiors	100 Darling Street	Lot 102, DP 883285	Local	I404
Balmain East	House, including interiors	122 Darling Street	Lot 8, DP 976558	Local	I405
Balmain East	Stone paving	Datchett Street	Road reserve	Local	I413
Balmain East	House, including interiors	4 Datchett Street	Lot B, DP 86116	Local	I406
Balmain East	House, "Iver", including interiors	12 Datchett Street	Lot 1, DP 612181	Local	I407
Balmain East	Timber terrace, including interiors	15 Datchett Street	Lot 1, DP 511798	Local	I408
Balmain East	Timber terrace, including interiors	17 Datchett Street	Lot 2, DP 511798	Local	I409
Balmain East	House, including interiors	20 Datchett Street	Lot 1, DP 789627	Local	I410
Balmain East	House, including interiors	20A Datchett Street	Lot 2, DP 789627	Local	I411
Balmain East	House, including interiors	22 Datchett Street	Lot 1, DP 1018127	Local	I412
Balmain East	House, "Linford Lodge", including interiors	2 Duke Place	Lot 100, DP 588964	Local	I414

Balmain East	House, including interiors	5 Duke Place	Lot A, DP 317292; Lot 2, DP 816580	Local	I415
Balmain East	Semi-detached house, including interiors	8 Duke Place	Corner Lot 1, DP 183331	Local	I416
Balmain East	House, including interiors	9 Duke Place	Lot 13, DP 259699	Local	I418
Balmain East	Semi-detached house, including interiors	10 Duke Place	Lot 12, DP 593703	Local	I417
Balmain East	Street trees—row of <i>Ficus hillii</i>	Duke Street	Road reserve	Local	I429
Balmain East	“Harold Place”, terrace, including interiors	1 Duke Street	Lot 2, DP 806177	Local	I420
Balmain East	House, including interiors	2 Duke Street	Lot 1, DP 996240	Local	I419
Balmain East	“Harold Place”, terrace, including interiors	3 Duke Street	Corner Lot 1, DP 806177	Local	I421
Balmain East	Richmond Terrace, including interiors	5 Duke Street	Lot 4, DP 505386	Local	I422
Balmain East	Richmond Terrace, including interiors	7 Duke Street	Lot 3, DP 505386	Local	I423
Balmain East	Richmond Terrace, including interiors	9 Duke Street	Lot D, DP 106219	Local	I424
Balmain East	Richmond Terrace, including interiors	11 Duke Street	Lot A, DP 110328	Local	I425
Balmain East	Richmond Terrace, including interiors	13 Duke Street	Lot 2, DP 505386	Local	I426
Balmain East	Richmond Terrace, including interiors	15 Duke Street	Lot 1, DP 505386	Local	I427
Balmain East	House, “Clarenook”, including interiors	33 Duke Street	Lot A, DP 440198	Local	I428

Balmain East	Illoura Reserve	Edward Street, 10-20 Weston Street and land in Weston Street	Lot 4, DP 82496; Lot 1, DP 86644; Lot 1, DP 113249; Lot 1, DP 189867; Lot 1, DP 64443; Lots 461-463, DP 752049; Lots 1-2, DP 708327; Lots 1, 2, 5 and 6, DP 213143; Lot 1, DP 213449	Local	I436
Balmain East	Harbourview Terrace, including interiors	7 Edward Street	Lot A, DP 33913	Local	I430
Balmain East	Harbourview Terrace, including interiors	9 Edward Street	Lot B, DP 33913	Local	I431
Balmain East	Harbourview Terrace, including interiors	11 Edward Street	Lot C, DP 33913	Local	I432
Balmain East	Harbourview Terrace, including interiors	11A Edward Street	Lot D, DP 33913	Local	I433
Balmain East	Harbourview Terrace, including interiors	15 Edward Street	Lot E, DP 33913	Local	I434
Balmain East	Harbourview Terrace, including interiors	17 Edward Street	Lot F, DP 33913	Local	I435
Balmain East	Retaining wall, steps and fence	Gallimore Avenue	Road reserve	Local	I437
Balmain East	Semi-detached house, including interiors	1 James Lane	Lot A, DP 184733	Local	I439
Balmain East	Semi-detached house, including interiors	3 James Lane	Lot B, DP 184733	Local	I440
Balmain East	House, including interiors	5 James Lane	Lot C, DP 184733	Local	I441
Balmain East	Semi-detached house, including interiors	6 Johnston Street	Lot A, DP 446770	Local	I442

Balmain East	Semi-detached house, including interiors	8 Johnston Street	Lot B, DP 446770	Local	I443
Balmain East	House, including interiors	11 Johnston Street	Lot 1, DP 196941	Local	I445
Balmain East	House, "Onkaparinga", including interiors	12 Johnston Street	Corner Lots 1 and 2, DP 569805	Local	I444
Balmain East	House, "Captain Tinley", including interiors	13 Johnston Street	Lots 1 and 2, DP 836940	Local	I446
Balmain East	House, "Penbroke Villa", including interiors	19 Johnston Street	Lot 1, DP 507032	Local	I447
Balmain East	Terrace, including interiors	2 Little Edward Street	Lot 4, DP 533867	Local	I448
Balmain East	Terrace, including interiors	4 Little Edward Street	Lot 3, DP 533867	Local	I449
Balmain East	Terrace, including interiors	6 Little Edward Street	Lot 2, DP 533867	Local	I450
Balmain East	Terrace, including interiors	8 Little Edward Street	Lot 1, DP 533867	Local	I451
Balmain East	Terrace, including interiors	1 Lookes Avenue	Lot 2, DP 153477	Local	I452
Balmain East	Semi-detached houses, including interiors	2-4 Lookes Avenue	Lot 1, DP 1159913	Local	I455
Balmain East	Terrace, including interiors	3 Lookes Avenue	Lot 3, DP 1093802	Local	I453
Balmain East	Terrace, including interiors	5 Lookes Avenue	Lot 5, DP 1093803	Local	I454
Balmain East	House, including interiors	9 Lookes Avenue	Lot 1, DP 219657	Local	I456
Balmain East	Semi-detached house, including interiors	13 Lookes Avenue	Lot 1, DP 998883	Local	I457
Balmain East	House, including interiors	15 Lookes Avenue	Lot 15, DP 1093877	Local	I458
Balmain East	Zig-zag Reserve	Nicholson Street	Road reserve	Local	I464
Balmain East	House, including interiors	14 Nicholson Street	Lot 21, DP 706850	Local	I459

