

Randwick Local Environmental Plan 2012 (2013 EPI 36)

[2013-36]



New South Wales

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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](#).

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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Contents

Part 1 Preliminary	7
1.1 Name of Plan	7
1.1AA Commencement.....	7
1.2 Aims of Plan.....	7
1.3 Land to which Plan applies	8
1.4 Definitions	8
1.5 Notes	8
1.6 Consent authority	8
1.7 Maps.....	8
1.8 Repeal of planning instruments applying to land	9
1.8A Savings provision relating to development applications	9
1.9 Application of SEPPs	10
1.9A Suspension of covenants, agreements and instruments	10
Part 2 Permitted or prohibited development	11
2.1 Land use zones.....	11
2.2 Zoning of land to which Plan applies	11
2.3 Zone objectives and Land Use Table.....	11
2.4 Unzoned land.....	12
2.5 Additional permitted uses for particular land	12
2.6 Subdivision—consent requirements	13
2.7 Demolition requires development consent	13

2.8 Temporary use of land	13
2.9 Canal estate development prohibited	14
Land Use Table	15
Note	15
Zone RU4 Primary Production Small Lots	15
Zone R1 General Residential	16
Zone R2 Low Density Residential	16
Zone R3 Medium Density Residential	17
Zone E1 Local Centre	18
Zone E2 Commercial Centre	20
Zone E4 General Industrial	21
Zone SP1 Special Activities	22
Zone SP2 Infrastructure	23
Zone RE1 Public Recreation	23
Zone RE2 Private Recreation	24
Zone C1 National Parks and Nature Reserves	25
Zone C2 Environmental Conservation	25
Part 3 Exempt and complying development	26
3.1 Exempt development	26
3.2 Complying development	27
3.3 Environmentally sensitive areas excluded	28
Part 4 Principal development standards	29
4.1 Minimum subdivision lot size	29
4.1AA Minimum subdivision lot size for community title schemes	29
4.1A Minimum subdivision lot size for strata plan schemes in Zone R2	30
4.1B Exceptions to minimum subdivision lot size in Zone R3	30
4.1C Minimum lot size for dual occupancies (attached)	31
4.1D Subdivision of dual occupancies (attached) in Zone R2	31
4.2 Rural subdivision	31
4.3 Height of buildings	32
4.3A Exceptions to height of buildings in Matraville and Kensington	32
4.3B Exceptions to height of buildings on land within Maroubra Beach Commercial Centre	34

4.4 Floor space ratio	34
4.4A Exceptions to floor space ratio—Zones R2 and R3	34
4.5 Calculation of floor space ratio and site area	35
4.6 Exceptions to development standards	37
Part 5 Miscellaneous provisions	39
5.1 Relevant acquisition authority	39
5.2 Classification and reclassification of public land.....	40
5.3 Development near zone boundaries.....	40
5.4 Controls relating to miscellaneous permissible uses	41
5.5 Controls relating to secondary dwellings on land in a rural zone	43
5.6 Architectural roof features	43
5.7 Development below mean high water mark.....	43
5.8 Conversion of fire alarms.....	44
5.9 Dwelling house or secondary dwelling affected by natural disaster.....	44
5.9AA (Repealed).....	45
5.10 Heritage conservation	45
5.11 Bush fire hazard reduction.....	48
5.12 Infrastructure development and use of existing buildings of the Crown.....	48
5.13 Eco-tourist facilities	48
5.14 Siding Spring Observatory—maintaining dark sky.....	48
5.15 Defence communications facility.....	49
5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones.....	49
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	49
5.18 Intensive livestock agriculture.....	49
5.19 Pond-based, tank-based and oyster aquaculture.....	49
5.20 Standards that cannot be used to refuse consent—playing and performing music.....	51
5.21 Flood planning	52
5.22 Special flood considerations	53
5.23 Public bushland	55
5.24 Farm stay accommodation	57
5.25 Farm gate premises	57

Part 6 Additional local provisions	57
Division	57
6.1 Acid sulfate soils.....	57
Division 1 Local provisions	59
6.2 Earthworks	59
6.3 (Repealed)	59
6.4 Stormwater management.....	59
6.5 Terrestrial biodiversity	60
6.6 Foreshore building line	61
6.7 Foreshore scenic protection area.....	62
6.8 Airspace operations	63
6.9 Development in areas subject to aircraft noise	64
6.10 Essential services	65
6.11 Design excellence.....	65
6.12 Development requiring the preparation of a development control plan.....	66
6.13 Business premises, information and education facilities, office premises, restaurants or cafes and shops in residential zones	67
6.14 Certain residential accommodation in Zones E1 and E2	68
6.15 Location of sex services premises	68
6.16 Special provision—land at Young Street Randwick	69
6.17 Community infrastructure height of buildings and floor space at Kensington and Kingsford town centres	69
6.18 (Repealed)	70
6.19 Non-residential floor space ratios at Kensington and Kingsford town centres	70
6.20 Active street frontages at Kensington and Kingsford town centres	71
6.21 Design excellence at Kensington and Kingsford town centres.....	71
6.22 Development in local centres	73
6.23 Articulated vehicle limit—Perry Street, Matraville	73
6.24 Use of certain land at Maroubra	74
Division 2 Affordable housing	74

6.25 Definitions	74
6.26 Affordable housing contributions for Kensington and Kingsford town centres	75
6.27 Affordable housing contributions for other areas	75
Schedule 1 Additional permitted uses	76
Schedule 2 Exempt development	79
Schedule 3 Complying development	84
Schedule 4 Classification and reclassification of public land	86
Schedule 5 Environmental heritage	87
Schedule 6 Pond-based and tank-based aquaculture	122
Dictionary	124

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New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Randwick Local Environmental Plan 2012*.

1.1AA Commencement

This Plan commences 14 days after it is published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Randwick 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 foster a liveable city that is accessible, safe and healthy with quality public spaces, connections to open space and attractive neighbourhoods and centres,
 - (b) to support a diverse local economy and business and employment opportunities for the community,
 - (c) to support efficient use of land, vibrant centres, integration of land use and transport, and an appropriate mix of uses,
 - (d) to achieve a high standard of design in the private and public domain that enhances the quality of life of the community,
 - (e) to promote sustainable transport, public transport use, walking and cycling,
 - (f) to facilitate sustainable population and housing growth,

- (g) to encourage the provision of housing mix and tenure choice, including affordable and adaptable housing, that meets the needs of people of different ages and abilities in Randwick,
- (h) to promote the importance of ecological sustainability and resilience in the planning and development process,
- (i) to protect, enhance and promote the environmental qualities of Randwick,
- (j) to ensure the conservation of the environmental heritage, aesthetic and coastal character of Randwick,
- (k) to acknowledge and recognise the connection of Aboriginal people to the area and to protect, promote and facilitate the Aboriginal culture and heritage of Randwick,
- (l) to promote an equitable and inclusive social environment,
- (m) to promote opportunities for social, cultural and community activities.

1.3 Land to which Plan applies

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

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name—
 - (a) approved by the local plan-making authority when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made.
- (1AA) (Repealed)
- (2) Any 2 or more named maps may be combined into a single map. In that case, a

reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.

- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note—

The maps adopted by this Plan are to be made available on the 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—

[Randwick Local Environmental Plan 1998 \(Consolidation\)](#)

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

1.8A Savings provision relating to development applications

- (1) 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.

- (2) Despite subclause (1), a development application made before the commencement of this Plan in relation to land at the Royal Randwick Racecourse, being part of Lot 2009, DP 1169042 as shown coloured pink and identified as “Area A” on the [Additional Permitted Uses Map](#), may be determined in accordance with this Plan.
- (3) The amendments made to this plan by [Randwick Local Environmental Plan 2012](#)

(Amendment No 9) do not apply to a development application made but not finally determined before the commencement of the plan.

- (4) A development application made, but not finally determined, before the commencement of *State Environmental Planning Policy Amendment (Flood Planning) 2023* must be determined as if that policy had not commenced.

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—

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—

Rural Zones

RU4 Primary Production Small Lots

Residential Zones

R1 General Residential

R2 Low Density Residential

R3 Medium Density Residential

Employment Zones

E1 Local Centre

E2 Commercial Centre

E4 General Industrial

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Conservation Zones

C1 National Parks and Nature Reserves

C2 Environmental Conservation

2.2 Zoning of land to which Plan applies

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

2.3 Zone objectives and Land Use Table

(1) The Land Use Table at the end of this Part specifies for each zone—

(a) the objectives for development, and

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

Notes—

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

2.4 Unzoned land

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

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out—
- (a) with development consent, or
 - (b) if the Schedule so provides—without development consent,

in accordance with the conditions (if any) specified in that Schedule in relation to that development.

- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

2.6 Subdivision—consent requirements

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

Notes—

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

2 Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development**.

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

Note—

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

2.7 Demolition requires development consent

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

Note—

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

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that—
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental

planning instrument, and

- (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
- (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

2.9 Canal estate development prohibited

- (1) Canal estate development is prohibited on land to which this Plan applies.
- (2) In this Plan, **canal estate development** means development that involves—
 - (a) a constructed canal, or other waterway or waterbody, that—
 - (i) is inundated by surface water or groundwater movement, or
 - (ii) drains to a waterway or waterbody by surface water or groundwater movement, and
 - (b) the erection of a dwelling, and
 - (c) one or both of the following—
 - (i) the use of fill material to raise the level of all or part of the land on which the dwelling will be erected to comply with requirements for residential development in the flood planning area,
 - (ii) excavation to create a waterway.
- (3) Canal estate development does not include development for the purposes of drainage or the supply or treatment of water if the development is—
 - (a) carried out by or with the authority of a person or body responsible for the drainage, supply or treatment, and
 - (b) limited to the minimum reasonable size and capacity.

(4) In this clause—

flood planning area has the same meaning as in clause 5.21.

Land Use Table

Note—

State environmental planning policies, including the following, may be relevant to development on land to which this Plan applies—

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2—relating to infrastructure facilities, including 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 (Resources and Energy) 2021, Chapter 2

State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 3

State Environmental Planning Policy (Industry and Employment) 2021, Chapter 3

State Environmental Planning Policy (Primary Production) 2021, Chapter 2

Zone RU4 Primary Production Small Lots

1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect the Phillip Bay Chinese Market Garden and its significant heritage, cultural, ecological, aesthetic and agricultural values as a valuable community resource.

2 Permitted without consent

Environmental protection works; Home occupations; Horticulture

3 Permitted with consent

Agricultural produce industries; Agritourism; Aquaculture; Building identification signs; Business identification signs; Dwelling houses; Extensive agriculture; Farm buildings; Flood mitigation works; Home businesses; Home industries; Intensive plant agriculture; Plant nurseries; Roads; Roadside stalls

4 Prohibited

Any development not specified in item 2 or 3

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 allow the comprehensive redevelopment of land for primarily residential and open space purposes.
- To protect the amenity of residents.
- To encourage housing affordability.
- To enable small-scale business uses in existing commercial buildings.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Hostels; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Pond-based aquaculture; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shops; Shop top housing; Tank-based aquaculture

4 Prohibited

Funeral homes; Any other development not specified in item 2 or 3

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.
- To protect the amenity of residents.
- To encourage housing affordability.
- To enable small-scale business uses in existing commercial buildings.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Pond-based aquaculture; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Shops; Tank-based aquaculture

4 Prohibited

Funeral homes; Any other development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential

environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.
- To protect the amenity of residents.
- To encourage housing affordability.
- To enable small-scale business uses in existing commercial buildings.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home businesses; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shops; Tank-based aquaculture

4 Prohibited

Funeral homes; Any other development not specified in item 2 or 3

Zone E1 Local Centre

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.

- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To maximise public transport patronage and encourage walking and cycling.
- To facilitate a high standard of urban design and pedestrian amenity that contributes to achieving a sense of place for the local community.
- To minimise the impact of development and protect the amenity of residents in the zone and in the adjoining and nearby residential zones.
- To facilitate a safe public domain.
- To support a diverse, safe and inclusive day and night-time economy.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Entertainment facilities; Function centres; Group homes; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; 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; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; 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; Port facilities; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone E2 Commercial Centre

1 Objectives of zone

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To facilitate a high standard of urban design and pedestrian amenity that contributes to achieving a sense of place for the local community.
- To minimise the impact of development and protect the amenity of residents in the zone and in the adjoining and nearby residential zones.
- To facilitate a safe public domain.
- To support a diverse, safe and inclusive day and night-time economy.

2 Permitted without consent

Home occupations

3 Permitted with consent

Amusement centres; Artisan food and drink industries; Backpackers'

accommodation; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Dwelling houses; Entertainment facilities; Function centres; Group homes; High technology industries; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; 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; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; 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; Open cut mining; Port facilities; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services

to meet the needs of businesses and workers.

- To support and protect industrial land for industrial uses.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; 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; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Food and drink premises; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Information and education facilities; Jetties; Marinas; Markets; Mooring pens; Moorings; Mortuaries; Office premises; Open cut mining; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Roadside stalls; Rural industries; Shops; Specialised retail premises; Tourist and visitor accommodation; Transport depots; Vehicle sales or hire premises; Water recreation structures; Wharf or boating 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

Recreation areas

3 Permitted with consent

Aquaculture; Environmental protection works; Flood mitigation works; 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 facilitate development that will not adversely affect the amenity of nearby and adjoining development.
- To protect and provide for land used for community purposes.

2 Permitted without consent

Recreation areas

3 Permitted with consent

Aquaculture; Environmental protection works; Flood mitigation works; 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 protect, manage and restore areas with high biodiversity, ecological and aesthetic values, including buffer areas and habitat corridors.
- To facilitate and manage public access within and between areas of open space, including the coastline, waterways, nature reserves, parks and plazas.

2 Permitted without consent

Environmental facilities; Environmental protection works; Flood mitigation works; Roads

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Heliports; Horticulture; Information and education facilities; Jetties; Kiosks; Markets; Passenger transport facilities; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect, manage and restore areas with high biodiversity, ecological and

aesthetic values, including buffer areas and habitat corridors.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Helipads; Horticulture; Information and education facilities; Kiosks; Markets; Passenger transport facilities; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises

4 Prohibited

Any development not specified in item 2 or 3

Zone C1 National Parks and Nature Reserves

1 Objectives of zone

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

2 Permitted without consent

Uses authorised under the [National Parks and Wildlife Act 1974](#)

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone C2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To provide for uses that are compatible with the ecological, scientific, cultural and aesthetic values of the land, including nationally significant values.
- To provide for buffer areas and to protect habitat corridors.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Building identification signs; Community facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Oyster aquaculture Recreation areas; Roads

4 Prohibited

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

Part 3 Exempt and complying development

3.1 Exempt development

- (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 (Biodiversity and Conservation) 2021*, Chapter 2 and the *Local Land Services Act 2013*, Part 5A.

- (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*,

(ja) land identified as “Biodiversity” on the *Terrestrial Biodiversity Map*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

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

(a) to minimise any likely adverse impact of subdivision and development on the amenity of neighbouring properties,

(b) to ensure that lot sizes allow development to be sited to protect natural or cultural features, including heritage items, and to retain special features such as trees and views,

(c) to ensure that lot sizes are able to accommodate development that is suitable for its purpose.

(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 2021*.

4.1AA Minimum subdivision lot size for community title schemes

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

(a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.

(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 2021* of land in any of the following zones—

(a) Zone R2 Low Density Residential,

but does not apply to a subdivision by the registration of a strata plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 2021*) is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

(3A) Despite subclause (3), if the subdivision is of a lot on which there is a dual occupancy (attached)—

(a) the size of each lot resulting from the subdivision must not be less than 275m²,
and

(b) 1 dwelling must be situated on each lot resulting from the subdivision.