Balmain East	Sandstone outhouse, including interiors	19 Nicholson Street	Lots 1-7, CP/SP 19536	Local	I460
Balmain East	Nicholson Street Public School, including interiors	23 Nicholson Street	Lots 5, 6 and 10, DP 18361; Lot A, DP 190313; Lots 1 and 2, DP 794922; Lot 688, DP 821090; Lot 1, DP 1089096; Lot B, DP 190313	Local	I461
Balmain East	"Mort Bay House", including interiors	34 Nicholson Street	Lot 4, DP 624991	Local	I462
Balmain East	Waterview Wharf Workshops, including interiors	37 Nicholson Street	Lot 102, DP 816495	State	I463
Balmain East	Eastcliff Terrace, including interiors	2 Paul Street	Lot 7, DP 38721	Local	I465
Balmain East	House, including interiors	3 Paul Street	Lot A, DP 450005	Local	I472
Balmain East	Eastcliff Terrace, including interiors	4 Paul Street	Lot 6, DP 38721	Local	I466
Balmain East	House, including interiors	5 Paul Street	Lot B, DP 450005	Local	I473
Balmain East	Eastcliff Terrace, including interiors	6 Paul Street	Lot 5, DP 38721	Local	I467
Balmain East	Eastcliff Terrace, including interiors	8 Paul Street	Lot 4, DP 38721	Local	I468
Balmain East	Eastcliff Terrace, including interiors	10 Paul Street	Lot 10, DP 1088975	Local	I469
Balmain East	Eastcliff Terrace, including interiors	12 Paul Street	Lot 12, DP 1088855	Local	I470
Balmain East	House, including interiors	13 Paul Street	Lot 1, DP 711013	Local	I474
Balmain East	Eastcliff Terrace, including interiors	14 Paul Street	Lot 3, DP 1055476; Lot 1, DP 38721	Local	I471
Balmain East	Terrace, including interiors	15 Paul Street	Lot A, DP 378230	Local	I475
Balmain East	Terrace, including interiors	17 Paul Street	Lot B, DP 378230	Local	I476
Balmain East	Terrace, including interiors	19 Paul Street	Lot C, DP 378230	Local	I477

Balmain East	House, including interiors	4 Pearson Street	Lot 1, DP 742693	Local	I478
Balmain East	House, including interiors	11 Pearson Street	Lot 2, DP 224698	Local	I479
Balmain East	House, including interiors	24 Pearson Street	Lot 100, DP 872400	Local	I480
Balmain East	House, "Kaikoura", including interiors	2 School Street	Lot 2, DP 870300	Local	I485
Balmain East	Simmons Point Reserve	Simmons Street	Lot 101, DP 816494; Lot 2, DP 562679; Part Lot 1, DP 217066; road reserve	Local	I486
Balmain East	House, including interiors	13 Simmons Street	Lot 1, DP 562679	Local	I487
Balmain East	Terrace, including interiors	14 St Marys Street	Lot A, DP 386993	Local	I482
Balmain East	Terrace, including interiors	16 St Marys Street	Lots B and C, DP 386993	Local	I483
Balmain East	Timber house, including interiors	18 St Marys Street	Lot 18, DP 1108121	Local	I484
Balmain East	"Wood Lee Villa", including interiors	7 Stack Street	Lot 11, DP 593703	Local	I488
Balmain East	Stepped walkway	Union Street	Road reserve	Local	I491
Balmain East	House, including interiors	17 Union Street	Lot 1, DP 308655	Local	I489
Balmain East	Former semi-detached houses, including interiors	18-20 Union Street	Lot 200, DP 1085855	Local	I490
Balmain East	Fenwick and Co boat store, including interiors	2-8 Weston Street	Lot 1, DP 722968; Lot 1, DP 89648; Lot State 1, DP 83357		I492
Balmain East	Terrace, including interiors	4 William Street	Lot 1, DP 555807	Local	I493
Balmain East	Terrace, including interiors	6 William Street	Lot 2, DP 555807	Local	I494
Balmain East	House, including interiors	10 William Street	Lot 3, DP 577513	Local	I495
Balmain East	House, including interiors	18 William Street	Lot 2, DP 212304	Local	I496

Balmain East	Semi-detached house, including interiors	25 William Street	Lot 25, DP 864543	Local	1497
Balmain East	Semi-detached house, including interiors	27 William Street	Lot 1, DP 744243	Local	1498
Balmain East	Semi-detached house, including interiors	29 William Street	Lot 1, DP 736305	Local	1499
Balmain East	Semi-detached house, including interiors	31 William Street	Lot 1, DP 986257	Local	1500
Birchgrove	Ballast Point Park	Ballast Point Road and Wharf Road	Lots 1-4, DP 115939; Lots 1 and 2, DP 82593; Lease Lot UNUM, DP 122934; Lot 11, DP 792332; Lot 7, DP 132691; Lot 413, DP 752049	Local	1520
Birchgrove	House, "Lerna", including interiors	1 Ballast Point Road	Lot 2, DP 977340; Lot 1, DP 932316; Lot B, DP 323269	Local	1501
Birchgrove	Semi-detached house, including interiors	25 Ballast Point Road	Lot 1, DP 230577	Local	1502
Birchgrove	Semi-detached house, including interiors	27 Ballast Point Road	Lot 2, DP 230577	Local	1503
Birchgrove	House, including interiors	29 Ballast Point Road	Corner Lot 1, DP 69725	Local	1504
Birchgrove	Terrace, "Ellerslie", including interiors	35 Ballast Point Road	Lot 1, DP 913645	Local	1505
Birchgrove	Terrace, "Ellerslie", including interiors	37 Ballast Point Road	Lot 22, DP 876529	Local	1506
Birchgrove	Terrace, "Ellerslie", including interiors	39 Ballast Point Road	Lot 30, DP 812321	Local	1507
Birchgrove	Terrace, "Ellerslie", including interiors	41 Ballast Point Road	Lot 4, DP 913645	Local	1508
Birchgrove	Terrace, "Ellerslie", including interiors	43 Ballast Point Road	Lot 5, DP 913645	Local	1509
Birchgrove	Terrace, "Ellerslie", including interiors	45 Ballast Point Road	Lot 6, DP 913645	Local	1510

Birchgrove	Terrace, "Yeroulbin", including interiors	46 Ballast Point Road	Lot 6, DP 446745	Local	I512
Birchgrove	Terrace, "Ellerslie", including interiors	47 Ballast Point Road	Lot 501, DP 626204	Local	I511
Birchgrove	Terrace, "Yeroulbin", including interiors	48 Ballast Point Road	Lot 5, DP 446145	Local	I513
Birchgrove	Terrace, "Yeroulbin", including interiors	50 Ballast Point Road	Lot 4, DP 446745	Local	I514
Birchgrove	Terrace, "Yeroulbin", including interiors	52 Ballast Point Road	Lot 3, DP 790032	Local	I515
Birchgrove	Terrace, "Yeroulbin", including interiors	54 Ballast Point Road	Lot 2, DP 446745	Local	I516
Birchgrove	Terrace, "Yeroulbin", including interiors	56 Ballast Point Road	Lot 1, DP 446745	Local	I517
Birchgrove	House, including interiors	67 Ballast Point Road	Lot 1, DP 741486	Local	I518
Birchgrove	House, "Clifton Villa", including interiors	73 Ballast Point Road	Lot 2, DP 212892	Local	I519
Birchgrove	Birchgrove Public School, including interiors	76B Birchgrove Road	Lot 1, DP 123161; Lot 1, DP 123160	Local	I521
Birchgrove	St John The Evangelist Anglican Church, including interiors	125 Birchgrove Road	Lot 1, DP 999637	Local	I522
Birchgrove	Sir William Wallace Hotel, including interiors	31 Cameron Street	Lot 1, DP 75122	Local	I523
Birchgrove	Terrace, including interiors	33 Cameron Street	Lot 4, DP 34025	Local	I525
Birchgrove	Commercial terrace, including interiors	35 Cameron Street	Lot 3, DP 34025	Local	I526
Birchgrove	Former shop and residence, including interiors	36 Cameron Street	Lot 6, Section 6, DP 111126	Local	I524
Birchgrove	Commercial terrace, including interiors	37 Cameron Street	Lot 2, DP 34025	Local	I527
Birchgrove	Commercial terrace, including interiors	39 Cameron Street	Corner Lot 1, DP 34025	Local	I528

Birchgrove	Terrace house, including interiors	5 Cove Street	Lot 1, DP 241425	Local	1529
Birchgrove	Terrace house, including interiors	7 Cove Street	Lot 2, DP 241425	Local	1530
Birchgrove	Terrace house, including interiors	9 Cove Street	Lot 3, DP 241425	Local	1531
Birchgrove	Terrace house, including interiors	11 Cove Street	Lot 4, DP 241425	Local	1532
Birchgrove	Terrace house, including interiors	13 Cove Street	Lot 5, DP 241425	Local	1533
Birchgrove	Terrace house, including interiors	15 Cove Street	Lot 6, DP 241425	Local	1534
Birchgrove	Birchgrove Park	Grove Street	Lots 644-646, DP 729092; Lot 1, DP 86050; Lot 1, DP 543055; road reserve	Local	1535
Birchgrove	Former shop and residence, including interiors	17 Grove Street	Corner Lot 1, DP 225577	Local	1536
Birchgrove	House, including interiors	22 Grove Street	Lot 1, DP 215998	Local	1537
Birchgrove	Terrace, including interiors	37 Grove Street	Corner Lot 1, DP 214426	Local	1538
Birchgrove	Terrace, including interiors	39 Grove Street	Lot 7, DP 928932	Local	1539
Birchgrove	Terrace, including interiors	41 Grove Street	Lot 6, DP 928932	Local	1540
Birchgrove	Terrace, including interiors	43 Grove Street	Lot 5, DP 525487	Local	1541
Birchgrove	Terrace, including interiors	45 Grove Street	Lot 4, DP 112143	Local	1542
Birchgrove	Terrace, including interiors	47 Grove Street	Lot 3, DP 572627	Local	1543
Birchgrove	Terrace, including interiors	49 Grove Street	Lot 2, DP 928932	Local	1544
Birchgrove	Terrace, including interiors	51 Grove Street	Lot 1, DP 928932	Local	1545
Birchgrove	Terrace, including interiors	53 Grove Street	Lot B, DP 447264	Local	1546

Birchgrove	Yurulbin Park	Louisa Road	Lots 1 and 2, Section 9, DP 192096; Lot 1, DP 1112881; road reserve	Local	I555
Birchgrove	House, "Leopoldville", including interiors	14 Louisa Road	Lot A, DP 359491	Local	I547
Birchgrove	House, "Logan Brae", including interiors	24 Louisa Road	Lot 8, DP 74172	Local	I548
Birchgrove	House, "The Anchorage", including interiors	44 Louisa Road	Lot 1, DP 1008787	Local	I549
Birchgrove	Remnants of Birchgrove House	65 Louisa Road	Lot 1, DP 873992	Local	I550
Birchgrove	Remnants of Birchgrove House	67 Louisa Road	Lots 1-18, SP 3493	Local	I551
Birchgrove	House, "Douglas", including interiors	76 Louisa Road	Lot 1, DP 450152; Lot 1, DP 996182	Local	I552
Birchgrove	House, "Geierstein", including interiors	85 Louisa Road	Lot 1, DP 111941; Lot 2, DP 743504	Local	I553
Birchgrove	House, "Carlowrie", including interiors	115 Louisa Road	Lot 11, DP 841617	Local	I554
Birchgrove	House, "Raywell", including interiors	144 Louisa Road	Lot 1, DP 235461	State	I830
Birchgrove	Former shop and residence, including interiors	83 Phillip Street	Corner Lot 1, DP 195709	Local	I556
Birchgrove	Semi-detached house, including interiors	85 Phillip Street	Lot 13, DP 979488	Local	I557
Birchgrove	House, including interiors	87 Phillip Street	Lot 1, DP 199184	Local	I558
Birchgrove	Ronald Street Reserve	Ronald Street	Road reserve	Local	I559
Birchgrove	Semi-detached house, including interiors	2 Rose Street	Lot D, DP 159496	Local	I560
Birchgrove	Semi-detached house, including interiors	4 Rose Street	Lot C, DP 159496	Local	I561

Birchgrove	Semi-detached house, including interiors	6 Rose Street	Lot B, DP 159496	Local	1562
Birchgrove	Semi-detached house, including interiors	8 Rose Street	Lot A, DP 159496	Local	1563
Birchgrove	Single storey shop, including interiors	127 Rowntree Street	Lot A, DP 437881	Local	1564
Birchgrove	Single storey shop, including interiors	129 Rowntree Street	Lot B, DP 437881	Local	1565
Birchgrove	Shop and residence, including interiors	131 Rowntree Street	Lot C, DP 437881	Local	1566
Birchgrove	Shop and residence, including interiors	133 Rowntree Street	Lot D, DP 437881	Local	1567
Birchgrove	Shop and residence, including interiors	135 Rowntree Street	Lot 1, DP 112526	Local	1568
Birchgrove	Shop and residence, including interiors	137 Rowntree Street	Corner Lot 21, Section 12, DP 111126	Local	1569
Birchgrove	Corner building, including interiors	165 Rowntree Street	Lot 1, DP 565067	Local	1570
Birchgrove	Semi-detached house, including interiors	177 Rowntree Street	Lot A, DP 913616	Local	1571
Birchgrove	Terrace, including interiors	179 Rowntree Street	Lot B, DP 913616	Local	1572
Birchgrove	Terrace, including interiors	181 Rowntree Street	Lot C, DP 913616	Local	1573
Birchgrove	Terrace, including interiors	183 Rowntree Street	Lot D, DP 913616	Local	1574
Birchgrove	Terrace, including interiors	185 Rowntree Street	Lot C, DP 107306	Local	1575
Birchgrove	Terrace, including interiors	187 Rowntree Street	Lot B, DP 107306	Local	1576
Birchgrove	Terrace, including interiors	189 Rowntree Street	Lot A, DP 107306	Local	1577
Birchgrove	Terrace, including interiors	191 Rowntree Street	Lot 1, DP 617583	Local	1578
Birchgrove	Terrace, including interiors	193 Rowntree Street	Lot 2, DP 447868	Local	1579