(4) This clause applies despite clause 4.1.

4.1A Minimum subdivision lot size for strata plan schemes in Zone R2

(1) The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.

(2) This clause applies to land in Zone R2 Low Density Residential.

(3) The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or *Strata Schemes (Leasehold Development) Act 1986*) is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

Note—

Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that strata subdivision of a building in certain circumstances is specified complying development.

(4) Despite subclause (3), if the subdivision is of a lot on which there is a dual occupancy (attached)—

(a) the size of each lot resulting from the subdivision must not be less than 275m²,
and

(b) 1 dwelling must be situated on each lot resulting from the subdivision.

4.1B Exceptions to minimum subdivision lot size in Zone R3

(1) The objective of this clause is to enable medium density housing on a range of lot sizes enabling development to respond to the site and surrounding locality.

(2) The minimum subdivision lot size for any lot resulting from the subdivision of a lot in Zone R3 Medium Density Residential that is being used, or is proposed to be used, for the purpose of a dwelling house or for a purpose other than residential

accommodation is 325 square metres.

Note—

A dwelling house is the only type of residential accommodation that the minimum subdivision lot size of 325 square metres applies to.

4.1C Minimum lot size for dual occupancies (attached)

- (1) The objective of this clause is to provide for housing diversity and affordability in residential zones.
- (2) Development consent must not be granted to development for the purposes of dual occupancies (attached) on a lot in Zone R2 Low Density Residential unless the area of the lot is at least 550m².

4.1D Subdivision of dual occupancies (attached) in Zone R2

- (1) This clause applies to a dual occupancy (attached) on land in Zone R2 Low Density Residential for which development consent was granted before 6 July 2018.
- (2) Despite any other provision in this Plan, development consent may be granted for the subdivision of a dual occupancy to which this clause applies if the development meets the standards specified in the following provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*—
 - (a) for strata subdivision—clause 6.2, or
 - (b) for Torrens title subdivision—clause 6.4.

Note—

Development consent may be granted under clause 4.6 for development that would contravene a standard specified in this clause.

4.2 Rural subdivision

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) This clause applies to the following rural zones—
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (baa) Zone RU3 Forestry,
 - (c) Zone RU4 Primary Production Small Lots,

(d) Zone RU6 Transition.

Note—

When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU6 Transition.

- (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (5) A dwelling cannot be erected on such a lot.

Note—

A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to ensure that the size and scale of development is compatible with the desired future character of the locality,
 - (b) to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,
 - (c) to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).
- (2A) Despite subclause (2), the maximum height of a dwelling house or semi-detached dwelling on land in Zone R3 Medium Density Residential is 9.5 metres.

4.3A Exceptions to height of buildings in Matraville and Kensington

- (1) The objectives of this clause are as follows—
 - (a) to provide for building heights that establish the appropriate height for street frontages, buildings or groups of buildings,
 - (b) to achieve well-proportioned buildings with articulated design and massing,
 - (c) to achieve a transition between higher buildings in town centres and the height of buildings behind the centres on local streets,

- (d) to ensure that development can occur on a variety of lot sizes,
 - (e) to achieve design excellence.
- (2) The maximum height of a building in the Matraville Commercial Centre on land identified as “Area 1” on the [Height of Buildings Map](#), and where all of the building that is higher than 16 metres is set back at least 4 metres from the street frontage, is—
- (a) if the land has a street frontage greater than 7 metres but less than 12 metres—16 metres, or
 - (b) if the land has a street frontage greater than 12 metres—19 metres.
- (3) The maximum height of a building in the Matraville Commercial Centre on land identified as “Area 2” on the [Height of Buildings Map](#) is 22 metres if—
- (a) the land has a street frontage greater than 12 metres, and
 - (b) all of the building that is higher than 16 metres is set back at least 4 metres from the street frontage, and
 - (c) the building incorporates a supermarket.
- (4) The maximum height of a building in the Matraville Commercial Centre on land identified as “Area 3” on the [Height of Buildings Map](#) is 22 metres if—
- (a) the land has a street frontage greater than 12 metres, and
 - (b) the development incorporates a pedestrian connection through the site, and
 - (c) all of the building higher than 16 metres is set back at least 4 metres from the street frontage.
- (5) The maximum height of a building in the Kensington Commercial Centre on land identified as “Area 4” on the [Height of Buildings Map](#) is 17 metres if the development includes—
- (a) the redevelopment of all land identified as “Area 4” and “Area 5” on the [Height of Buildings Map](#), and
 - (b) redevelopment for the purpose of retail premises that comprises either a supermarket or speciality retail shop, and
 - (c) a pedestrian connection through the site.
- (6) In this clause—
- speciality retail shop** means a shop that has a gross floor area of more than 500 square metres but only sells or hires 1 type of merchandise, or predominately only 1

type of merchandise.

supermarket means a shop that has a gross floor area of more than 1,000 square metres.

4.3B Exceptions to height of buildings on land within Maroubra Beach Commercial Centre

- (1) The objective of this clause is to allow greater building heights on land within the Maroubra Beach Commercial Centre if lot consolidation is achieved and public open space and through-site links are provided.
- (2) If all of the land identified as “Area 6” on the [Height of Buildings Map](#) is consolidated into a single lot, the maximum height of a building on that land is the maximum height shown for that land on the [Alternative Building Heights Map](#).
- (3) If all of the land identified as “Area 7” on the [Height of Buildings Map](#) is consolidated into a single lot, the maximum height of a building on that land is the maximum height shown for that land on the [Alternative Building Heights Map](#).

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
 - (a) to ensure that the size and scale of development is compatible with the desired future character of the locality,
 - (b) to ensure that buildings are well articulated and respond to environmental and energy needs,
 - (c) to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,
 - (d) to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.
- (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), (2B) (Repealed)

4.4A Exceptions to floor space ratio—Zones R2 and R3

- (1) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (2) The maximum floor space ratio for a building used for the purposes specified in the

table to this subclause is the ratio determined in accordance with the table.

Land use	Zone	Lot size	Maximum floor space ratio
Dual occupancies (attached)	Zone R2	$\geq 550\text{m}^2$ and $< 600\text{m}^2$	0.65:1
		$\geq 600\text{m}^2$	0.6:1
Dwelling houses, semi-detached dwellings	Zone R2	$\geq 275\text{m}^2$ and $\leq 300\text{m}^2$	0.65:1
		$> 300\text{m}^2$	0.6:1
	Zone R3	$> 300\text{m}^2$ and $\leq 450\text{m}^2$	0.75:1
		$> 450\text{m}^2$ and $\leq 600\text{m}^2$	0.65:1
	$> 600\text{m}^2$	0.6:1	

- (3) For a building on a lot created before the commencement of [Randwick Local Environmental Plan 2012 \(Amendment No 9\)](#), the maximum floor space ratio for the building used for the purposes specified in the table to this subclause is the ratio determined in accordance with the table.

Land Use	Zone	Lot size	Maximum floor space ratio
Dwelling houses, semi-detached dwellings	Zone R2	$> 300\text{m}^2$ and $\leq 450\text{m}^2$	0.75:1
		$> 450\text{m}^2$ and $\leq 600\text{m}^2$	0.65:1
		$> 600\text{m}^2$	0.6:1

- (4) Clause 4.4(2) does not apply to a dwelling house or semi-detached dwelling on a lot in Zone R2 Low Density Residential or Zone R3 Medium Density Residential if the lot size is 300m^2 or less.

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 to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—
- (a) compliance with the development standard is unreasonable or unnecessary in the

circumstances, and

- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Note—

The *Environmental Planning and Assessment Regulation 2021* requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

- (4) The consent authority must keep a record of its assessment carried out under subclause (3).
- (5) (Repealed)
- (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 C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 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.
- (7) (Repealed)
- (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,
 - (ca) clause 6.16(3)(b).

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 C1 National Parks and Nature Reserves and marked "National Park"	Minister administering the National Parks and Wildlife Act 1974

- (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.

Note—

If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning and Infrastructure (see section 21 of the [Land Acquisition \(Just Terms Compensation\) Act 1991](#)).

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—
 - (a) for land in a residential zone or Zone SP2 Infrastructure—4 metres from any boundary with land in a Zone E1 Local Centre or Zone E2 Commercial Centre, or
 - (b) for land in a residential zone, Zone E1 Local Centre, Zone E2 Commercial Centre or Zone E4 General Industrial—4 metres from any boundary with land in Zone SP1 Special Activities or Zone SP2 Infrastructure only.
- (3) This clause does not apply to—
 - (a) land in Zone RE1 Public Recreation, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone W1 Natural Waterways, or
 - (a1) land in Zone RU4 Primary Production Small Lots or Zone RE2 Private Recreation, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (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 4 bedrooms.

Note—

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

- (2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 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) 25% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 400 square metres,whichever is the lesser.
- (5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms in buildings.
- (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 100 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 10 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) 10% 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 Zone E3 Productivity Support,

Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Waterfront or a rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—

- (a) 25% of the gross floor area of the industry, or
 - (b) 400 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

- (1) The objectives of this clause are as follows—
 - (a) to allow minor architectural roof features of visual interest or that form an integral part of a building's design to exceed height limits,
 - (b) to ensure that architectural roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that—
 - (a) the architectural roof feature—
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

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 Dwelling house or secondary dwelling affected by natural disaster

[Not adopted]

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 Randwick,
- (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 (Transport and Infrastructure) 2021*, Chapter 2.
- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

5.13 Eco-tourist facilities

[Not applicable]

5.14 Siding Spring Observatory—maintaining dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

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

[Not applicable]

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

[Not applicable]

5.18 Intensive livestock agriculture

[Not applicable]

5.19 Pond-based, tank-based and oyster aquaculture

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

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

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

- (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,
- (b) in the case of—
 - (i) pond-based aquaculture in 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 E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use—that the development is for the purpose of small scale aquarium fish production, and
 - (ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive

aquaculture, and

- (iii) tank-based aquaculture in 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 C3 Environmental Management or Zone C4 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 Flood Risk Management Manual.

Flood Risk Management Manual means the *Flood Risk Management Manual*, ISBN 978-1-923076-17-4, published by the NSW Government in June 2023.

5.22 Special flood considerations

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

(a) to enable the safe occupation and evacuation of people subject to flooding,

(b) to ensure development on land is compatible with the land's flood behaviour in the event of a flood,

(c) to avoid adverse or cumulative impacts on flood behaviour,

(d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,

(e) to avoid adverse effects of hazardous development on the environment during flood events.

(2) This clause applies to—

(a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and

(b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—

(i) cause a particular risk to life, and

(ii) require the evacuation of people or other safety considerations.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development—

(a) will affect the safe occupation and efficient evacuation of people in the event of a

flood, and

(b) incorporates appropriate measures to manage risk to life in the event of a flood, and

(c) will adversely affect the environment in the event of a flood.

(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—see clause 5.21(5).

flood planning area—see clause 5.21(5).

Flood Risk Management Manual—see clause 5.21(5).

probable maximum flood has the same meaning as in the Flood Risk Management Manual.

sensitive and hazardous development means development for the following purposes—

- (a) caravan parks,
- (b) correctional centres,
- (c) eco-tourist facilities,
- (d) educational establishments,
- (e) emergency services facilities,
- (f) group homes,
- (g) hazardous industries,
- (h) hazardous storage establishments,
- (i) hospitals,
- (j) information and education facilities,
- (k) respite day care centres,
- (l) seniors housing,
- (m) sewerage systems,

(n) water supply systems.

5.23 Public bushland

- (1) The objective of this clause is to protect and ensure the ecological viability of bushland, including rehabilitated areas in urban areas, by—
 - (a) preserving biodiversity, habitat corridors and links between public bushland and other nearby bushland, and
 - (b) preserving bushland as a natural stabiliser of the soil surface, and
 - (c) preserving existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, and
 - (d) preserving the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of bushland, and
 - (e) mitigating disturbance caused by development.
- (2) Development that will disturb, or is reasonably likely to disturb, public bushland is permitted with development consent.
- (3) Development consent must not be granted to development that will disturb, or is reasonably likely to disturb, public bushland unless the consent authority is satisfied of the following—
 - (a) the disturbance of the bushland is essential for a purpose in the public interest,
 - (b) there is no reasonable alternative to the disturbance,
 - (c) the development minimises the amount of bushland to be disturbed,
 - (d) the development includes measures to remediate the disturbed bushland.
- (4) Despite subclause (2), development that will disturb, or is reasonably likely to disturb, public bushland is permitted without development consent if the development is for the following purposes—
 - (a) the construction, operation or maintenance of pipelines to carry water, sewerage or gas or pipelines licensed under the *Pipelines Act 1967*,
 - (b) the construction, operation or maintenance of electricity or telecommunication lines,
 - (c) bush fire hazard reduction,
 - (d) the construction or maintenance of classified roads,
 - (e) facilitating the recreational use of the public bushland.

- (5) Development specified in subclause (4)(e) is permitted without development consent only if it is carried out in accordance with a plan of management for the public bushland, adopted by the Council in the same way a plan of management is required to be adopted for community land under the *Local Government Act 1993*, Chapter 6, Part 2, Division 2, that includes measures for the following—
- (a) the recreational use of the land,
 - (b) bush fire hazard reduction,
 - (c) the prevention of degradation, including the alteration of drainage patterns, rubbish dumping, vehicle intrusion and infestation with weeds or non-native plants,
 - (d) the remediation of degraded public bushland.
- (6) This clause does not require development consent for clearing of native vegetation if the clearing is of a kind that is authorised under the *Local Land Services Act 2013*, section 600.
- (7) In deciding whether to grant development consent to development on land adjoining public bushland, the consent authority must consider the following—
- (a) the need to retain public bushland adjoining the site of the development,
 - (b) the likely effect of the development on public bushland, including the following—
 - (i) the erosion of soil,
 - (ii) the siltation of streams and waterways,
 - (iii) the spread of weeds and non-native plants within public bushland,
 - (c) other matters the consent authority considers relevant to the protection and preservation of public bushland.
- (8) This clause does not apply to the following land that is public bushland—
- (a) land in Zone RU1, RU2, RU3, RU4 or RU5,
 - (b) land reserved, dedicated or acquired under the *National Parks and Wildlife Act 1974*,
 - (c) land within a State forest, flora reserve or timber reserve within the meaning of the *Forestry Act 2012*,
 - (d) land to which *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 7 applies.
- (9) In this clause—

disturb public bushland means—

- (a) remove vegetation from public bushland, or
- (b) cause a change in the natural ecology of public bushland that results in the destruction or degradation of the public bushland.

non-native plant means a plant that is not native vegetation.

public bushland means land—

- (a) on which there is vegetation that is—
 - (i) a remainder of the natural vegetation of the land, or
 - (ii) representative of the structure and floristics of the natural vegetation of the land, and
- (b) that is owned, managed or reserved for open space or environmental conservation by the Council or a public authority.

5.24 Farm stay accommodation

[Not adopted]

5.25 Farm gate premises

[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.

Division 1 Local provisions

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 objectives of this clause are—

- (a) to minimise the impacts of stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters, and
 - (b) to improve water quality of runoff from the land to which this clause applies for the benefit of nearby waterways and receiving waters, which include coastal beaches and Botany Bay.
- (2) This clause applies to all land in residential and employment 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, and
 - (d) incorporates, if practicable, water sensitive design principles.
- (4) In this clause—
- water sensitive design principles*** means—
- (a) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments, and
 - (b) minimisation of harmful impacts of development on water balance and on surface and groundwater flow regimes, and
 - (c) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.

6.5 Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
- (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Biodiversity” on the [Terrestrial Biodiversity](#)

Map.

- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
 - (a) whether the development is likely to have—
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

6.6 Foreshore building line

- (1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.
- (2) Development consent must not be granted for development on land in the foreshore area except for the following purposes—
 - (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,
 - (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,

- (c) 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 this clause unless the consent authority is satisfied that—
- (a) the development will contribute to achieving the objectives for the zone in which the land is located, and
 - (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
 - (c) the development will not cause environmental harm such as—
 - (i) pollution or siltation of the waterway, or
 - (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or
 - (iii) an adverse effect on drainage patterns, and
 - (d) the development will not cause congestion or generate conflicts between people using open space areas or the waterway, and
 - (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
 - (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and
 - (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and
 - (h) sea level rise or change of flooding patterns as a result of climate change has been considered.

6.7 Foreshore scenic protection area

- (1) The objectives of this clause are as follows—
- (a) to recognise, protect and enhance the natural, visual and environmental qualities of the scenic areas of the coastline,
 - (b) to protect and improve visually prominent areas adjoining the coastal foreshore,
 - (c) to protect significant public views to and from the coast,

(d) to ensure development in these areas is appropriate for the location and does not detract from the scenic qualities of the coast.

(2) This clause applies to land identified as “Foreshore scenic protection area” on the [Foreshore Scenic Protection Area Map](#).

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development—

(a) is located and designed to minimise its visual impact on public areas of the coastline, including views to and from the coast, foreshore reserves, open space and public areas, and

(b) contributes to the scenic quality of the coastal foreshore.

6.8 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 such 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.

6.9 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 that—

- (a) is on land that—
 - (i) is near the Sydney (Kingsford Smith) Airport, and
 - (ii) is in an ANEF contour of 20 or greater, and
- (b) the consent authority considers is likely to be adversely affected by aircraft noise.

(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 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—2000, and
- (c) must be satisfied 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—2000.

(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 Sydney (Kingsford Smith) Airport prepared by the Department of the Commonwealth responsible for airports.

AS 2021—2000 means AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building*

siting and construction.

6.10 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access.

6.11 Design excellence

- (1) The objective of this clause is to deliver the highest standard of architectural and urban design.
- (2) This clause applies to development involving the construction of a new building or external alterations to an existing building—
 - (a) on a site that has an area of 10,000 square metres or greater, or
 - (b) on land for which a development control plan is required to be prepared under clause 6.12, or
 - (c) that is, or will be, at least 15 metres in height.
- (3) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that the proposed development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) how the proposed development responds to the environmental and built characteristics of the site and whether it achieves an acceptable relationship with other buildings on the same site and on neighbouring sites,

- (d) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security, resource, energy and water efficiency, renewable energy sources and urban heat island effect mitigation,
- (e) whether the proposed development detrimentally impacts on view corridors and landmarks.

6.12 Development requiring the preparation of a development control plan

- (1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan.
- (2) This clause applies to development on land—
 - (a) that has a site area of at least 10,000 square metres, or
 - (b) identified as “DCP required” on the [Key Sites Map](#).
- (3) Development consent must not be granted for development on land to which this clause applies unless—
 - (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, or
 - (b) guidelines and controls similar to those mentioned in subclause (4) already apply to the land, or
 - (c) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated.
- (4) 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) phasing of development and how it will provide for the social and recreational needs of a new community,
 - (c) distribution of land uses, including open space (its function and landscaping) and environment protection areas,
 - (d) subdivision pattern and provision of services,
 - (e) building envelopes and built form controls,
 - (f) housing mixes and tenure choices, including affordable and adaptable housing,
 - (g) heritage conservation, including both Aboriginal and European heritage,
 - (h) encouraging sustainable transport, including increased use of public transport,

walking and cycling, road access and the circulation network and car parking provision, including integrated options to reduce car use,

- (i) impact on, and improvements to, the public domain,
- (j) identification and conservation of native flora and fauna habitat and habitat corridors on the site, including any threatened species, populations or ecological communities,
- (k) the application of the principles of ecologically sustainable development,
- (l) identification, extent and management of watercourses, wetlands and riparian lands and any buffer areas,
- (m) environmental constraints, including climate change, the urban heat island effect, acid sulfate soils, flooding, contamination and remediation,
- (n) opportunities to incorporate integrated natural water-cycle design, including dual reticulation systems for potable and non-potable water use, and integrated renewable energy design,
- (o) the capacity of, and opportunity for connection to, existing areas of open space to accommodate the needs of the growing local population.

6.13 Business premises, information and education facilities, office premises, restaurants or cafes and shops in residential zones

- (1) The objectives of this clause are as follows—
 - (a) to provide for the establishment and continued operation of small-scale business development in residential zones, used in conjunction with dwellings or otherwise,
 - (b) to enable the use of existing commercial buildings for information and education facilities, office premises, business premises, restaurants or cafes and shops in residential zones,
 - (c) to provide neighbourhood-scale commercial development to encourage walking and cycling as preferred modes of access.
- (2) This clause applies to the following—
 - (a) in Zone R2 Low Density Residential and Zone R3 Medium Density Residential—development for the purposes of business premises, information and education facilities, office premises, restaurants or cafes or shops,
 - (b) in Zone R1 General Residential—development for the purposes of business premises, information and education facilities, office premises or shops.
- (3) Development consent must not be granted to development to which this clause

applies unless—

- (a) the development relates to a building that existed when this Plan commenced and was designed or constructed for the purpose of commercial premises, and
- (b) the consent authority is satisfied that—
 - (i) the development will not adversely affect the amenity of any residential component of the development and the surrounding locality, and
 - (ii) the intensity of development is suitable for the building, and
 - (iii) the degree of modification of the footprint and facade of the building is consistent with the scale and desired attributes of surrounding development.

6.14 Certain residential accommodation in Zones E1 and E2

- (1) The objective of this clause is to enable the use of an existing dwelling house or residential flat building in certain employment zones.
- (2) This clause applies to land in Zone E1 Local Centre or Zone E2 Commercial Centre.
- (3) Development consent must not be granted to a dwelling house or a residential flat building on land to which this clause applies unless—
 - (a) the development relates to a building that existed when this Plan commenced and was designed or constructed for the purposes of a dwelling house or a residential flat building, and
 - (b) the consent authority is satisfied that—
 - (i) the development will not detrimentally impact on the desired future character of the locality, and
 - (ii) the development will result in satisfactory residential amenity for its residents, and
 - (iii) the degree of modification to the footprint and facade of the building is minor.

6.15 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, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or
 - (ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,
- (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children—
- (i) that adjoins the proposed development, or
 - (ii) that can be viewed from the proposed development, or
 - (iii) from which a person can view the proposed development.

6.16 Special provision—land at Young Street Randwick

- (1) This clause applies to land at Young Street, Randwick, shown as Area 1 on the [Key Sites Map](#).
- (2) Despite clause 4.5(3), but subject to the other provisions of clause 4.5, the land to which this clause applies is taken to be a single site area for the purposes of applying a floor space ratio.
- (3) The consent authority may approve development with a floor space ratio of up to 1.3:1 on the land to which this clause applies but only if the consent authority is satisfied that—
 - (a) a part of the land will be used for recreational purposes, and
 - (b) that part will be contiguous and will have an area of at least 5,000m², and
 - (c) the configuration and location of that part will be appropriate for those recreational purposes.

6.17 Community infrastructure height of buildings and floor space at Kensington and Kingsford town centres

- (1) The objectives of this clause are as follows—
 - (a) to allow greater building heights and densities at Kensington and Kingsford town centres where community infrastructure is also provided,
 - (b) to ensure that those greater building heights and densities reflect the desired character of the localities in which they are allowed and minimise adverse impacts on the amenity of those localities,
 - (c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure.

- (2) Despite clauses 4.3 and 4.4, the consent authority may consent to development on a site that results in additional building height or additional floor space, or both, in accordance with subclause (4) if the development includes community infrastructure on the site.
- (3) In deciding whether to grant development consent, the consent authority must—
 - (a) be satisfied that the development is consistent with the objectives of this clause, and
 - (b) be satisfied that the community infrastructure is reasonably necessary at Kensington and Kingsford town centres, and
 - (c) take into account the nature of the community infrastructure and its value to the Kensington and Kingsford town centres community.
- (4) Under subclause (2), a building on land in any of the areas identified on—
 - (a) the [Alternative Building Heights Map](#)—is eligible for an amount of additional building height determined by the consent authority but no more than that which may be achieved by applying the maximum height specified in relation to that area, and
 - (b) the [Alternative Floor Space Ratio Map](#)—is eligible for an amount of additional floor space determined by the consent authority but no more than that which may be achieved by applying the maximum floor space ratio specified in relation to that area.
- (5) In this clause—

community infrastructure means development for the purposes of community facilities, recreation areas, recreation facilities (indoor), recreation facilities (outdoor), public roads or drainage.

6.18 (Repealed)

6.19 Non-residential floor space ratios at Kensington and Kingsford town centres

- (1) The objective of this clause is to ensure that a suitable level of non-residential floor space is provided to promote commercial and retail activity within the Kensington and Kingsford town centres.
- (2) Despite clause 4.4, development consent must not be granted for development on land in any area identified on the [Non-Residential Floor Space Ratio Map](#) unless the non-residential floor space ratio is at least the non-residential floor space ratio shown on the map in relation to that area.
- (3) In this clause, **non-residential floor space ratio** means the ratio of the gross floor

area of that part of a building used or proposed to be used for any purpose other than a residential purpose in a building on the site to the site area.

6.20 Active street frontages at Kensington and Kingsford town centres

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages within the Kensington and Kingsford town centres.
- (2) This clause applies to land identified as “Active street frontage” on the [Active Street Frontages Map](#).
- (3) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority is satisfied that all premises on the ground floor of the building facing the street are to be used for the purposes of commercial premises after the erection of the building.
- (4) Development consent must not be granted to a change of use of premises on the ground floor of a building on land to which this clause applies unless the new use is for the purposes of commercial premises.

6.21 Design excellence at Kensington and Kingsford town centres

- (1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Kensington and Kingsford town centres.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “Y1” or “Y2” on the [Alternative Building Heights Map](#).
- (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors and landmarks,
 - (d) how the development addresses the following matters—
 - (i) the suitability of the land for development,

- (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements,
 - (x) the impact on, and any proposed improvements to, the public domain,
 - (xi) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity and resource, energy and water efficiency,
 - (xii) visual and acoustic privacy and safety and security of the building.
- (5) Development consent must not be granted to the development to which this clause applies unless a competitive design process has been held in relation to the proposed development.
- (6) Subclause (5) does not apply if—
- (a) the consent authority certifies in writing that a competitive design process is not required, and
 - (b) a design review panel reviews the development, and
 - (c) the consent authority takes into account the advice of the design review panel.
- (7) Despite clause 4.3, if—
- (a) the design of a new building, or an external alteration to an existing building, is the winner of a competitive design process, and
 - (b) the consent authority is satisfied that the building or alteration exhibits design excellence,
- the consent authority may grant development consent for development to which this clause applies with a building height that exceeds the maximum height shown for the

land identified as “Y1” or “Y2” on the [Alternative Building Heights Map](#) by up to 6 metres.

(8) Despite clause 4.4, if the consent authority considers the development exhibits design excellence and the proposed development includes community infrastructure, the amount of floor space of the community infrastructure is to be excluded from the total gross floor area of the development.

(9) In this clause—

community infrastructure means development for the purposes of recreation facilities (indoor), recreation facilities (outdoor) and community facilities.

competitive design process means a design competition held in accordance with the *Design Competition Guidelines* published by the Department in September 2023.

design review panel means a panel of at least 3 persons established by the consent authority.

6.22 Development in local centres

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

(a) to ensure the scale and function of development in local centres are appropriate for the location,

(b) to ensure development in local centres is compatible with the desired future character and amenity of surrounding residential areas.

(2) This clause applies to land in Zone E1 Local Centre.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered—

(a) the impact of the development on—

(i) the amenity of surrounding residential areas, and

(ii) the desired future character of the local centre, and

(b) whether the development is consistent with the hierarchy of centres.

6.23 Articulated vehicle limit—Perry Street, Matraville

(1) This clause applies to land in Zone E4 General Industrial with a frontage or road access to Perry Street, Matraville.

(2) Development consent must not be granted to development for the following purposes unless the consent authority is satisfied the development will not provide access to or from the land by articulated vehicles—

- (a) freight transport facilities,
- (b) warehouse or distribution centres.

(3) In this clause—

articulated vehicle has the same meaning as in AS 2890.2—2018, *Parking facilities, Part 2: Off-street commercial vehicle facilities*.

6.24 Use of certain land at Maroubra

- (1) This clause applies to land identified as “Area 4” on the [Special Provisions Area Map](#).
- (2) Development consent must not be granted to development for the purposes of serviced apartments unless the consent authority is satisfied the development is part of a mixed use development.

Division 2 Affordable housing

6.25 Definitions

(1) In this division—

excluded development means development for the purposes of residential accommodation that will—

- (a) result in the part of the building used for residential accommodation having a total floor area of less than 100m², or
- (b) be used to provide affordable housing, public housing or group homes.

total floor area means the sum of the areas of each floor of a building within the outer face of external enclosing walls, including balconies, but excluding the following—

- (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls,
- (b) the parts of balconies in excess of the minimum area required for the balcony by the consent authority,
- (c) the area of the maximum amount of car parking permitted by the consent authority, including associated internal vehicular and pedestrian access to the car parking,
- (d) areas used for the loading and unloading of goods,
- (e) the part of the building that is excluded development.

(2) This division applies in relation to the total floor area of a building—

- (a) whether the floor area was in existence before, or is created after, the commencement of this division, and
 - (b) whether or not the floor area replaces an existing floor area.
- (3) To avoid doubt, the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of a contribution.

6.26 Affordable housing contributions for Kensington and Kingsford town centres

- (1) This clause applies to development, other than excluded development, on land identified as “Area 1” on the [Special Provisions Area Map](#).
- (2) When granting development consent to development to which this clause applies, the consent authority may impose a condition requiring an affordable housing contribution equivalent to 5% of the total floor area of the part of the building intended to be used for residential accommodation (the **contribution**).
- (3) A condition imposed under this clause must permit a person to satisfy the contribution by—
 - (a) for development for the purposes of co-living housing or serviced apartments—a monetary contribution paid to the Council, or
 - (b) for other development—
 - (i) a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 50m², and
 - (ii) if the dedication under subparagraph (i) does not meet the requirement under subclause (2)—a monetary contribution of the remainder paid to the Council.
- (4) A monetary contribution must be calculated in accordance with the *Kensington and Kingsford Town Centres - Affordable Housing Plan* adopted by the Council on 10 December 2019.

6.27 Affordable housing contributions for other areas

- (1) This clause applies to development, other than excluded development, on land identified as “Area 2” or “Area 3” on the [Special Provisions Area Map](#).
- (2) When granting development consent to development to which this clause applies, the consent authority may impose a condition requiring an affordable housing contribution equivalent to (the **contribution**)—
 - (a) for land in “Area 2” on the [Special Provisions Area Map](#)—5% of the total floor area of the part of the building intended to be used for residential accommodation or serviced apartments, or

- (b) for land in “Area 3” on the [Special Provisions Area Map](#)—3% of the total floor area of the part of the building intended to be used for residential accommodation or serviced apartments.
- (3) A condition imposed under this clause must permit a person to satisfy the contribution by—
 - (a) for development for the purposes of co-living housing, seniors housing or serviced apartments—a monetary contribution paid to the Council, or
 - (b) for other development—
 - (i) a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 50m², and
 - (ii) if the dedication under subparagraph (i) does not meet the requirement under subclause (2)—a monetary contribution of the remainder paid to the Council.
- (4) A monetary contribution must be calculated in accordance with the *Housing Investigation Areas - Affordable Housing Plan* adopted by the Council on 20 June 2023.
- (5) For subclause (3)(a), the reference to development for the purposes of seniors housing does not include subdivision of land.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of land at 58-64 Carr Street, Coogee

- (1) This clause applies to land at 58-64 Carr Street, Coogee being SP 2004, Lot 1, DP 219220 and Lot B, DP 386645.
- (2) Development for the purpose of restaurants or cafes is permitted with development consent.