Birchgrove	Terrace, including interiors	195 Rowntree Street Lot 3, DP 447868		Local	1580
Birchgrove	Terrace, including interiors	197 Rowntree Street Lot 2, DP 528215		Local	1581
Birchgrove	Terrace, including interiors	199 Rowntree Street Lot 1, DP 239583		Local	1582
Birchgrove	Terrace, including interiors	201 Rowntree Street Lot 2, DP 239583		Local	1583
Birchgrove	Terrace, including interiors	203 Rowntree Street Lot 3, DP 239583		Local	1584
Birchgrove	Terrace, including interiors	205 Rowntree Street Lot 4, DP 239583		Local	1585
Birchgrove	Terrace, including interiors	207 Rowntree Street Lot 5, DP 239583		Local	1586
Birchgrove	Terrace, including interiors	209 Rowntree Street Lot 6, DP 239583		Local	1587
Birchgrove	Terrace, including interiors	211 Rowntree Street Lot 7, DP 239583		Local	1588
Birchgrove	House, including interiors	235 Rowntree Street Lot 1, DP 84384		Local	1589
Birchgrove	Timber house, including interiors	2 Spring Street	Lot 1, DP 1011084	Local	1590
Birchgrove	House, "Glenarvon", including interiors	1 Thomas Street	Lot 7, DP 536780	Local	1591
Birchgrove	Timber house, including interiors	6 Wharf Road	Lot 1, DP 577968	Local	1592
Birchgrove	House, including interiors	7 Wharf Road	Lot 1, DP 579874	Local	1593
Birchgrove	Boatshed, including interiors	7A Wharf Road	Lot 2, DP 579874	Local	1594
Birchgrove	House, including interiors	8 Wharf Road	Corner Lot 1, DP 235159	Local	1595
Birchgrove	Brownlee Reserve	11 Wharf Road	Lot 1, DP 121455; Lot 631, DP 752049	Local	1596
Birchgrove	House, including interiors	13 Wharf Road	Lot 122, DP 607531	Local	1597
Birchgrove	House, including interiors	13A Wharf Road	Lot 121, DP 607531	Local	1598

Birchgrove	House and remnants of former Stannard's Marina, including interiors	19 Wharf Road	Lot 2, DP 1015601	Local	I599
Birchgrove	Remnants of former Stannard's Marina, including interiors	19A Wharf Road	Lots 1-4, CP/SP 80784	Local	I600
Birchgrove	House, including interiors	20 Wharf Road	Lot A, DP 74813	Local	I601
Birchgrove	Semi-detached House, "Normanton", including interiors	21 Wharf Road	Lot 2, DP 52958	Local	I602
Birchgrove	House, including interiors	22 Wharf Road	Lot A, DP 337835	Local	I603
Birchgrove	Semi-detached flats "Maybank", including interiors	23 Wharf Road	Lot 1, DP 524604	Local	I604
Birchgrove	House, "Wyoming", including interiors	25 Wharf Road	Lot 1, DP 65983; Lot 405, DP 752049	State	I605
Birchgrove	House, including interiors	31 Wharf Road	Lot 1, DP 86767; Lot 1, DP 971685	Local	I606
Birchgrove	Semi-detached house, including interiors	33 Wharf Road	Lots 2 and 3, DP 562004	Local	I607
Birchgrove	Semi-detached House, "Exeter Villas", including interiors	34 Wharf Road	Lot A, DP 441954	Local	I608
Birchgrove	Semi-detached house, including interiors	35 Wharf Road	Lot 1, DP 562004; Lot 4, DP 562004	Local	I609
Birchgrove	Semi-detached House, "Exeter Villas", including interiors	36 Wharf Road	Lot B, DP 441954	Local	I610
Birchgrove	House, "Ravencourt", including interiors	39 Wharf Road	Lot 1, DP 235462	Local	I611
Birchgrove	House, "Clovernook"	43 Wharf Road	Lot 41, DP 81534; Lot 377, DP 752049	Local	I612
Camperdown	Kerb and gutter	Chester Street	Road reserve	Local	I613

Camperdown	Kerb and gutter	Guihen Street	Road reserve	Local	I614
Camperdown	Former police station, including interiors	210 Parramatta Road	Lot 43, DP 792615	Local	I615
Camperdown	Warehouse, including interiors	52-54 Pyrmont Bridge Road	Lot 10, DP 231; Lots 7-9, DP 231; Lots 13 and 14, DP 231; Lot 6, DP 850; Lots 2 and 3, DP 231; Lot 1, DP 667231; Lot 1, DP 723236; Lot 1, DP 654175; Lot 1, DP 175371; Lots 1 and 2, DP 1080473	Local	I616
Leichhardt	Street trees—avenue of Brush Box	Albert Street	Road reserve	Local	I617
Leichhardt	Street trees—avenue of Brush Box	Allen Street	Road reserve	Local	I619
Leichhardt	Congregational church and hall, including interiors	68 Allen Street	Lot 501, DP 839052	Local	I618
Leichhardt	Corner shop and residence, including interiors	79 Allen Street	Lot 1, Section 1, DP 318	Local	I819
Leichhardt	House, including interiors	18 Beeson Street	Lot B, DP 320905; Lot 32, DP 650387	Local	I621
Leichhardt	House, including interiors	20 Beeson Street	Lot A, DP 320905	Local	I622
Leichhardt	Street trees—row of Port Jackson Figs	Catherine Street	Road reserve	Local	I638
Leichhardt	House, including interiors	8 Catherine Street	Lot 1, DP 918365	Local	I624
Leichhardt	House, including interiors	10 Catherine Street	Lot 1, DP 918730	Local	I625
Leichhardt	House, including interiors	12 Catherine Street	Lot 1, DP 918705	Local	I626
Leichhardt	House, including interiors	14 Catherine Street	Lot 12, DP 918597	Local	I627
Leichhardt	House, including interiors	16 Catherine Street	Lot 11, DP 918597	Local	I628

Leichhardt	"Thorby Buildings", including interiors	129 Catherine Street	Lots B1 and B2, DP 370375	Local	1629
Leichhardt	"Thorby Buildings", including interiors	131 Catherine Street	Lot 2B, DP 380964; Lot 2, DP 380964	Local	1630
Leichhardt	"Thorby Buildings", including interiors	133 Catherine Street	Lot 3B, DP 380964; Lot 3, DP 380964	Local	1631
Leichhardt	"Thorby Buildings", including interiors	135 Catherine Street	Lot 4, DP 5044	Local	1632
Leichhardt	"Thorby Buildings", including interiors	137 Catherine Street	Lot 5, DP 654704	Local	1633
Leichhardt	"Thorby Buildings", including interiors	139 Catherine Street	Lot 1, DP 1097305	Local	1634
Leichhardt	"Thorby Buildings", including interiors	141 Catherine Street	Corner Lot 7, DP 659417	Local	1635
Leichhardt	Office and residence, including interiors	214 Catherine Street	Lot B, DP 403811	Local	1636
Leichhardt	Flats "Lammer Muir", including interiors	225 Catherine Street	Corner Lot A, DP 411994	Local	1637
Leichhardt	Child care centre "Rose Cottage", including interiors	1 Coleridge Street	Lot 32, DP 976348	Local	1639
Leichhardt	Former SRA Tram shed, including interiors	25 Derbyshire Road	Lots 1,7 and 8, DP 791838, Lot 1, DP 1047155	Local	1641
Leichhardt	Mature Fig tree	25 Derbyshire Road	Lot 1, DP 1047155	Local	1642
Leichhardt	Former SRA office and amenities building, including interiors	27 Derbyshire Road	Part Lot 33, DP 867166	Local	1643
Leichhardt	Former SRA cable store and traffic office, including interiors	29 Derbyshire Road	Lot 31, DP 1162341	Local	1644
Leichhardt	Former corner shop and residence, including interiors	15 Elswick Street	Lot 1, DP 1105033	Local	1645
Leichhardt	House, "Elswick", including interiors	171 Elswick Street	Lot 1, DP 101112	Local	1646

Leichhardt	Semi-detached house, including interiors	22 Emily Street	Lot 6, DP 439730	Local	I647
Leichhardt	Semi-detached house, including interiors	24 Emily Street	Lot 5, DP 439730	Local	I648
Leichhardt	Semi-detached house, including interiors	26 Emily Street	Lot 4, DP 439730	Local	I649
Leichhardt	Semi-detached house, including interiors	28 Emily Street	Lot 3, DP 439730	Local	I650
Leichhardt	Semi-detached house, including interiors	30 Emily Street	Lot 2, DP 439730	Local	I651
Leichhardt	Semi-detached house, including interiors	32 Emily Street	Lot 1, DP 439730	Local	I652
Leichhardt	Corner shop and residence, including interiors	42 Emma Street	Corner Lot 2, DP 577289	Local	I653
Leichhardt	Former corner shop and residence, including interiors	212 Flood Street	Corner Lot 2, DP 302058	Local	I654
Leichhardt	Former house, including interiors	20-22 Foster Street	Lot 658, DP 729265	Local	I655
Leichhardt	Street trees—row of Brush Box and 1 Ficus hillii	Henry Street	Road reserve	Local	I656
Leichhardt	Former corner shop and residence, including interiors	90 Hill Street	Lot 2, DP 73333	Local	I657
Leichhardt	Former general store, including interiors	2 Hubert Street	Corner Lot 35, Section 6, DP 1162	Local	I658
Leichhardt	House, "Fernleigh", including interiors	45 Leichhardt Street	Corner Lot 79, DP 4750	Local	I659
Leichhardt	Semi-detached house, including interiors	6 Lords Road	Lot 1, DP 436689	Local	I661
Leichhardt	Semi-detached house, including interiors	8 Lords Road	Lot 2, DP 436689	Local	I662

Leichhardt	Semi-detached house, including interiors	10 Lords Road	Lot 2, DP 523504	Local	I663
Leichhardt	Semi-detached house, including interiors	12 Lords Road	Lot 1, DP 523504	Local	I664
Leichhardt	Leichhardt Fire Station, including interiors	1 Marion Street	Corner Lot 1, Section 4, DP 190	Local	I665
Leichhardt	Former Presbyterian Church, including interiors	2 Marion Street	Corner Lot 54, Section 1, DP 612	Local	I666
Leichhardt	Semi-detached house, including interiors	6 Marion Street	Lot 1, DP 908184	Local	I667
Leichhardt	Semi-detached house, including interiors	8 Marion Street	Lot 1, DP 132995	Local	I668
Leichhardt	Semi-detached houses, including interiors	82 Marion Street	Lot 1, DP 915348	Local	I669
Leichhardt	Semi-detached house, including interiors	84 Marion Street	Lot 1, DP 915347	Local	I670
Leichhardt	Semi-detached house, including interiors	90 Marion Street	Lot 42, DP 667153	Local	I671
Leichhardt	Semi-detached house, including interiors	92 Marion Street	Lot B, DP 106642	Local	I672
Leichhardt	Former corner shop and residence, including interiors	43 Marlborough Street	Corner Lot 173, DP 600812	Local	I673
Leichhardt	Former corner shop and residence, including interiors	77 Moore Street	Lots 1 and 2, CP/SP 63282	Local	I674
Leichhardt	Former factory, including interiors	111 Moore Street	Lots 1-10, CP/SP 38916	Local	I675
Leichhardt	Leichhardt Public School, including interiors	101-105 Norton Street	Lot 1, DP 815377; Lot 24, DP 253728	Local	I676

Leichhardt	Leichhardt Town Hall, including interiors	107 Norton Street	Lots 6-9, Section 4, DP 190	Local	1677
Leichhardt	Former Leichhardt Post Office, including interiors	109 Norton Street (Shops 1-3)	Corner Lot 10, DP 499835	Local	1678
Leichhardt	Corner shop and residence, including interiors	124 Norton Street	Lot 1, DP 1003078	Local	1679
Leichhardt	All Souls Church, including interiors	124A Norton Street	Corner Lots 1 and 2, Section 1, DP 328	Local	1680
Leichhardt	All Souls Church Rectory, including interiors	126 Norton Street	Lot 2, DP 502105	Local	1681
Leichhardt	Royal Hotel, including interiors	156 Norton Street	Corner Lot 6, Section 2, DP 328	Local	1682
Leichhardt	Pioneers Memorial Park	217-219 Norton Street	Lot 1, DP 121456; Lot 1, DP 121458; Lot 2, DP 802964	Local	1683
Leichhardt	Albert Palais, including interiors	289-295 Parramatta Road	Lot 1, DP 91076	Local	1684
Leichhardt	Bald Faced Stag Hotel, including interiors	343-345 Parramatta Road	Lot 1, DP 551017	Local	1685
Leichhardt	The Norton Hotel, including interiors	391-393 Parramatta Road	Lot 1, DP 455745; Lot 2, DP 3582	Local	1686
Leichhardt	The Taverner's Hill Hotel, including interiors	463 Parramatta Road	Lots 1 and 2, Section 3, DP 612; Lot 1, DP 551353	Local	1687
Leichhardt	Leichhardt Hotel, including interiors	1 Short Street	Lot 71, DP 869413	Local	1688