2 Use of land at 4B Neptune Street, Coogee

- (1) This clause applies to Wylies Baths at 4B Neptune Street, Coogee being Lots 1798 and 1799, DP 822244.
- (2) Development for the purpose of a function centre related to Wylies Baths is permitted with development consent.

3 (Repealed)

4 Use of land at 158-162 and 164-174 Barker Street, 181 Botany Street, 1-7 Jane Street and 8-12, 14-20 and 28-42 Young Street, Randwick

- (1) This clause applies to land at the following—

158-162 Barker Street, Randwick being Lot 1, DP 1041725,
164-174 Barker Street, Randwick being Lot A, DP 330407,
181 Botany Street, Randwick being Lot 3, DP 1102370,
1-7 Jane Street, Randwick being Lot B, DP 344447,
8-12 Young Street, Randwick being Lot 2, DP 1041725 and Lot 1, DP 87614,
14-20 Young Street, Randwick being Lot 3, DP 1041725,
28 and 30 Young Street, Randwick being Lot 1, DP 541576,
29-39 Young Street, Randwick being Lot B, DP 330407,
32-42 Young Street, Randwick being Lots 1-6, DP 1102864.

- (2) Development for the purposes of an animal boarding or training establishment, a stock and sale yard, a veterinary hospital and a function centre is permitted with development consent.

5 Use of land at 6 Aeolia Street and 49-55 St Pauls Street, Randwick

- (1) This clause applies to land at 6 Aeolia Street, Randwick and 49-55 St Pauls Street, Randwick being Lot 21, DP 1134767.
- (2) Development for the purposes of business premises, a car park, food and drink premises, shops and signage is permitted with development consent.
- (3) Development consent under subclause (2) must only be granted in relation to buildings with a frontage to St Pauls Street.

6 Use of certain land at Kingsford, Maroubra Junction and Randwick Junction

- (1) This clause applies to land in Kingsford, Maroubra Junction and Randwick Junction commercial centres that is in Zone E2 Commercial Centre.
- (2) Development for the purpose of sex services premises is permitted with development consent.

7 Use of certain land for registered clubs

- (1) This clause applies to the following land at the addresses and for the clubs with the property descriptions indicated opposite—

Name	Address	Property description
Australian Turf Club	69-75 and 77-97 Alison Road, Randwick	Lot 2009, DP 1169042; Lot 1588 and 1642, DP 752011

Clovelly Bowling and Recreation Club	1-11 Ocean Street, Clovelly	Part of Lot 7088, DP 1060705
Coast Golf and Recreation Club	1 Coast Hospital Road, Little Bay	Lot 70, DP 270427
Coogee Bowling Club	51-61 Dolphin Street, Coogee	Lots 486-491 DP 752011; Part of Lot 492, DP 752011; Part of Lot 7063, DP 93865
Coogee Diggers	2 Byron Street, Randwick	Lot 1482, DP 752011
Eastern Suburbs Tennis Club	54B Bream Street, Coogee	Lot 1502, DP 752011
Kensington Bowling Club	1 Day Lane, Kensington	Lot 7112, DP 94001
New South Wales Golf Club	1528 Anzac Parade, La Perouse	Part of Lot 4, DP 1110408
South Coogee Bowling Club	5-7R Henning Avenue, South Coogee	Part of Lot 7020, DP 1058523
St Michael's Golf Club	9-9A Jennifer Street, Little Bay	Lot 1, DP 208553; Part of Lot 3126, DP 752015
Yarra Bay 16Ft Skiff Sailing Club	67-73 Yarra Road, Philip Bay	Lot 3945, DP 752015; Lots 4684-4686, DP 752015

- (2) Development for the purpose of a registered club is permitted with development consent.

8 Use of land at Royal Randwick Racecourse

- (1) This clause applies to certain land at the Royal Randwick Racecourse, being part of Lot 2009, DP 1169042, as shown coloured pink and identified as "Area A" on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of hotel or motel accommodation, serviced apartments and function centres is permitted with development consent.
- (3) Development consent under subclause (2) may only be granted by the consent authority if the consent authority is satisfied that the development will not result in the erection of more than one building on the land to which this clause applies.

9 Use of land at 270 Malabar Road, Maroubra

- (1) This clause applies to land at 270 Malabar Road, Maroubra, being Lot 3821, DP 752015.
- (2) Development for the purpose of a centre-based child care facility 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.

External lighting and security systems

- (1) Must not be for the lighting of sports fields or tennis courts.
- (2) Must be installed and maintained so that light spill is contained within the site.
- (3) Must be used for normal recreational or security purposes only and must not be used for any advertising purposes or the floodlighting or illumination of buildings or premises.
- (4) Must not cause a public nuisance.
- (5) Must not be attached to a heritage item.
- (6) If undertaken in a heritage conservation area, must be to the rear of the building and not visible from any public road or place (other than a rear laneway) and must not result in any damage to the building fabric.

Fencing (in heritage conservation areas)

- (1) Applies only to timber paling or timber lapped and capped fences for side (behind the building line) and rear boundary fences.
- (2) Maximum height above ground level (existing)—1.8m.
- (3) Must not prevent or impede the natural flow of stormwater drainage or runoff, or redirect the flow onto adjoining properties.

Repair of building work or structures damaged by storm, flood, fire, accident, structural failure or other similar events to which clause 2.30AA of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* does not apply

- (1) Must only be to weatherproof the building and make it fit to live in or make it safe or structurally adequate to maintain public safety.
- (2) Must not involve changes in the configuration of the building or result in any increase

in floor area.

- (3) If a heritage item or within a heritage conservation area—must match the external finishes of the building immediately before the damage or be of a temporary nature (maximum 6 months from the date of the emergency, incident or event).

Road banners

- (1) Must be approved under the *Local Government Act 1993* and installed for a temporary period only.
- (2) Public liability, indemnity insurance and fees must be paid before installation.

Signage—advertising structures and displays generally

- (1) Must relate to the premises on which it is situated.
- (2) Must relate to a lawful use carried out on the premises.
- (3) Must comply with AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*.
- (4) Must not cover mechanical ventilation inlet or outlet vents.
- (5) Must not be flashing, illuminated (unless otherwise permitted in this Schedule) or animated.
- (6) Must not contain offensive or sexually explicit material.
- (7) Must not interfere with, or confuse interpretation or reading of, traffic signals.
- (8) Must not be on a heritage item or in a heritage conservation area (except for real estate signs and under awning signs as provided for particular types of sign specified below).

Signage—Zone E1 and E2 or business premises in other zones

- (1) **A-frame**
 - (a) only 1 sign per commercial premises, and
 - (b) must not be located on a footpath adjacent to a classified road, and
 - (c) must not be located in a residential zone unless it relates to an existing purpose-built shop, and
 - (d) must be removed from the footpath outside of the approved operating hours of the related business.
- (2) **Fascia signs** Signs attached to the fascia or return of the awning must not project above, below or beyond the fascia of the awning by more than 15mm.

- (3) **Flush wall signs** Signs attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 100mm—
- (a) only 1 sign per premises, and
 - (b) maximum area—1.2m², and
 - (c) must not encroach over any public road or footpath, and
 - (d) must not be located above the awning or above ground floor.
- (4) **Shop windows** Signs attached to a shop window—
- (a) only 1 sign per shop or premises, and
 - (b) must be behind the glass shopfront or behind the front alignment of the shopfront, and
 - (c) if at ground floor level—may be illuminated.
- (5) **Top hamper signs** Signs attached to the transom of a doorway or above a display window of a building and not projecting more than 100mm—
- (a) only 1 sign per shop or premises if less than 30m frontage, or 1 sign per 30m of frontage, and
 - (b) maximum area if not illuminated—10m², and
 - (c) maximum area if illuminated—5m².
- (6) **Under awning signs** Signs attached to the underside of an awning other than a fascia—
- (a) only 1 sign per shop or premises if less than 20m frontage, or 1 sign per 20m of frontage, and
 - (b) maximum area—1.2m², and
 - (c) may be internally illuminated, and
 - (d) must be at least 2.6m above ground or pavement level, and
 - (e) must be at least 600mm from the edge of the road.

Signage—Zone E4

- (1) Only 1 flush wall sign per premises if less than 30m frontage, or 1 sign per 30m of frontage.
- (2) Maximum area—4m².
- (3) Maximum height above ground level (existing)—3m.

Signage—residential zones

- (1) Only 1 per residence.
- (2) Maximum area—0.75m².
- (3) Must be located on the ground floor.
- (4) Must not overhang a public road or footpath.

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

- (1) Only 1 sign per shop or premises if less than 30m frontage, or 1 sign per 30m of frontage.
- (2) Maximum area in a residential zone—2.5m².
- (3) Maximum area in an employment or special purpose zone—4.5m².
- (4) Must be located on the ground floor.
- (5) Must be located wholly within the property to be sold or leased or currently under construction, unless located on the awning of the building.
- (6) If affixed on the awning of a building over a public road in an employment zone, must be less than 1.5m².
- (7) Must be removed within 14 days of the completion of the sale or granting of the lease, or 6 months after erection of the building, whichever is the sooner.

Signage—temporary

- (1) Must not be a nuisance or inconvenience to the public.
- (2) Maximum area—5m².
- (3) Maximum period of display, if on private land—72 hours.
- (4) Maximum displays per year—4.
- (5) If in a public place and not a road banner—must have the prior written approval of relevant authority and fees must be paid before installation.

Erection of temporary structures such as stalls, shade structures, marquees, stages, etc

- (1) Must be for the purposes of a community activity, event, function or market.
- (2) Must take place on only the following—
 - (a) a road,

- (b) the grounds of a school,
 - (c) a place of public worship,
 - (d) a hospital,
 - (e) other public land,
 - (f) land in a recreation zone,
 - (g) land in a special purpose zone.
- (3) Despite subclause (2), a market must not take place on the grounds of a school.
 - (4) (Repealed)
 - (5) Operator must have made arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.
 - (6) Each stall and vendor must be registered with the Council before the event starts.
 - (7) Must have obtained any necessary approval to stage the event.

Note—

The proposed event or temporary use may require approvals under the [Local Government Act 1993](#). Such activities include: closure of public roads, temporary structures, food stalls, mobile food vendors, activities on community land, certain amusement devices and public entertainment. Consultation with the Council will assist in identifying any requirements before organising the activity. Other legislation relating to matters such as fire safety, other safety standards and noise generated by the event must be complied with.

- (8) If on Crown land or land under the care and control of the Council, golf courses, Randwick Racecourse or the University of New South Wales on an occasional basis, may be up to 10 days and with a maximum of 5,000 patrons at any one time and consistent with any plan of management that may apply to the land.
- (9) If not on land referred to in subclause (8), may be up to 3 days only, between 7.00 am and 10.00 pm, with a maximum of 2,000 patrons at any one time, except with the prior written approval of the Council.

Temporary use of buildings for a public meeting, function or entertainment

- (1) Must be a public activity, event or function.
- (2) Must take place in an assembly building (being a class 9b building under the *Building Code of Australia*) on the grounds of a school, place of public worship or other public land or land that is in a recreation zone or a special purpose zone.
- (3) Maximum events or activities each calendar year—10.

- (4) Event or activity must end by 11 pm or such earlier time specified in an existing consent applying to the building.

Note—

Legislation relating to matters such as fire safety, other safety standards and noise generated by the event must be complied with.

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

Awning and shopfront replacements to existing shops (in a heritage conservation area)

- (1) Applies only to replacement of an existing awning or non-original shopfront.
- (2) Does not apply to existing shopfront or awnings on a commercial building that is a heritage item.
- (3) Must be consistent with any development control plan or conservation plan applying to the area or building.
- (4) Must not involve replacing or installing roller shutters, grilles or similar to shopfronts or windows or doors.
- (5) Must not involve glazed awnings or awnings with an angle or fall of greater than 10 degrees.
- (6) Must not be inconsistent with any relevant development consent and must not contravene any specific condition of consent.
- (7) Must not alter existing goods loading and unloading or parking facilities.
- (8) The height and dimensions of awnings must be consistent with the awnings on adjoining premises and not be less than 3m or greater than 5m above the footpath level at any point.
- (9) Awnings must be at least 600mm from the edge of the footpath adjoining the road.
- (10) A certificate of adequacy must be obtained from a professional engineer certifying the structural adequacy of the awning. The certificate must be forwarded to Council and the principal certifying authority before issuing an occupation certificate.

- (11) Must not result in an increase in the gross floor area of the building.
- (12) Design, materials and colours must maintain the architectural integrity, design, appearance and amenity of the building and streetscape.
- (13) Glazing to shopfronts must be non-reflective.
- (14) Public safety must be maintained at all times during construction.
- (15) Replacement shopfronts must not reduce or affect existing levels of access for people with a disability, and if the shopfront is being replaced in conjunction with internal alterations, access for disabled persons must be provided as required during alterations.
- (16) Written approval of the strata plan owners corporation must be obtained before approval (where relevant).
- (17) Stormwater must be connected to an existing approved stormwater system or the street gutter.
- (18) Written approval must be obtained to carry out works on or over a road or footpath in accordance with the [Roads Act 1993](#).

New or enlarged external door or window openings to the rear of a building (in heritage conservation areas)

- (1) Applies only to the rear of single dwellings, dual occupancies and to ancillary class 10a buildings under the *Building Code of Australia* in heritage conservation areas where the works are not readily visible from any public road or place (other than a rear laneway or similar).
- (2) Does not apply to heritage items.
- (3) Design, materials, construction, colour scheme and external finish must be compatible and integrate with the existing building adjacent development and must maintain the visual amenity of the area and streetscape and be consistent with its heritage attributes.
- (4) Must not be inconsistent with any relevant development consent conditions.
- (5) Opening must be located at the rear of the building (and not located on the front elevation or street elevation of the building), and the design and architectural integrity and amenity of the dwelling and streetscape must be fully maintained.
- (6) Opening at the rear of the building must be located at ground floor level and the floor level of the room (in which the new or enlarged window or door is provided) must not be more than 1.2m above ground level.

- (7) Windows must be located 900mm or more from property boundaries or be of fixed and fire rated glazing.

Part 2 Complying development certificate conditions

Note—

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

General conditions

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

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

Column 1	Column 2
Locality	Description
13–21 Rainbow Street, Kingsford	Lot 1, DP 408111; Lot 1, DP 188265; Lot 1, DP 1135723

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
Centennial Park	Centennial Park, including Federation monument, Superintendent's residence, park gates, 2 Corinthian columns, 2 statues	1R Oxford Street; 2R Darley Road; 1 Martin Road	Lots 1723 and 1730, DP 45644	State	I01
Centennial Park	Centennial Park Reservoir WS001	3R Oxford Street	Part of Lot 1, DP 582822	State	I02
Centennial Park	Woollahra Reservoir WS022	5R Oxford Street	Lot 1729, DP 45644	State	I03
Clovelly	St Luke's Anglican Church	26 Arden Street	Lot 1, DP 2214	Local	I04
Clovelly	St Anthony's Catholic Church, Primary School and Presbytery	58-60 Arden Street	Lot 7, DP 71081; Lot 1, DP 71082; Lot 2, DP 85963; Lot 1, DP 76693	Local	I05
Clovelly	"Boherbue"	6 Barry Street	Lot 9, DP 1069	Local	I06
Clovelly	Federation house	16 Barry Street	Lot 113, DP 1035102	Local	I07
Clovelly	Federation house	18 Barry Street	Lot 2, DP 942879	Local	I08
Clovelly	Late Victorian stone cottage	23 Campbell Street	Lot 47, DP 2598	Local	I09
Clovelly	Old timber cottage	4 Clifton Road	Lot 15, DP 979309	Local	I10
Clovelly	Bungalow	55 Clifton Road	Lot 9, Section B, DP 6512	Local	I11
Clovelly	1930s shopfront	221-223 Clovelly Road	Lot 101, DP 1061955 (SP 71660)	Local	I12
Clovelly	Clovelly RSL and Air Force Club (formerly Kings Theatre)	263-269 Clovelly Road	Lots 18 and 19, Section 3, DP 719	Local	I13
Clovelly	"Warrah Flats"	298 Clovelly Road	SP 19923	Local	I14
Clovelly	"Pohills Corner"	317 Clovelly Road	Lot 1, DP 10532	Local	I15

Clovelly	Commercial/ residential group, "Walders Corner"	319-325 Clovelly Road	Lots 1-4, DP 70321	Local	I16
Clovelly	Clovelly Hotel	379-401 Clovelly Road	Lot 1, DP 105854	Local	I17
Clovelly	Clovelly Bay enclosure, including baths	3-25R Eastbourne Avenue	Part of Lot 7011, DP 1112993; Lot D, DP 316077; Lot 7128, DP 1113902; Lot 7010, DP 1113071 and unknown lot and DPs	Local	I20
Clovelly	James Bundock fountain	11M Eastbourne Avenue	Part of Lot 7011, DP 1112993	Local	I19
Clovelly	Victorian Italianate two storey house (pair to 67)	65 Fern Street	Lot 6, Section B, DP 1827; Lot 1, DP 114441	Local	I21
Clovelly	Victorian Italianate two storey house (pair to 65)	67 Fern Street	Lot 7, DP 662267	Local	I22
Clovelly	Electricity Substation No. 300	215 Flood Street	Lot 1, DP 323046	Local	I23
Clovelly	Two storey semi- detached pair	5-7 Greville Street	Lots A and B, DP 176223	Local	I24
Clovelly	"Clara", mid- Victorian house	6 Greville Street	Lot 2, DP 1069	Local	I25
Clovelly	Symmetrical bungalow	20 Greville Street	Lot 1, Section 2, DP 719	Local	I26
Clovelly	Georgian sandstone cottage	2 Nolan Avenue	Lot 8, Section A, DP 1827	Local	I27
Clovelly	Attached cottage group	3-7 Nolan Avenue	Lots 1-3, DP 815775	Local	I28
Clovelly	Shark Point, Burrows Park	31R and 33R Ocean Street	Lots 1-3, DP 90410 and unknown lot and DP—Burrows Park—Shark Point Coastal Reserve	Local	I29
Clovelly	Victorian cottage	7 Pacific Street	Lot 22, DP 976620	Local	I30
Clovelly	Seaview Street sandstone drain	10-12LH Seaview Street	Road reserve	Local	L31
Clovelly	Bungalow	32 Shackel Avenue	Lot A, DP 300298	Local	I32

Clovelly	Victory Street sandstone retaining wall	2-14LH Victory Street	Road reserve	Local	L33
Clovelly	"Peace", early bungalow	39 Winchester Road	Lot 7, Section C, DP 6512	Local	I34
Coogee	Abbott Street sandstone retaining walls	9-23LH Abbott Street	Road reserve	Local	L35
Coogee	Bungalow	296 Alison Road	Lot 2, DP 300482	Local	I36
Coogee	Alison Road sandstone retaining walls and embankment	329-347LH and 340-356LH Alison Road	Road reserve	Local	L37
Coogee	"Ocean View", Edwardian mansion	370 Alison Road	Lot 21, DP 1136133	Local	I38
Coogee	Arcadia Street sandstone retaining wall	26-30LH Arcadia Street	Road reserve	Local	L39
Coogee	"Roslyn", Victorian residence	29 Arcadia Street	Lot B, DP 101510	Local	I40
Coogee	"Ballamac", Victorian villa	39 Arcadia Street	SP 13296, SP 37904 and SP 57370	Local	I41
Coogee	Spanish Mission residential flat building	109 Arden Street	SP 9161	Local	I42
Coogee	Spanish Mission style house	143 Arden Street	Lot C, DP 320743	Local	I43
Coogee	Arden Street sandstone retaining walls	158-176LH and 149-165LH Arden Street	Road reserve	Local	L44
Coogee	"Juvina", Art Deco residential flat building	182 Arden Street	SP 23085	Local	I45
Coogee	"Beach Court", Neo-classical residential flat building	184 Arden Street	SP 54713	Local	I46
Coogee	James Robertson Fountain	201M Arden Street	Unknown Lot and DP	Local	I47
Coogee	Coogee Bay Hotel	212 Arden Street	Lot 1, DP 872553	Local	I48

Coogee	3 storey Neo-classical residential flat building	286-290 Arden Street	SP 14074	Local	149
Coogee	"Ambassador Flats", inter-war residential flat building	289 Arden Street	SP 15225	Local	1536
Coogee	"Tudor Hall", Neo-Romanesque residential flat building	291 Arden Street	SP 46227	Local	150
Coogee	Federation house	293 Arden Street	Lot 5, DP 79451	Local	1475
Coogee	Art Deco residential flat building	321 Arden Street	SP 8512	Local	151
Coogee	"Verona", Federation Queen Anne corner house	340 Arden Street	Lot 1, DP 799790	Local	152
Coogee	"Cliffbrook", Edwardian villa	45-51 Beach Street	Lot 1, DP 8162; Part of Lot 1, DP 109530	State	153
Coogee	"Warimoo", Bungalow style house	69 Beach Street	Lot 24, DP 9552	Local	154
Coogee	"San Antonio", Federation house	75 Beach Street	Lot 21, DP 9552; Lot 1, DP 322784	Local	155
Coogee	Giles Baths	105-109R Beach Street	Lot 1745, DP 727310; Lot 1580, DP 752011	Local	156
Coogee	Sandstone wall	111-131R Beach Street	Unknown Lot and DP, Coogee Beach	Local	157
Coogee	Ross Jones Memorial Pool	133R Beach Street	Unknown Lot and DP	Local	158
Coogee	Inter-war residential flat building	142-144 Beach Street	SP 10265; SP 14056	Local	1476
Coogee	Mclver Women's Baths	145-149R Beach Street	Lot 1492 and Part of Lot 1304, DP 752011	State	159
Coogee	"The Warwick", 4 storey residential flat building	154-156 Beach Street	SP 55031; SP 64894	Local	160
Coogee	Inter-war residential duplex	1 Berwick Street	Lot A, DP 313214	Local	1537
Coogee	Inter-war bungalow	3 Berwick Street	Lot B, DP 313214	Local	1538

Coogee	Inter-war Californian bungalow	5 Berwick Street	Lot C, DP 313214	Local	1477
Coogee	Weatherboard cottage	26 Bream Street	Lot 1, DP 414536	Local	161
Coogee	"Smithfield Grange", Victorian mansion	88 Brook Street	Lot 3, DP 15808	Local	162
Coogee	2 storey semi-detached group	90-100 Brook Street	Lots 1-2, DP 531000; Lots 1-4, DP 531082	Local	163
Coogee	Residential flat building	101 Brook Street	SP 1274	Local	164
Coogee	"Catley's Wall", sandstone retaining wall	108 Brook Street	SP 12764; SP 16301	Local	165
Coogee	Inter-war residential flat building	108 Brook Street	SP 12764; SP 16301	Local	166
Coogee	Federation house	113 Brook Street	Lot B, DP 364506	Local	167
Coogee	"Brook Court", inter-war residential flat building	122 Brook Street	SP 8598	Local	1478
Coogee	St Nicolas Rectory	123-123A Brook Street	Lots 1 and 2, DP 1059940	Local	168
Coogee	"Edwardton Flats", inter-war residential flat building	124 Brook Street	SP 2821	Local	1479
Coogee	St Nicolas Anglican Church	125 Brook Street	Lots 3-6, DP 1230	Local	169
Coogee	St Brigids Catholic Church	135B Brook Street	Lots 1-4 and Part of Lot 24, Section 3, DP 976802	Local	170
Coogee	3 storey Art Deco residential flat building	142A Brook Street	SP 13844	Local	171
Coogee	Inter-war bungalow	148 Brook Street	Lot B, DP 305284	Local	1473
Coogee	"Brooklyn Flats"	152 Brook Street	Lot 1, DP 195960	Local	172
Coogee	"Byron Lodge"	25 Byron Street	Lot 1, DP 780573	Local	173
Coogee	Federation house	15 Carr Street	Lots 1 and 2, DP 129892	Local	174
Coogee	Late Victorian house	21 Carr Street	Lot 1, DP 900107	Local	175

Coogee	Grand Pacific Hotel	64 Carr Street	Lot B, DP 386645	Local	176
Coogee	Spanish Mission residential flat building	117 Carrington Road	SP 21030	Local	177
Coogee	Spanish Mission residential flat building	127 Carrington Road	SP 52684	Local	178
Coogee	Victorian Gothic house	86 Coogee Bay Road	Lot C, DP 323037	Local	179
Coogee	Federation residence	87 Coogee Bay Road	Lots 1 and 2, DP 1100355	Local	180
Coogee	Inter-war residential flat buildings (pair to 94)	92 Coogee Bay Road	SP 15817	Local	181
Coogee	Inter-war residential flat buildings (pair to 92)	94 Coogee Bay Road	SP 8691	Local	182
Coogee	Coogee Public School	107-121E Coogee Bay Road	Lots 569 and 570, DP 752011; Lot 1, DP 119120; Lot 1, DP 524199	Local	183
Coogee	"Medina Court", inter-war residential flat building, including shops	127-131 Coogee Bay Road	SP 13088	Local	1480
Coogee	Federation semi-detached pair	165-167 Coogee Bay Road	Lots 1 and 2, DP 232179	Local	184
Coogee	Art Deco residential flat buildings	201-203 Coogee Bay Road	SP 9395	Local	185
Coogee	"Douglass Buildings", Federation free style shops	218-222 Coogee Bay Road	Lots 6, 7 and 8, DP 39445	Local	1481
Coogee	Inter-war residential flat building	230 Coogee Bay Road	Lot B, DP 302991	Local	1482
Coogee	Federation arts and crafts shops	250-252 Coogee Bay Road	Lots 6 and 7, DP 12462	Local	1483
Coogee	1920s house	78 Dolphin Street	Lot 1, DP 302000	Local	186
Coogee	Coogee Palace, replica of original building	169-181 Dolphin Street	Lot 1, DP 792311	Local	187

Coogee	Inter-war bungalow	38 Dudley Street	Lot 17, DP 6489	Local	I467
Coogee	Inter-war bungalow	39 Dudley Street	Lot B, DP 301192	Local	I471
Coogee	Inter-war bungalow	41 Dudley Street	Lot C, DP 301192	Local	I472
Coogee	Late Federation house	42 Dudley Street	Lot 19, DP 6489	Local	I468
Coogee	Late Federation house	44 Dudley Street	Lot 20, DP 6489; Lot 1, DP 952229	Local	I469
Coogee	Inter-war functionalist residential flat building	72 Dudley Road	SP 4409	Local	I484
Coogee	Inter-war Art Deco residential flat building	90 Dudley Street	SP 42074	Local	I485
Coogee	2 storey arts and crafts house	2 Gordon Avenue	Lot 4, Section 2, DP 11754	Local	I88
Coogee	Electricity Substation No 280	15S Higgs Street	Lot 1, DP 181656	Local	I89
Coogee	Spanish Mission house	1 Hill Street	Lot 10, Section D, DP 619	Local	I90
Coogee	"Myall Court", inter-war residential flat building	5 Kurrawa Avenue	SP 12448	Local	I486
Coogee	Inter-war residential flat building, "Denison Hall"	11A Marcel Avenue	Lot 51, DP 318884	Local	I474
Coogee	Bungalow	31 Melody Street	Lot 1, DP 150309	Local	I91
Coogee	Art Deco residential flat building	1A Mount Street (222-226 Clovelly Road)	SP 9826; SP 15254	Local	I92
Coogee	Bungalow	14 Mount Street	Lot 79, DP 13810	Local	I93
Coogee	Late Federation house	122 Mount Street	Lot 22, DP 6489	Local	I470
Coogee	Inter-war residential flat building	3 Nathan Street	SP 13341	Local	I487
Coogee	Wylies Baths	4B Neptune Street	Lots 1798 and 1799, DP 822244; R35160	State	I94
Coogee	Edwardian bungalow	153 Oberon Street	Lot 38, DP 6489	Local	I95

Coogee	Electricity Substation No 362	245S Oberon Street	Lot 2, DP 553153	Local	I96
Coogee	"Catley's Wall", sandstone retaining wall	6-8 Ormond Gardens	SP 13043	Local	I65
Coogee	"Belle", Federation house	28 Powell Street	Lot 1, DP 983623	Local	I97
Coogee	Edwardian cottage	3 Quail Street	Lot 1, DP 83175	Local	I98
Coogee	1950s house	9 Ritchard Avenue	Lot 112, DP 14523	Local	I99
Coogee	"Eastbourne", Federation Queen Anne house	1 Thomas Street	Lot 3, DP 201094	Local	I488
Coogee	Large bungalow	7 Thomas Street	Lot X, DP 387111	Local	I100
Coogee	"Maidston", late Victorian mansion	1A Waltham Street	Lot 1, DP 166742; Lot 1, DP 1107144	Local	I101
Kensington	"Parkside", Federation semi-detached pair	5-5A Abbotford Street	Lots 1 and 2, DP 847803	Local	I102
Kensington	Federation semi-detached cottages	11 and 13 Abbotford Street	Lots 1 and 2, DP 786825	Local	I489
Kensington	Tay Reserve	1R Alison Road	Unknown lot and DP; road closure	Local	I103
Kensington	"The Legers", Federation dwelling	29 Alison Road	Lot 19, DP 658546	Local	I104
Kensington	2 storey Federation duplex	31 Alison Road	Lot 20, Section 28, DP 4601	Local	I105
Kensington	Masonic Temple	199-201 Anzac Parade	Lot 63, Section 14, DP 7698	Local	I106
Kensington	Doncaster Hotel	268-270 Anzac Parade	Lot 202, DP 1092019	Local	I107
Kensington	Late Federation house	6 Balfour Road	Lot 1, DP 938193	Local	I108
Kensington	Late nineteenth century cottage	25 Balfour Road	Lot 20, Section 5A, DP 4745	Local	I109
Kensington	Late nineteenth century cottage	31 Balfour Road	Lot 23, Section 5A, DP 4745	Local	I110
Kensington	Semi-detached pair	49-51 Boronia Street	Lots 1 and 2, DP 538834	Local	I111