Leichhardt	Kegworth Primary School, including interiors	60 Tebbutt Street	Lot 5, Section 5, DP 1401; Lot 6, Section 5, DP 1401; Lot 1, DP 915164; Lot 1, DP 519339; Lot A, DP 323642; Lot A, DP 323673; Lot 3, DP 1093656; Lot 2, DP 519339; Lot 1, DP 518574; Lot 7, DP 654475; Lot B, DP 323673; Lot B, DP 323642; Lot 10, DP 1080695; Lot 11, DP 1080695; Lot 4, DP 1093656	Local	1689
Leichhardt	Semi-detached house, including interiors	59 Upward Street	Lot A, DP 447368	Local	1690
Leichhardt	Semi-detached house, including interiors	61 Upward Street	Lot B, DP 447368	Local	1691
Leichhardt	House, including interiors	63 Upward Street	Lot 1, DP 970004	Local	1692
Leichhardt	House, including interiors	65 Upward Street	Lot 6, DP 6285	Local	1693
Leichhardt	House, including interiors	67 Upward Street	Lot 5, DP 6285	Local	1694
Leichhardt	House, including interiors	69 Upward Street	Lot 4, DP 6285	Local	1695
Leichhardt	House, including interiors	71 Upward Street	Lot 3, DP 6285	Local	1696
Leichhardt	House, including interiors	77 Upward Street	Lot 24, DP 975162	Local	1697
Leichhardt	House, including interiors	79 Upward Street	Lot 25, DP 975162	Local	1698
Leichhardt	Former Methodist Central Hall, including interiors	1-3 Wetherill Street	Lot 11, Section 4, DP 190; Part Lot 12, Section 4, DP 190	Local	1699
Leichhardt	Semi-detached house, including interiors	23 Wetherill Street	Lot 2, DP 915846	Local	1700

Leichhardt	Semi-detached house, including interiors	25 Wetherill Street	Lot 1, DP 915846	Local	1701
Leichhardt	Semi-detached house, including interiors	100 William Street	Lot 46, DP 4288	Local	1702
Leichhardt	Semi-detached house, including interiors	102 William Street	Lot 45, DP 4288	Local	1703
Lilyfield	"Grenfell Cottage", including interiors	23 Ainsworth Street	Lot 2, Section C, DP 4828	Local	1704
Lilyfield	House, "Rutherford", including interiors	243 Balmain Road	Lot 31, DP 829609	Local	1705
Lilyfield	Terrace, including interiors	393 Balmain Road	Lot 7, DP 447584; Vol 2425 Fol 538	Local	1706
Lilyfield	Terrace, including interiors	395 Balmain Road	Lot 6, DP 447584	Local	1707
Lilyfield	Terrace, including interiors	397 Balmain Road	Lot 5, DP 447584	Local	1708
Lilyfield	Terrace, including interiors	399 Balmain Road	Lot 4, DP 447584	Local	1709
Lilyfield	Terrace, including interiors	401 Balmain Road	Lot 3, DP 447584	Local	1710
Lilyfield	Terrace, including interiors	403 Balmain Road	Lot 2, DP 447584	Local	1711
Lilyfield	Terrace, including interiors	405 Balmain Road	Lot 1, DP 447584	Local	1712
Lilyfield	Street trees—avenue of Brush Box	Campbell Avenue	Road reserve	Local	1623
Lilyfield	Street trees—avenue of Brush Box and one Brachychiton	Eric Street	Eric Street road reserve	Local	1713
Lilyfield	Timber Cottage, including interiors	8 Fred Street	Lot 1, DP 882294	Local	1714
Lilyfield	Street trees—row of 3 Camphor Laurels	Fredbert Street	Road reserve	Local	1715

Lilyfield	Leichhardt Park includes Leichhardt Ovals and Aquatic Centre, including interiors	Glover Street	Lot 6643, DP 1137663	Local	1716
Lilyfield	Semi-detached house, including interiors	136 James Street	Lot 19, Section 4, DP 1162	Local	1718
Lilyfield	Street trees—Brush Box plantation	Leys Avenue	Road reserve	Local	1660
Lilyfield	Street trees—avenue of Brush Box and 1 <i>Brachychiton</i>	Lilyfield Road	Road reserve	Local	1719
Lilyfield	4 fig trees	Mary Street (entrance to Leichhardt Park)	Road reserve	Local	1831
Lilyfield	Street trees—one <i>Ficus hillii</i>	Mary and Perry Streets	Road reserve	Local	1818
Lilyfield	House, including interiors	47 Perry Street	Corner Lot 10, DP 10482	Local	1720
Lilyfield	Street trees—avenue of Brush Box and 1 <i>Brachychiton</i>	Rayner Street	Road reserve	Local	1721
Lilyfield	Former shop and residence, including interiors	60 Ryan Street	Lot 115, Section E, DP 1474	Local	1722
Lilyfield	Former shop and residence, including interiors	62 Ryan Street	Lot 114, Section E, DP 1474	Local	1723
Rozelle	Terrace, including interiors	1 Belmore Street	Lot 1, DP 107588	Local	1724
Rozelle	Terrace, including interiors	3 Belmore Street	Lot 2, DP 107588	Local	1725
Rozelle	Terrace, including interiors	5 Belmore Street	Lot 3, DP 107588	Local	1726
Rozelle	Terrace, including interiors	7 Belmore Street	Lot 4, DP 826973	Local	1727
Rozelle	Terrace, including interiors	9 Belmore Street	Lot 5, DP 826973	Local	1728

Rozelle	Corner building, including interiors	22 Belmore Street	Lot 1, DP 572891	Local	1729
Rozelle	Semi-detached house, including interiors	15 Burt Street	Lot 4, DP 913946; Lot 5, DP 913946	Local	1730
Rozelle	Semi-detached house, including interiors	17 Burt Street	Lot 1, DP 919246	Local	1731
Rozelle	Smith's Hall, including interiors	56 Burt Street	Lots 20 and 21, DP 977519	Local	1732
Rozelle	House, including interiors	5 Coulon Street	Lot 6, DP 435645	Local	1733
Rozelle	House, including interiors	7 Coulon Street	Lot 5, DP 435645	Local	1734
Rozelle	House, including interiors	9 Coulon Street	Lot 4, DP 435645	Local	1735
Rozelle	House, including interiors	11 Coulon Street	Lot 3, DP 435645	Local	1736
Rozelle	House, including interiors	13 Coulon Street	Lot 2, DP 435645	Local	1737
Rozelle	House, including interiors	15 Coulon Street	Lot 1, DP 435645	Local	1738
Rozelle	House, including interiors	17 Coulon Street	Lot 13, DP 654	Local	1739
Rozelle	House, including interiors	21 Coulon Street	Corner Lot 15, DP 654	Local	1740
Rozelle	Hannaford Senior Citizen Centre, including interiors	608 Darling Street	Corner Lot 1, Section W, DP 119	Local	1741
Rozelle	Former bank building, including interiors	661 Darling Street	Lot A, DP 324621	Local	1742
Rozelle	Rozelle Public School, including interiors	663 Darling Street	Lots 20–24, Section C, DP 119; Lots 28–35, Section C, DP 119; Lot 2, DP 586529; Lot 1, DP 120187; Lot 1, DP 399545	Local	1743