Kensington	“T’olle Goes”, Federation house	2-4 Carlton Street	Lot B, DP 324590	Local	I112
Kensington	Californian bungalow	10 Cottenham Avenue	Lot 148, DP 7698	Local	I490
Kensington	Bungalow	25 Cottenham Avenue	Lot 123, DP 7698	Local	I113
Kensington	Inter-war house	36 Cottenham Avenue	Lot 135, Section 14, DP 7698	Local	I491
Kensington	Single storey terrace group	1-27 Darling Street	Lots A-N and P, DP 32991	Local	I114
Kensington	Bungalow (1 of 3)	1 Day Avenue	Lot 245, DP 13208	Local	I115
Kensington	Bungalow (2 of 3)	3 Day Avenue	Lot 244, DP 13208	Local	I116
Kensington	Bungalow (3 of 3)	5 Day Avenue	Lot 243, DP 13208	Local	I117
Kensington	Bungalow (1 of 3)	6 Day Avenue	Lot 248, DP 13208	Local	I118
Kensington	Bungalow (2 of 3)	8 Day Avenue	Lot 249, DP 13208	Local	I119
Kensington	Bungalow (3 of 3)	10 Day Avenue	Lot 250, DP 13208	Local	I120
Kensington	Art Deco residential flat building	18 Day Avenue	Lot 284, DP 13208	Local	I492
Kensington	Californian bungalow	20 Day Avenue	Lot 285, DP 13208	Local	I493
Kensington	Bungalow	24 Day Avenue	Lot 128, Section 14, DP 7698	Local	I121
Kensington	2 storey terraced pair	10-12 Doncaster Avenue	Lot 1, DP 1033442; Lot 1, DP 981704; Lot 51, DP 2905	Local	I122
Kensington	“Walsworth”, Victorian cottage	25 Doncaster Avenue	SP 50146	Local	I123
Kensington	“Creswell”, Victorian terrace house	58 Doncaster Avenue	Lot 66, DP 2905	Local	I124
Kensington	Detached cottage group	68-82 Doncaster Avenue	Lots 1-8, DP 11419	Local	I125
Kensington	Kensington Public School buildings	77-79E Doncaster Avenue	Lot 1, DP 914422	Local	I126
Kensington	Victorian mansion	86-92 Doncaster Avenue	Lot 1, SP 83561	Local	I127
Kensington	Edwardian house	127 Doncaster Avenue	Lot 54, Section 14, DP 7698	Local	I128
Kensington	Corner bungalow	167 Doncaster Avenue	Lot 34, DP 7698	Local	I129

Kensington	Bungalow	202 Doncaster Avenue	Lot 18, Section 14, DP 7698	Local	I130
Kensington	1920s house	23 Duke Street	Lot B, DP 341780	Local	I131
Kensington	Federation house	25 Duke Street	Lot A, DP 341780	Local	I494
Kensington	Californian bungalow	24 Eastern Avenue	Lot A, DP 370592	Local	I495
Kensington	Edwardian cottage	16 Grosvenor Street	Lot 1, DP 171849	Local	I132
Kensington	Californian bungalow	20 Inglethorpe Avenue	Lot A, DP 317859	Local	I496
Kensington	Our Lady of the Rosary Church	1 Kensington Road	Part of Lot 1, DP 936804	Local	I133
Kensington	Our Lady of the Sacred Heart Convent	2 Kensington Road	Lot 1, DP 923373; Lots 102, 103, 112 and 113 Section 3, DP 3292; Lot 1, DP 380326	Local	I134
Kensington	"Hastings", Federation dwelling	25 Lenthall Street	Lot 58, Section 10, DP 5759	Local	I135
Kensington	Late Federation house	42 Lenthall Street	Lot 10, Section 10, DP 5759	Local	I136
Kensington	Federation house	7 McDougall Street	Lot 4, Section 11, DP 5759	Local	I137
Kensington	Federation house	10 McDougall Street	Lot 86, DP 5081	Local	I138
Kensington	"Marathon", Federation dwelling	55 Milroy Avenue	Lot 66, Section 9, DP 5081	Local	I139
Kensington	Californian bungalow	32 Mooramie Avenue	Lot 2, DP 309256	Local	I497
Kensington	Sacred Heart Monastery and Chapel	1 Roma Avenue	Lot 12, DP 776835; Lot 272, DP 13208; Lot 1, DP 177912	Local	I140
Kensington	Group of Art Deco residential flat buildings	1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue	SP 733-740; SP 1103; SP 1104; SP 1105; SP 1107; SP 2275	Local	I141
Kensington	Edwardian house	57 Samuel Terry Avenue	Lot 47, Section 12, DP 5759	Local	I142
Kensington	"Carthona", Federation Queen Anne house	63 Samuel Terry Avenue	Lot 44, Section 12, DP 5759	Local	I498

Kensington	Corner bungalow	67 Samuel Terry Avenue	Lot 42, Section 12, DP 5759	Local	I143
Kensington	Former Administration building for WD and HO Wills, Raleigh Park	12 Todman Avenue	Lot 17, DP 270003	Local	I145
Kensington	"Carthona", Federation style house	85 Todman Avenue	Lot 8, DP 5081	State	I146
Kensington	St. Martin's Church	101-105 Todman Avenue	Lots 46 and 47, DP 5081	Local	I147
Kensington	Semi-detached pair	117-119 Todman Avenue	Lots 1 and 2, DP 510903	Local	I148
Kensington	"Cooma", Edwardian mansion	161 Todman Avenue	SP 57028	Local	I149
Kensington	"Avalon", bungalow	4 Villiers Street	Lot 2, DP 306713	Local	I150
Kensington	Semi-detached pair	14-16 Villiers Street	Lot A and B, DP 445620	Local	I151
Kingsford	Commercial/residential group, "O'Dea's Corner"	424-436 Anzac Parade	Lots A-E, DP 436786; Part of Lot 1, DP 814016	Local	I152
Kingsford	Edwardian bungalow	487 Anzac Parade	Lot 3, DP 1137712	Local	I153
Kingsford	Edwardian timber cottage	24 Borrodale Road	Lot 1, DP 947543	Local	I154
Kingsford	Post-war functionalist house	30 Eastern Avenue	Lot 228, DP 12382	Local	I499
Kingsford	Inter-war functionalist house	32 Eastern Avenue	Lot 227, DP 12382	Local	I500
Kingsford	Inter-war Californian bungalow	34 Eastern Avenue	Lot 199, DP 12382	Local	I501
Kingsford	St. Spyridon Church	78-88 Gardeners Road	Lot 1, DP 1149256	Local	I155
Kingsford	1950s brick house	69 Meeks Street	Lot A, DP 377722	Local	I156
Kingsford	"Lanor", Edwardian house	9 Middle Street	Lot 1234, DP 668058	Local	I157
Kingsford	Late 1920s house	79 Middle Street	Lot 1, DP 306041	Local	I158
Kingsford	1930s bungalow	22 Shaw Avenue	Lot 434, DP 10752	Local	I159

Kingsford	Spanish Mission dwelling	47 Tunstall Avenue	Lot 463, DP 10752	Local	I160
Kingsford	Late modern house	42 Wallace Street	Lot B, DP 322938	Local	I161
Kingsford	Late 1920s residential flat building	44 Wallace Street	Lot 2, DP 314644	Local	I162
Kingsford	Inter-war mansion	53-53A Willis Street	Part of Lot 822, DP 752011	Local	I163
Kingsford	Late inter-war house	1 Winburn Avenue	Lot 213, DP 12382	Local	I502
La Perouse	Mission Church	46 Adina Avenue	Part of Lot 5195, DP 752015	Local	I164
La Perouse	Henry Head Fortification Complex	1530R Anzac Parade	Part of Lot 5, DP 1110408	Local	I165
La Perouse	Macquarie Watchtower	1538 Anzac Parade	Part of Lot 3, DP 232077	Local	I166
La Perouse	Tomb of Pere le Receveur	1540 Anzac Parade	Part of Lot 3, DP 232077	Local	I167
La Perouse	La Perouse Museum (former Cable Station)	1542 Anzac Parade	Part of Lot 3, DP 232077	Local	I168
La Perouse	La Perouse Memorial	1544 Anzac Parade	Part of Lot 3, DP 232077	Local	I169
La Perouse	Jessie Stuart Broomfield Fountain	1597A Anzac Parade	Lot 2, DP 776343	Local	I170
La Perouse	Bare Island Fort	1617R Anzac Parade	Part of Lot 3, DP 232077	State	I171
La Perouse	"Yarra Bay House"	1 Elaroo Avenue	Lot 2, DP 777908	Local	I172
La Perouse	1920s bungalow	27 Goorawahl Avenue	Lot 126, DP 752015	Local	I173
Little Bay	Entrance gates to former CEO's residence	1420 Anzac Parade	Part of Lot 48, DP 27042	State	I178

Little Bay	Prince Henry Site and Coast Hospital Heritage Conservation Area and their settings, significant built and landscape components, including historic precinct (comprising significant buildings, structures and landscape features such as ornamental plantings, retaining walls, kerbs and significant road alignments)	2-6, 5R and 8 Brodie Avenue; 2 and 2R Coast Hospital Road; 2-6 and 8 Curie Street; 2-4 and 6-10 Darwin Avenue; 2 Ewing Avenue; 1 Fleming Street; 30-36 Harvey Street; 18-32, 18-32R and 50 Jenner Street; 1-17 Lister Avenue; 16 Murra Murra Place; 1 Pavilion Drive; 1-5, 10R, 11-13R, 12-40, 15, 17R, 19, 21R, 23R, 42-46 and 50 Pine Avenue	Lots 13, 25, 31, 34, 39-41, 43-47, 52-55, 57-59, 73, 79, 82, 91 and 99-101, DP 270427; Lots 1-9, DP 286146; DP 1096554	State	I175
Little Bay	Former Prince Henry Hospital—Coast Golf and Recreation Club clubhouse (former Coast Hospital steam laundry)	1 Coast Hospital Road	Lot 70, DP 270427	State	I176
Little Bay	Former Prince Henry Hospital—Alignments of Lister Avenue, Coast Hospital Road and Cemetery Road	1 Coast Hospital Road	Lot 70, DP 270427	State	I182
Little Bay	Former Prince Henry Hospital—The Dam	1 Coast Hospital Road	Lot 98, DP 270427	State	I179
Little Bay	Former Prince Henry Hospital—Former Male Lazaret site	1 Coast Hospital Road	Lot 98, DP 270427	State	I180
Little Bay	Former Prince Henry Hospital—Former Coast Hospital Services Area retaining walls	1 Coast Hospital Road	Lot 98, DP 270427	State	I181
Little Bay	Former Prince Henry Hospital—Former Coast Hospital water tower	1 Coast Hospital Road	Lot 71, DP 270427	State	I177
Little Bay	Townhouse complex	45-59 Mirrabooka Crescent	Lot 1, DP 231930	Local	I183

Malabar	"C Levitt", commercial building	1212 Anzac Parade	Lot 7, DP 23513	Local	I184
Malabar	Edwardian cottage	1234-1236 Anzac Parade	Lot 1, DP 113091	Local	I185
Malabar	Long Bay Gaol Gatehouses —Long Bay Correctional Centre	1250-1300 Anzac Parade	Lots 132 and 133, DP 1142190	State	I186
Malabar	Long Bay Correctional Centre	1250-1300 Anzac Parade	Lots 132 and 133, DP 1142190	State	I187
Malabar	Weatherboard cottage	18 Austral Street	Lot 1, DP 1043888	Local	I188
Malabar	Group of semi-detached cottages	20-26 Austral Street	Lots 5279-5282, DP 824057	Local	I189
Malabar	John Mewburn Reserve	28-32R Austral Street	Part of Lot 133, DP 1142190	State	I190
Malabar	Cromwell Park fountain	4R Dacre Street	Part of Lot 7300, DP 1145253	Local	I191
Malabar	Malabar Headland	7R and 9R Fishermans Road; 3R Brown Street	Lot 2, DP 809094; Part of Lot 102, DP 1162245; Unknown lot and DP	State	I192
Malabar	Malabar Public School	231-239E Franklin Street	Lot 5238, DP 729683	Local	I193
Malabar	Late 19th Century house	39 Napier Street	Lot 3A, DP 365283	Local	I194
Malabar	St. Andrew's Church	2-8 Prince Edward Street	Lot 301, DP 807604	Local	I195
Malabar	Stella Maris Convent	10-14 Prince Edward Street	Lot 202, DP 717359	Local	I196
Malabar	Prince Edward Street sandstone retaining wall and road cutting	68-96LH Prince Edward Street	Road reserve	Local	L197
Malabar	"Sunnyside", Edwardian cottage	66 Victoria Street	Lot 2, DP 975744	Local	I198
Maroubra	"Yarrum", Edwardian bungalow	653 Anzac Parade	Lot 1, DP 9394	Local	I199
Maroubra	Residential/commercial building	730-732 Anzac Parade	Lot 2971, DP 752015	Local	I200

Maroubra	Art Deco residential flat building	817 Anzac Parade	Lot 100, DP 1139005 (SP 84775)	Local	I201
Maroubra	"Corio House"	829 Anzac Parade	Lot A, DP 321064	Local	I202
Maroubra	"Dudleys Emporium"	892-906 Anzac Parade; 5-17 Green Street	SP 75825; SP 84761; Part SP 75824	Local	I203
Maroubra	Edwardian house	953 Anzac Parade	Lot 1, DP 860501	Local	I204
Maroubra	Bond Street sandstone retaining wall	6-8LH Bond Street	Road reserve	Local	I205
Maroubra	Post-war cottage	3 Bridges Street	Lot 1535, DP 752015	Local	I206
Maroubra	"Maroubra House", inter-war Spanish Mission house	10 Broome Street	Lot 1547, DP 752015	Local	I503
Maroubra	Late twentieth century post-modern house	43 Broome Street	Lot 29, DP 226181	Local	I504
Maroubra	Inter-war house	379 Bunnerong Road	Lot 2318, DP 752015	Local	I207
Maroubra	"Quarry Reserve"	2-4R Cantrill Avenue	Lot 5190, DP 752015; unknown Lot and DP; road closure	Local	I208
Maroubra	Californian bungalow	23 Chichester Street	Lot 2573, DP 752015	Local	I209
Maroubra	Brick bungalow	12 Cobham Street	Lot 2279, DP 752015	Local	I210
Maroubra	Neo-romanesque house	21 Cobham Street	Lot 2306, DP 752015	Local	I211
Maroubra	Cooper Street brick retaining wall	77-85LH Cooper Street	Road reserve	Local	I212
Maroubra	1930s bungalow	6 Duncan Street	Lot 3, DP 13363	Local	I213
Maroubra	Californian bungalow	28 Everett Street	Lot 12, DP 8156	Local	I214
Maroubra	The Causeway sandstone retaining walls	32-34LH First Avenue	Road reserve	Local	I215
Maroubra	Stone bungalow	152 Gale Road	Lot 52, DP 556901	Local	I216

Maroubra	Row of Art Deco style residential flat buildings	8-14 Hereward Street	SP 50331; SP 21464	Local	I217
Maroubra	Post-war bungalow	84 Loch Maree Street	Lot 11, DP 9393	Local	I218
Maroubra	Mahon Pool	15R Marine Parade	Part of Lot 1, Section 3, DP 758649; unknown Lot and DP	Local	I219
Maroubra	Maroubra Beach Hotel and mixed commercial/residential building attached to the hotel	178-182 Marine Parade	SP 73559	Local	I220
Maroubra	Art Deco residential flat building	139 Maroubra Road	Lot 2246, DP 752015	Local	I221
Maroubra	Maroubra Junction Hotel	195-199 Maroubra Road	Lot 32, DP 805755	Local	I222
Maroubra	Holy Family Church, Neo-romanesque style	214 Maroubra Road	Lot 902 and Part of Lot 1110, DP 752015	Local	I223
Maroubra	"Crossley Court", group of inter-war commercial and residential buildings	237-245 Maroubra Road	SP 3573	Local	I505
Maroubra	"Eden Monaro", reconstruction of brick mansion	306 Maroubra Road	Lot 3, DP 313495	Local	I224
Maroubra	Maroubra Fire Station	325 Maroubra Road	Lot 1339, DP 752015	Local	I225
Maroubra	"Palmyra", late Victorian cottage	18 Percival Street	Lot 1, DP 973773	Local	I226
Maroubra	Post-war house	2 Robey Street	Lot B, DP 336085	Local	I227
Maroubra	"Elwi Ento", late modern house	37 Robey Street	Lot A, DP 330338	Local	I228
Maroubra	Spanish Mission house	43 Sackville Street	Lot E, DP 16837	Local	I229
Maroubra	Californian bungalow	27 The Corso	Lot 49, DP 6127	Local	I506
Maroubra	Semi-detached pair	7-9 Walsh Avenue	Lots C and D, DP 415525	Local	I230

Maroubra	Semi-detached pair	23-25 Walsh Avenue	Lots A and B, DP 101318	Local	I231
Maroubra	Semi-detached pair	11-11A Wise Street	Lot 11, DP 1065082; Lot 1, DP 957996	Local	I232
Matraville	Group of 3 bungalows	27-31 Baird Avenue	Lot 6, DP 15983; Lots 7 and 8, DP 15983	Local	I233
Matraville	Electricity Substation No 25	224S Beauchamp Road	Lot 1212, DP 752015	Local	I234
Matraville	Brick sewer vent	465W Bunnerong Road	Lot C, DP 180474	Local	I235
Matraville	"Alice Villa", bungalow	17 Jennings Street	Lot 11, DP 13198	Local	I236
Matraville	Former Soldiers Settlement Public School	2-6 Menin Road	SP 63228	Local	I237
Matraville	Eastern Suburbs Crematorium	45-63 Military Road	Part of both Lots 7049 and 7050, DP 1110708	Local	I238
Matraville	Pioneers Memorial Park, Botany Cemetery	45-63 Military Road	Part of Lot 7090, DP 1110711	Local	I239
Matraville	Post-war brick house	18 Moorina Avenue	Lot 186, DP 16138	Local	I240
Matraville	Late modern house	34 Murrabin Avenue	Lot 15, DP 16138	Local	I241
Matraville	Matraville Hotel	144-148 Perry Street	Lots 8-10, DP 13830	Local	I242
Matraville	Soldiers Settlement House	1 Somme Way	Part of Lot 6, DP 700498	Local	I243
Phillip Bay	Phillip Monument	1M Kooringai Avenue	Part of Lot 1140, DP 752015	Local	I244
Phillip Bay	Yarra Bay Beach and Reserve	5-33R Kooringai Avenue; 63R, 65R and 67-73 Yarra Road	Part of Lot 1, DP 912264; Yarra Beach; Lot 7302-7305, DP 1131943 R 62422; Part of Lot 1140, DP 752015; Part of Reserve 23068 (Parking); Lots 3945, 4684, 4685, 4846, DP 752015	Local	I245

Phillip Bay	Chinese Market Gardens	1-19 and 21-39 Kooroera Avenue; 1002-1110 Bunnerong Road; 1R Koorringai Avenue	Lots 1077-1079, DP 752015; Lot 5245, DP 820345	State	I246
Phillip Bay	Our Lady of Good Counsel Church	11 Yarra Road	Lot 3347, DP 752015	Local	I247
Randwick	"Aeolia", Brigidine Convent and Chapel	6 Aeolia Street	Lot 21, DP 1134767	Local	I248
Randwick	Members' Stand/ Official Stand, Royal Randwick Racecourse	77-97 Alison Road	Lot 1, DP 130234	Local	I249
Randwick	Part of Normanhurst boundary wall (adjacent to former tramway reservation)	90A Alison Road	Lots 1 and 2, DP 304897; part of sandstone wall	Local	I332
Randwick	"Shahzada", Victorian house	114 Alison Road	Lot 115, DP 552581	Local	I250
Randwick	"Carlton", Victorian house	122 Alison Road	Lot 6, DP 2556	Local	I251
Randwick	"Verona", "Amphion" and "Donacis", Boom style houses	126-130 Alison Road	Lots A-C, DP 108150	Local	I252
Randwick	"Rothesay", Art Deco residential flats	132-134 Alison Road	Lot 2, DP 2556	Local	I253
Randwick	St Jude's Well, early stone fountain	138M Alison Road	Unknown Lot and DP	Local	I254
Randwick	"Rexmere", Victorian terrace	143 Alison Road	Part of Lot 1, DP 609890	Local	I255
Randwick	"Hillcrest", Victorian terrace	145-147 Alison Road	Part of Lot 1, DP 74946	Local	I256
Randwick	Randwick Presbyterian Church	162-194 Alison Road	Lot 12, DP 1134788	State	I257
Randwick	Group of Victorian filigree style commercial and residential terraces	167-171 Alison Road	Lot 41, DP 825774; Lots 1 and 2, DP 1160358	Local	I507

Randwick	"Montrose", Victorian Italianate style two storey commercial and residential building	179-181 Alison Road	Lot 1, DP 194496	Local	I508
Randwick	"Seabird", Victorian house	191 Alison Road	Part of Lot 1, DP 811872	Local	I258
Randwick	"Glanmire", Victorian house	193 Alison Road	Part of Lot 1, DP 811872	Local	I259
Randwick	Stone commercial building	200 Alison Road	Lot 1, DP 947598; Lot A, DP 439249	Local	I260
Randwick	Residential flat building	212-214 Alison Road	Lots 5 and 7, DP 84551	Local	I261
Randwick	Freestanding Victorian house	238-242 Alison Road	Lot 1, DP 743787	Local	I262
Randwick	2 storey semi- detached pair of houses	44-46 Avoca Street	Lots 1 and 2, DP 202777	Local	I263
Randwick	"Archina", 2 storey Federation house	49 Avoca Street	Lot 1, DP 878999	Local	I264
Randwick	Site of Father Shaw's Wireless Works	51 Avoca Street	Lot 2, DP 878999 (SP 62199)	Local	I265
Randwick	Randwick Public School (c 1924) and Randwick North High School (1886)	62-88E Avoca Street	Lot 1, DP 797564; Lot 1, DP 537130; Lots 1-4, DP 797629; Lots 8, 10-13 and 15, Section 10, DP 758867	Local	I266
Randwick	"Eulalia"	87 Avoca Street	Lot 1, DP 1088378	Local	I268
Randwick	"Aloha"	89 Avoca Street	Lot 2, DP 1088378	Local	I269
Randwick	Post box	90M Avoca Street	Unknown Lot and DP	Local	I267
Randwick	"Braemar"	91 Avoca Street	Lot 2, DP 321037	Local	I270
Randwick	St Jude's Group (St Jude's Anglican Church, Rectory, Old Borough Chambers and Hall (Note - Cemetery is at 21 Frances Street. I374)	100-108 Avoca Street	Lot 260 and Lot 497, DP 979237; Part of Lot 572, DP 752011	State	I271

Randwick	Hetta Building, commercial/residential building	110-116 Avoca Street	Lot 1, DP 510301	Local	I272
Randwick	Victorian and inter-war building (shopfronts with residences above)	115-137 Avoca Street	Lot 1, DP 730681; Lot 1, DP 795156; Lot 6, DP 1047871; Lot 1, DP 703116; Lots 51 and 52, DP 709074; Lots 1 and 2, DP 212197; Lots A and B, DP 107198; Lot 2, DP 668133	Local	I273
Randwick	Former Randwick Post Office	124 Avoca Street (206A Alison Road)	Lot 1, DP 788986	State	I274
Randwick	Jubilee Fountain	124M Avoca Street	Unknown Lot and DP	State	I275
Randwick	Commercial building	126-128 Avoca Street	SP 78189	Local	I276
Randwick	Commercial building	130-138 Avoca Street	SP 11937	Local	I277
Randwick	Part of Victorian and inter-war building	139-145 Avoca Street	SP 20684	Local	I278
Randwick	"Clovelly", "Ilfracombe" and "Torquay", Italianate houses	146-150 Avoca Street	Lot 2, DP 600693; Lot 1, DP 600694; Lot 1, DP 66096	Local	I279
Randwick	Coach and Horses Hotel	147 Avoca Street	Lot A, DP 323736	Local	I280
Randwick	Terraced pair	152-154 Avoca Street	Lot 1, DP 91045	Local	I281
Randwick	Terraced pair	156-158 Avoca Street	Lots 1 and 2, DP 715235	Local	I282
Randwick	"Somerset" and "Glastonbury"	160-162 Avoca Street	Lot 1, DP 770913; Lot 19, DP 82545	Local	I283
Randwick	Our Lady of the Sacred Heart Church and "Ventnor", sandstone house	189-193 Avoca Street	Lot B, DP 157005; Part of Lot 1, DP 216223; Part of Lot 1, DP 82225; unknown lot on DP 216223	Local	I284
Randwick	Late Victorian shop and residence	194 Avoca Street	Lot 1, DP 405712	Local	I285

Randwick	"Goldring House"	203-209 Avoca Street	Lots 1-4, DP 204750	Local	I286
Randwick	"Corana" and "Hygeia"	211-215 Avoca Street	Lot 1, DP 854977	State	I287
Randwick	High Cross Park	217-219R Avoca Street	Lot 1, DP 1122573	Local	I288
Randwick	Post box	225M Avoca Street	Unknown Lot and DP	Local	I289
Randwick	"Rostrevor", inter-war residential flat building	231 Avoca Street	SP 30157	Local	I509
Randwick	Late Edwardian house	303 Avoca Street	Lot 4, Section 1, DP 975345	Local	I290
Randwick	"Canberra", Edwardian house	311 Avoca Street	Lots 8 and 9, DP 74238	Local	I291
Randwick	Newmarket sale ring	164-174 Barker Street	Lot A, DP 330407	Local	I292
Randwick	Single storey 1920s cottage	6 Barrett Place	Lot 2, DP 8897	Local	I293
Randwick	Inter-war Art Deco commercial building	1 Belmore Road	Lot A, DP 443061	Local	I510
Randwick	3 storey Art Deco commercial building	35-43 Belmore Road	Lot 1, DP 725269; Lots 14-16, Section 2, DP 979310	Local	I294
Randwick	Residential/commercial building	48-60 Belmore Road and 25 Waratah Avenue	SP 7779	Local	I295
Randwick	3 storey commercial building	70-82 Belmore Road	SP 1527	Local	I296
Randwick	"Koorowi Flats" 3 storey commercial/residential building	84-90 Belmore Road	SP 10616	Local	I297
Randwick	"Cooks Lodge" 2 storey commercial building	119-123 Belmore Road	Lot 1, DP 103290	Local	I298
Randwick	Commercial building	120-126 Belmore Road	Lot C, DP 101802	Local	I299
Randwick	Federation commercial building	125-133 Belmore Road	SP 49956	Local	I300
Randwick	"Sandgate"	128 Belmore Road	Lot 2, DP 623630	State	I301

Randwick	The Star and Garter Inn	141-143 Belmore Road	Lot 7, DP 789629	Local	I302
Randwick	Statue of Captain James Cook	145M Belmore Road	Lot 2, DP 936733	Local	I303
Randwick	2 storey stone pair of semi-detached houses	2-4 Bishops Avenue	Lots 1 and 2, DP 525186	Local	I304
Randwick	Late nineteenth century 2 storey house	8 Bishops Avenue	Lot 57, DP 1189	Local	I305
Randwick	"Artney"	14 Bishops Avenue	Lot 61, DP 1189	Local	I306
Randwick	"Islington", Victorian filigree terrace house	16 Bishops Avenue	Lot 62, DP 1189	Local	I511
Randwick	"Corosal", Federation Queen Anne house	20 Bishops Avenue	Lot 1, DP 300749	Local	I512
Randwick	Blenheim House and outbuilding	17 Blenheim Street	Lot 341, DP 848149	Local	I307
Randwick	Georgian house	139 Botany Street	Lot A, DP 155310	Local	I308
Randwick	"Redlands", Art Deco flats	2A Bradley Street	SP 82099	Local	I309
Randwick	Randwick Barracks School of Musketry, Officers' Mess and Convention Centre	1-23 Bundock Street	Part of Lot 12, DP 1042814	Local	I310
Randwick	Electricity Substation No 341	55-61S Canberra Street	Lot 1144, DP 1104033; Lot 1145, State DP 752015	State	I311
Randwick	Nolan Terrace	53-59 Carrington Road	Lots A and B, DP 433137; Lots A and B, DP 437946	Local	I312
Randwick	Semi-detached pair	61-63 Carrington Road	Lots 1 and 2, DP 103214	Local	I313
Randwick	Art Deco residential flat building	81A Carrington Road	SP 47089	Local	I314
Randwick	Single storey attached row	256-262 Carrington Road	Lot 3, DP 90184; Lot 10, DP 873719; Lot 1, DP 137363; Lot 1, DP 745690	Local	I315
Randwick	Semi-detached pair	17-19 Clara Street	Lots A and B, DP 409938	Local	I316

Randwick	Edwardian commercial building	49-53 Clovelly Road	Lots 1-3, DP 1012309	Local	I317
Randwick	"Wellcamp"	105 Clovelly Road	Lot 12, DP 243471	Local	I318
Randwick	"Rokeby", Victorian house	107 Clovelly Road	Lot 13, DP 243471	Local	I319
Randwick	Inter-war Art Deco residential flat building	187 Clovelly Road	SP 20588	Local	I513
Randwick	"Cinderford", inter-war residential flat building	204 Clovelly Road	SP 68565	Local	I514
Randwick	"Tolga Flats", inter-war residential flat building	206 Clovelly Road	SP 19866	Local	I515
Randwick	"Loree Court", inter-war residential flat building	208 Clovelly Road	SP 13499	Local	I516
Randwick	Bungalow pair	6 and 8 Conway Avenue	Lots 21 and 22, DP 9253	Local	I320
Randwick	Coogee Bay Road retaining walls	5-41LH Coogee Bay Road	Road reserve	Local	L321
Randwick	"Aeolia", Brigidine convent and chapel	7-37 Coogee Bay Road	Lot 1, DP 1093846	Local	I248
Randwick	"Gower Galtees", Art Deco residential flat building, including fence and gates	8-10 Coogee Bay Road	Lot 1, DP 73744; Lot 1, DP 664672	Local	I322
Randwick	Edwardian residence	12 Coogee Bay Road	Lot B, DP 344559	Local	I323
Randwick	"Glen Mervyn"	24-26 Coogee Bay Road	Lots 1-6, DP 1094696	Local	I324
Randwick	Former police station	28 Coogee Bay Road	Lot 1132, DP 752011	Local	I325
Randwick	Victorian semi-detached pair	81-83 Coogee Bay Road	Lots C and D, DP 437088	Local	I326
Randwick	"Woodville", Edwardian house	3 Cook Street	Lot 10, Section 11, DP 975242	Local	I327
Randwick	Federation house	14 Cook Street	Lot 17, DP 4908	Local	I328
Randwick	Federation house	26 Cook Street	Lot 20, DP 4908	Local	I329

Randwick	Victorian filigree terraces	36-42 Cook Street	Lot 1, DP 1021662; Lot 1, DP 176133; Lots 11 and 12, DP 530417	Local	I517
Randwick	"Juverna", Art Deco flat buildings	50 Cook Street	SP 5100	Local	I330
Randwick	Bungalow	5 Courland Street	Lot A, DP 413195	Local	I331
Randwick	Part of Normanhurst boundary wall (adjacent to former tramway reservation)	4-6 and 6A Cowper Street	SP 63281; SP 69452	Local	I332
Randwick	"Pepadeniya", Federation bungalow	29 Cowper Street	Lot 1147, DP 752011	Local	I333
Randwick	Semi-detached pair	33-35 Cowper Street	Lots 1 and 2, DP 548731	Local	I334
Randwick	"Peckham", Victorian mansion	79-81 Cowper Street	Lot 81, DP 826166	Local	I335
Randwick	"Essex", Victorian house	7-9 Cuthill Street	Lot 1, DP 1099036	Local	I336
Randwick	"Edith", Victorian house	11 Cuthill Street	Lot 7, DP 1829; Lot 1, DP 100108	Local	I337
Randwick	St Pauls Street sandstone retaining wall	26LH Daintrey Crescent		Local	L338
Randwick	"Monte, Carlo" Edwardian house	37 Darley Road	Lot 21, Section 26, DP 4589	Local	I339
Randwick	"Ardee", Queen Anne revival house	69 Darley Road	Lot 14, Section 24, DP 4589	Local	I518
Randwick	Federation house	71 Darley Road	Lot 15, Section 24, DP 4589	Local	I340
Randwick	Bungalow	73 Darley Road	Lot 16, Section 24, DP 4589	Local	I341
Randwick	"Shaldon", Queen Anne residence	85 Darley Road	Lot 4, Section 23, DP 4589	Local	I342
Randwick	"Swan Isle", two storey mansion	87-89 Darley Road	Lots 6 and 7, Section 23, DP 4589	Local	I343
Randwick	"Wollungra" corner bungalow	115 Darley Road	Lot A, DP 175928	Local	I344