Rozelle	St Paul's Church and neighbourhood centre, including interiors	665A Darling Street	Lot 1, DP 119484	Local	1744
Rozelle	St Thomas' Church group, including interiors	668 Darling Street	Lot 1, DP 740389; Lot 1, DP 445248	Local	1745
Rozelle	York buildings, including interiors	678 Darling Street	Lot C, DP 441835	Local	1746
Rozelle	Former police station, including interiors	707 Darling Street	Lot 3, DP 421	Local	1747
Rozelle	Single storey shops, including interiors	731-735 Darling Street	Lot 100, DP 1146981	Local	1748
Rozelle	Single storey commercial building, including interiors	736 Darling Street	Lot 100, DP 1113769	Local	1749
Rozelle	Former Fire Brigade/ Ambulance Training Centre, including interiors	747 Darling Street	Lots 36 and 37, DP 977850	Local	1750
Rozelle	Maxwell House, including interiors	757 Darling Street	Lots 5-7, DP 1099733	Local	1751
Rozelle	Easton Park	Denison Street	Lot 1, DP 723951	Local	1752
Rozelle	Corner shop and residence, including interiors	67 Denison Street	Lot 3, DP 564958	Local	1753
Rozelle	Shop and residence, including interiors	69 Denison Street	Lot 4, DP 564958	Local	1754
Rozelle	House, "Rotherhithe Cottage", including interiors	73 Denison Street	Lot 27, DP 741791	Local	1755
Rozelle	Corner building, including interiors	60 Evans Street	Corner Lot 1, DP 436211	Local	1756
Rozelle	Brick building, including interiors	62 Evans Street	Lot 1, DP 437274	Local	1757
Rozelle	Stone building, including interiors	75 Evans Street	Lot 12, DP 975473	Local	1758
Rozelle	Semi-detached house, including interiors	77 Evans Street	Lot A, DP 107591	Local	1759

Rozelle	Semi-detached house, including interiors	79 Evans Street	Lot B, DP 107591	Local	1760
Rozelle	Former corner shop and residence, including interiors	94 Evans Street	Lot B, DP 318536	Local	1761
Rozelle	Terrace, including interiors	101 Evans Street	Lot 1, DP 932299	Local	1762
Rozelle	Terrace, including interiors	103 Evans Street	Lot 1, DP 726630	Local	1763
Rozelle	House, including interiors	206 Evans Street	Lot 1, DP 61458	Local	1764
Rozelle	Cottage and former broom factory, including interiors	84 Foucart Street	Lots 1-3, CP/SP 66555	Local	1765
Rozelle	Semi-detached house, including interiors	120A Foucart Street	Lot 167, DP 1099356	Local	1767
Rozelle	Semi-detached house, including interiors	122 Foucart Street	Lot 1, DP 194600	Local	1766
Rozelle	St Joseph's Catholic Church and former school, including interiors	Gordon Street	Lot 1, DP 169780	Local	1768
Rozelle	Former tramway substation, including interiors	8-10 Hancock Street	Lots 1 and 2, CP/SP 77649	Local	1769
Rozelle	Former tramway stables and substation garage, including interiors	10A Hancock Street	Lot 2, DP 1102242	Local	1770
Rozelle	House, "Hornsey", including interiors	42 Hornsey Street	Lot A, DP 86963	Local	1771
Rozelle	Terrace, including interiors	5 Mackenzie Street	Lot A, DP 33897	Local	1772
Rozelle	Terrace, including interiors	7 Mackenzie Street	Lot B, DP 33897	Local	1773
Rozelle	Terrace, including interiors	9 Mackenzie Street	Lot C, DP 33897	Local	1774
Rozelle	Terrace, including interiors	11 Mackenzie Street	Lot D, DP 33897	Local	1775

Rozelle	Terrace, including interiors	13 Mackenzie Street	Lot E, DP 33897	Local	1776
Rozelle	Terrace, including interiors	15 Mackenzie Street	Lot F, DP 33897	Local	1777
Rozelle	Terrace, including interiors	17 Mackenzie Street	Lot 5, DP 913334	Local	1778
Rozelle	Terrace, including interiors	19 Mackenzie Street	Lot 1, DP 980326	Local	1779
Rozelle	Former shop, including interiors	21 Mackenzie Street	Lots 1-3, DP 1044592	Local	1780
Rozelle	Bald Rock Hotel, including interiors	17 Mansfield Street	Lot 2, DP 41; Corner Lot 3, DP 41	Local	1781
Rozelle	Corner building, including interiors	31 Mansfield Street	Lot 20, DP 651219	Local	1782
Rozelle	Terrace, including interiors	76 Mansfield Street	Lots C and F, DP 108249	Local	1783
Rozelle	Terrace, including interiors	78 Mansfield Street	Lots B and G, DP 108249	Local	1784
Rozelle	Former corner shop and residence, including interiors	80 Mansfield Street	Lots A and H, DP 108249	Local	1785
Rozelle	Former Balmain Power Station pumping station, including interiors	Margaret Street	Lot 1031, DP 1052174	Local	1787
Rozelle	Former Balmain Power Station administration building, including interiors	2 Margaret Street	Lot 1, DP 270245	Local	1786
Rozelle	St Joseph's Presbytery, including interiors	15 Quirk Street	Lots 22-25, DP 200; Lot 1, DP 971983	Local	1788
Rozelle	Mary Terrace, including interiors	4 Red Lion Street	Lot A, DP 110213	Local	1789
Rozelle	Mary Terrace, including interiors	6 Red Lion Street	Lot B, DP 110213	Local	1790
Rozelle	Mary Terrace, including interiors	8 Red Lion Street	Lot C, DP 110213	Local	1791
Rozelle	Mary Terrace, including interiors	10 Red Lion Street	Lot D, DP 110213	Local	1792

Rozelle	Mary Terrace, including interiors	12 Red Lion Street	Lot E, DP 110213	Local	1793
Rozelle	Semi-detached house, including interiors	1 Reynolds Avenue	Lot D, DP 370591	Local	1794
Rozelle	Semi-detached house, including interiors	3 Reynolds Avenue	Lot 101, DP 1086192	Local	1795
Rozelle	Semi-detached house, including interiors	5 Reynolds Avenue	Lot A, DP 363900	Local	1796
Rozelle	Semi-detached house, including interiors	7 Reynolds Avenue	Lots 1 and 2, SP 64940	Local	1797
Rozelle	Terrace, including interiors	31 Smith Street	Lot 1, DP 439970	Local	1798
Rozelle	Terrace, including interiors	33 Smith Street	Lot 2, DP 439970	Local	1799
Rozelle	Terrace, including interiors	35 Smith Street	Lot 3, DP 439970	Local	1800
Rozelle	Terrace, including interiors	37 Smith Street	Lot 4, DP 439970	Local	1801
Rozelle	Terrace, including interiors	39 Smith Street	Lot 5, DP 439970	Local	1802
Rozelle	Terrace, including interiors	41 Smith Street	Lot 6, DP 439970	Local	1803
Rozelle	School, including interiors	44-46 Smith Street	Lots 1 and 2, DP 782330; Lot 1, DP 782348; Lot 1, DP 228261	Local	1804
Rozelle	Former Tower of London Hotel, including interiors	76 Victoria Road	Lot 1, DP 208909	Local	1805
Rozelle	Former Mechanics Institute, including interiors	114 Victoria Road	Lots 2 and 3, Section 2, DP 387	Local	1806
Rozelle	York Buildings, including interiors	128 Victoria Road	Lot F, DP 441835	Local	1807
Rozelle	York Buildings, including interiors	130 Victoria Road	Lot E, DP 441835	Local	1808

Rozelle	York Buildings, including interiors	132 Victoria Road	Lot D, DP 441835	Local	1809
Rozelle	Terrace, including interiors	2 York Place	Lot 1, DP 437377	Local	1810
Rozelle	Terrace, including interiors	4 York Place	Lot 2, DP 437377	Local	1811
Rozelle	Terrace, including interiors	6 York Place	Lot 3, DP 437377	Local	1812
Rozelle	Terrace, including interiors	8 York Place	Lot 4, DP 437377	Local	1813
Rozelle	Terrace, including interiors	10 York Place	Lot 5, DP 437377	Local	1814
Rozelle	Terrace, including interiors	12 York Place	Lot 6, DP 437377	Local	1815
Rozelle	Terrace, including interiors	14 York Place	Lot 7, DP 437377	Local	1816
Rozelle	Terrace, including interiors	16 York Place	Lot 8, DP 437377	Local	1817

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map	Significance
Albert Street Heritage Conservation Area	Shown by red hatching and labelled 'C9'	Local
Annandale Heritage Conservation Area	Shown by red hatching and labelled 'C1'	Local
Austenham Estate Conservation Area	Shown by red hatching and labelled 'C15'	Local
Balmain East Heritage Conservation Area	Shown by red hatching and labelled 'C3'	Local
Birchgrove and Ballast Point Road Heritage Conservation Area	Shown by red hatching and labelled 'C8'	Local
Brennan's Estate Heritage Conservation Area	Shown by red hatching and labelled 'C16'	Local
Campbell Estate Heritage Conservation Area	Shown by red hatching and labelled 'C17'	Local
Easton Park Heritage Conservation Area	Shown by red hatching and labelled 'C18'	Local

Excelsior Subdivision Heritage Conservation Area	Shown by red hatching and labelled 'C10'	Local
Hornsey Street Heritage Conservation Area	Shown by red hatching and labelled 'C19'	Local
Iron Cove Heritage Conservation Area	Shown by red hatching and labelled 'C6'	Local
Leichhardt Street/Stanley Street Heritage Conservation Area	Shown by red hatching and labelled 'C11'	Local
Parramatta Road Heritage Conservation Area	Shown by red hatching and labelled 'C2'	Local
Scarvell Estate Heritage Conservation Area	Shown by red hatching and labelled 'C12'	Local
The Valley Heritage Conservation Area	Shown by red hatching and labelled 'C7'	Local
Town of Waterview Heritage Conservation Area	Shown by red hatching and labelled 'C4'	Local
Waterview Estate Heritage Conservation Area	Shown by red hatching and labelled 'C5'	Local
Wetherill Estate Heritage Conservation Area	Shown by red hatching and labelled 'C14'	Local
Whaleyborough Estate Heritage Conservation Area	Shown by red hatching and labelled 'C13'	Local

Part 3 Archaeological sites

Suburb	Item Name	Address	Property Description	Significance	Item No
Balmain	Gladstone Park Reservoir	Booth Street	Part Lot 1, DP 724348	Local	A1
Birchgrove	Aboriginal midden and rock shelter	144 Louisa Road	Lot 1, DP 235461	Local	A4
Birchgrove	Balmain to Greenwich Electric Cable Tunnel, including interiors	146A and 146B Louisa Road	Lot 11, DP 839246	State	A2
Birchgrove	Former Morts Dock	Cameron Street (Mort Bay Park)	Lots 4 and 14, DP 748753; Lot 23, DP 1031154	State	A5
Birchgrove	Aboriginal middens and rock shelter	Numa Street (public reserve)	Lot 1, DP 573639	Local	A8

Birchgrove	Aboriginal middens and rock shelter	7 Numa Street	Lot 2, DP 618100	Local	A6
Birchgrove	Aboriginal middens and rock shelter	9 Numa Street	Lot 1, DP 618100	Local	A7
Birchgrove	(Balmain) Birchgrove Colliery, including interiors	2-8 Water Street	Lot 1, DP 270149; Lots 1-30, CP/SP 56650; Lots 1-93, CP/SP 56231; Lots 1-18, CP/SP 56649	Local	A9

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 handicraft 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 [Leichhardt Local Environmental Plan 2013 Acid Sulfate Soils Map](#).

Additional Permitted Uses Map means the [Leichhardt Local Environmental Plan 2013 Additional Permitted Uses 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 or place—

- (a) that provides residents with a principal place of residence for at least 3 months, and
- (b) that contains shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (c) that contains rooms, some or all of which may have private kitchen and bathroom facilities, and
- (d) used to provide affordable housing, and
- (e) if not carried out by or on behalf of the Land and Housing Corporation—managed by a registered community housing provider,

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

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 10.3(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](#).

co-living housing means a building or place that—

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and
- (b) provides occupants with a principal place of residence for at least 3 months, and
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,

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

Note—

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

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 Leichhardt 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.

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.

draft heritage item means a building, work, archeological site, tree, place or Aboriginal object identified as a heritage item in this Plan that has been subject to community consultation, other than an item that was consulted on before 1 March 2006, but was not included in a local environmental plan before 27 February 2009.

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—

- (a) making or generating electricity, or
- (b) electricity storage.

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.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the [Leichhardt Local Environmental Plan 2013 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 [Leichhardt Local Environmental Plan 2013 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) 2021*, Chapter 3, Part 5 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) 2021*, Chapter 3, Part 5 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 [Leichhardt Local Environmental Plan 2013 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 [Leichhardt Local Environmental Plan 2013 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, whether or not involving the sale of items online, carried on in a

dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because 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 adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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 an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because 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 adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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.

independent living unit means a dwelling or part of a building, whether or not attached to another dwelling—

- (a) used to house seniors or people with a disability, and
- (b) containing private facilities for cooking, sleeping and bathing, and
- (c) where clothes washing facilities or other facilities for use in connection with the dwelling or part of a building may be provided on a shared basis,

but does not include a hostel.

Note—

Independent living units are a type of **seniors housing**—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.

Key Sites Map means the [Leichhardt Local Environmental Plan 2013 Key Sites Map](#).

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 [Leichhardt Local Environmental Plan 2013 Land Application Map](#).

Land Reclassification (Part Lots) Map means the [Leichhardt Local Environmental Plan 2013 Land Reclassification \(Part Lots\) Map](#).

Land Reservation Acquisition Map means the [Leichhardt Local Environmental Plan 2013 Land Reservation Acquisition Map](#).

Land Zoning Map means the [Leichhardt Local Environmental Plan 2013 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, knackeries, 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 [Leichhardt Local Environmental Plan 2013 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](#).

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](#).

registered community housing provider has the same meaning as in the [Community Housing Providers \(Adoption of National Law\) Act 2012](#), section 13.

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,

- (baa) co-living housing,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (faa) independent living units,
- (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, co-living housing 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 clauses 5.4 and 5.5 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 [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 5, or
 - (c) a group of independent living units, 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, sedgeland 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.