Randwick	"Alhawa", Federation house	127 Darley Road	Lot 6, Section 19, DP 4698; Lot 7, Section 19, DP 4698	Local	I345
Randwick	Unusual symmetrical house	135 Darley Road	Lot 11, Section 19, DP 4698	Local	I346
Randwick	Late Edwardian house	143 Darley Road	Lot 15, Section 19, DP 4698	Local	I347
Randwick	Edwardian bungalow	147 Darley Road	Lot 17, DP 4698	Local	I348
Randwick	Attached row of cottages	169-177 Darley Road	Lots A-E, DP 442452	Local	I349
Randwick	Triple gabled bungalow	195 Darley Road	Lot 6, DP 667294	Local	I350
Randwick	Semi-detached pair	199-201 Darley Road	Lots A and B, DP 404043	Local	I351
Randwick	Federation residence	1 Dick Street	Lot 4, DP 315059	Local	I352
Randwick	Dolphin Street sandstone retaining wall and embankment	1-21LH Dolphin Street	Road reserve	Local	L353
Randwick	Federation corner house	12 Douglas Street	Lot 27, DP 1208	Local	I354
Randwick	Turn of the century house	19 Douglas Street	Lot 1, DP 370570	Local	I355
Randwick	Bungalow	16 Dudley Street	Lot 2, DP 936001	Local	I519
Randwick	Bungalow	18 Dudley Street	Lot A, DP 317489	Local	I520
Randwick	Bungalow	20 Dudley Street	Lot B, DP 317489	Local	I521
Randwick	Bungalow	22 Dudley Street	Lot 1, DP 963881	Local	I522
Randwick	Pair of bungalows	32-34 and 36 Dudley Street	Lots 1 and 2, DP 5108	Local	I357
Randwick	"Ascot", Victorian residence	4 Dutruc Street	Lot 3, DP 878999	Local	I358
Randwick	Electricity Substation No 287	95 Dutruc Street	Lot 10, DP 864725	Local	I359
Randwick	Pair of Victorian residences	11A and 15 Dutruc Street	Lots 6 and 7, DP 245089	Local	I360
Randwick	Victorian Italianate villa	21 Dutruc Street	Lot 10, DP 245089	Local	I361

Randwick	Victorian Italianate residence	54 Dutruc Street	Lot 32, DP 73390	Local	I362
Randwick	Sandstone cottage and terraced pair	60B, 62-64 Dutruc Street	Lot A, DP 341677; Lots 1 and 2, DP 519206	Local	I363
Randwick	Timber semi-detached pair	55-57 Earl Street	Lots 40 and 41, DP 1853	Local	I364
Randwick	Pair of timber cottages	59 and 61 Earl Street	Lots 42 and 43, DP 1853	Local	I365
Randwick	"Farnham House"	3 Farnham Avenue	Lot 1, DP 165543	Local	I366
Randwick	Victorian cottage	16 Fern Street	Lot 10, DP 3260	Local	I367
Randwick	"Glen Roy", inter-war house	42a Fern Street	Lot 11, DP 701094	Local	I523
Randwick	Inter-war pair of Californian bungalows	20 and 22 Figtree Avenue	Lots 28 and 29, Section 1, DP 3026	Local	I524
Randwick	Federation arts and crafts 2 storey house	2-4 Frances Street	SP 74533	Local	I368
Randwick	Federation arts and crafts 2 storey house	2-4 Frances Street	SP 74533	Local	I369
Randwick	Electricity Substation No 349	25 Frances Street	Lot 1, DP 182713	State	I370
Randwick	Federation Queen Anne single storey house	11 Frances Street	Lot 2, DP 927034	Local	I371
Randwick	Federation Queen Anne single storey house	11A Frances Street	Lot 1, DP 927034	Local	I372
Randwick	Group of Federation mansions	14-14A, 16 and 18 Frances Street	Lots 1 and 2, DP 926313; Lots 101 and 102, DP 1131604	Local	I373
Randwick	St Jude's Cemetery	21 Frances Street	Lot 1, DP 840568	State	I374
Randwick	Randwick Town Hall	30 Frances Street	Lots 4 and 7 Section 10, DP 758867	Local	I375
Randwick	Bus shelter	2R Frenchmans Road	Part of unknown Lot	Local	I376
Randwick	2 storey house	29 Frenchmans Road	Lot 15, Section 1, DP 1045	Local	I377

Randwick	"Glendu", Federation Queen Anne cottage	41 Frenchmans Road	Lot 9, Section 1, DP 1062	Local	I378
Randwick	2 storey commercial/residential building	49-51, 53-55B and 55C Frenchmans Road	SP 73982; Lot 14, DP 25257	Local	I379
Randwick	"Venice", grand late Victorian/early Edwardian house	66 Frenchmans Road	Lot 1, DP 34630	State	I380
Randwick	Pair of 2 storey stone cottages	6-8 George Street	Lot 1, DP 199788; Lot 1, DP 997983	Local	I381
Randwick	"Hooper Cottage"	17 Gilderthorpe Avenue	Lot 1, Section 1, DP 448756	State	I382
Randwick	Federation house	63-71 Gilderthorpe Avenue	Lots 20 and 21 SP 64147	Local	I383
Randwick	Federation semi-detached pair of cottages	63-71 Gilderthorpe Avenue	Lots 16-19 SP 64147	Local	I384
Randwick	Victorian Gothic house	81-83 Gilderthorpe Avenue	Lots 17 and 18, SP 66920	Local	I385
Randwick	"Corona" and "Yamboon", inter-war pair of residential flat buildings	16 and 18 Glebe Street	SP 15654; SP 10118	Local	I525
Randwick	"Gordon Terrace"	2-26 Gordon Street	Lots 1-13, DP 107876	Local	I386
Randwick	"Cotswold", late Victorian cottage	4 Hay Street	Lot 3, DP 808414	Local	I387
Randwick	Prince of Wales Hospital group (Main Block, Catherine Hayes Hospital and Superintendent's residence)	61 High Street	Lot 1, DP 870720	Local	I388
Randwick	Prince of Wales Hospital gates and fence	61 High Street	Part of Lot 1, DP 870720	Local	I389
Randwick	Randwick Destitute Children's Asylum Cemetery	61 High Street	Part of Lot 1, DP 870720	Local	I390

Randwick	Part of Normanhurst boundary wall (adjacent to former tramway reservation)	8 Holkham Avenue	SP 12482	Local	I332
Randwick	Semi-detached pair	57-59 Hooper Street	Lots 1 and 2, DP 226802	Local	I391
Randwick	Workers cottage	11 Jane Street	Lot B, DP 320163	Local	I392
Randwick	2 storey sandstone cottage	15 Jane Street	Lot A, DP 320163	Local	I393
Randwick	Judge Street sandstone stairs and retaining walls	18-20LH Judge Street	Road reserve	Local	L394
Randwick	2 storey Federation house	23 Judge Street	Lot 45, DP 867679	Local	I395
Randwick	Part of Victorian terrace row	1-13 Kemmis Street	Lots 14-20, DP 251302	Local	I396
Randwick	Wide-fronted semi-detached pair	15 and 17 Kemmis Street	Lots 21 and 22, DP 251302	Local	I397
Randwick	Group of grand Victorian houses	23-27 Kemmis Street	Lots 8-10, DP 243471	Local	I398
Randwick	Federation cottage	3 King Street	Lot 4, Section 1, DP 902	Local	I399
Randwick	Former Tramways Repair Shop	22-32 King Street	Lot 4, DP 212352; Lot 1, DP 228903	Local	I400
Randwick	Former Tramways Workshop	22-32 King Street	Lot 4, DP 212352; Lot 1, DP 228903	Local	I401
Randwick	Brick chimney stack	88-98 King Street	SP 75411	Local	I402
Randwick	Transitional Victorian/Edwardian style house	13 Lee Street	Lot 10, SP 56114	Local	I403
Randwick	"Ramona Hall", Spanish Mission influenced residential flat building	23 Marcel Avenue	Lot 20, DP 13587	Local	I404
Randwick	Art Deco residential flat building	24 Marcel Avenue	SP 43075	Local	I526
Randwick	Inter-war residential flat building	26 Marcel Avenue	SP 32084	Local	I527

Randwick	Residential flat building with neo-classical entry	31 Marcel Avenue	SP 14380	Local	I405
Randwick	"Don Ramon", inter-war Spanish Mission residential flat building	44 Marcel Avenue	SP 16501	Local	I528
Randwick	Randwick Literary Institute	47A Market Street	Lots 1 and 2, DP 566976	Local	I406
Randwick	Californian bungalow	12 McLennan Avenue	Lot 10, DP 13779	Local	I407
Randwick	Californian bungalow	23 McLennan Avenue	Lot 5, DP 13779	Local	I408
Randwick	Californian bungalow	25 McLennan Avenue	Lot 6, DP 13779	Local	I409
Randwick	"Brighton Terrace"	2-20 Mears Avenue	Lots 2 and B-E, DP 110106; Lots 51-55, DP 260216	Local	I410
Randwick	Federation bungalow	7 Mears Avenue	Lot B, DP 372329	Local	I529
Randwick	St Jude's Mission Church	84 Middle Street	Lot 1, DP 774765	Local	I411
Randwick	Old stone cottage	88 Middle Street	Lot 1, DP 83413	Local	I412
Randwick	Edwardian timber cottage	90 Middle Street	Lot 1, DP 83414	Local	I413
Randwick	Victorian mansion	2-4 Milford Street	Lot 2, DP 234445	Local	I414
Randwick	Californian bungalow	10 Milford Street	Part of Lot 71, DP 1168871	Local	I415
Randwick	"Nugal Hall", Gothic revival sandstone mansion	16-18 Milford Street	Lot 4, DP 530998	State	I416
Randwick	Federation house	2 Monmouth Street	Lot 1, DP 963384	Local	I417
Randwick	Bungalow	19 Monmouth Street	Lot 23, Section 1, DP 3716	Local	I418
Randwick	Spanish Mission flats	3 Mulwarree Avenue	Lot 2, DP 17536	Local	I419
Randwick	Terraced row	1-19 Oswald Street	Lots 1-10, DP 108445	Local	I420
Randwick	"The Pines", boom style house	11A Park Avenue	Lot 3, DP 74835	Local	I421

Randwick	Royal Hotel	2-4 Perouse Road	Lot 1, DP 573912	Local	I422
Randwick	Pair of cottages	15-19 Perouse Road	Lot 6, DP 3564; Lot 7, Section A, DP 3564	Local	I423
Randwick	Grand Edwardian mansion	82-84 Perouse Road	Lot 131, DP 613647	Local	I424
Randwick	Federation house	85 Perouse Road	Lot 4, DP 5614	Local	I425
Randwick	Unusual Edwardian house	98-100 Perouse Road	Lots A and B, DP 951214	Local	I426
Randwick	Federation Queen Anne house	106 Perouse Road	Lot 1, DP 875098	Local	I427
Randwick	Federation Queen Anne houses	108 and 110 Perouse Road	Lots 1 and 2, DP 981182	Local	I428
Randwick	"Cluneburn" and "Enni", pair of Federation semi-detached houses	121 and 123 Perouse Road	Lots A and B, DP 329536	Local	I530
Randwick	Transitional style Victorian 2 storey house	30 Pine Street	Lot 1, DP 302357	Local	I429
Randwick	Edwardian style cottage	71 Pine Street	Lot 18, DP 2892	Local	I430
Randwick	2 storey semi-detached pair	81-83 Pine Street	Lot 13, Section 1, DP 2892; Lot 12, DP 2892	Local	I431
Randwick	3 storey 1930s residential flat building	2 Prince Street	SP 16310	Local	I432
Randwick	"Tongarry Flats", inter-war residential flat building	27 Prince Street	SP 10303	Local	I531
Randwick	Small Gothic church	1 Rae Street	Lot 12, DP 866464	Local	I433
Randwick	Part of historic residential streetscape	3, 5, 7 and 9-11 Rae Street	Lots F-H, DP 84853; Lot 1, DP 745599; Lot 11, DP 1109320	Local	I434
Randwick	Part of historic residential streetscape	11A-23 Rae Street	Lot 1, DP 741141; Lot 2, DP 707130; Lot 3, DP 731596; Lot 1, DP 534053; Lot 50, DP 607648; Lot 6, DP 1109345	Local	I435

Randwick	Victorian residence	37-39 Rae Street	Lots 4 and 5, DP 226878	Local	I436
Randwick	Rainbow Street Public School	90-98E Rainbow Street	Lot 1738, DP 48445	Local	I437
Randwick	Tramway Turnstile Building Complex	Royal Randwick Racecourse	Lot 2009, DP 1169042	Local	I532
Randwick	Group of Italianate houses	4-8 Silver Street	Lots 8-10, Section 2, DP 3496	Local	I438
Randwick	Duke of Gloucester Hotel	2 St Marks Road	Lot 1, DP 80766	Local	I439
Randwick	Single storey semi-detached cottage group	4-10 St Marks Road	Lot 1, DP 1046576; Lots 1 and 2, DP 233923	Local	I440
Randwick	"Rathven", large Italianate house	43 St Marks Road	Lot 1, DP 623700	State	I441
Randwick	Group of Italianate houses	48, 50, 52-56, 58, 60, 62, 64 and 66 St Marks Road	Lots 18, 19, 21, 22, 24 and 25, DP 245089; Lot 1, DP 1012684; Lot 91, DP 596460	Local	I442
Randwick	Victorian terrace	15 St Pauls Street	Lot A, DP 350130	Local	I443
Randwick	Federation single storey cottage	17 St Pauls Street	Lot B, DP 350130	Local	I444
Randwick	Victorian Italianate boom style 2 storey house	19 St Pauls Street	Lot 21, DP 1829	Local	I445
Randwick	Terraced pair	25-27 St Pauls Street	Lots 1 and 2, DP 230596	Local	I446
Randwick	Ritz Cinema	39-47 St Pauls Street	Lot 101, DP 1029883	State	I447
Randwick	Masonic Temple, classical revival style	42-44 St Pauls Street	Lot 2, DP 303070	Local	I448
Randwick	Sandstone boundary wall to Daintrey Crescent, gardens and landscape associated with "Aeolia", Brigidine Convent and Chapel	57-63 St Pauls Street	Lot 1, DP 776899; Lot 1494, DP 752011	Local	I248
Randwick	Emanuel School	18-20 Stanley Street	Lots 1 and 2, DP 709332	State	I449

Randwick	Part of terrace and cottage group	10 Stephen Street	Lot 1, DP 511401	Local	I533
Randwick	Part of terrace and cottage group	12 Stephen Street	Lot 2, DP 511401	Local	I534
Randwick	Part of terrace and cottage group	14 Stephen Street	Lot 12, Section 2, DP 3716	Local	I535
Randwick	Spanish Mission style residential flat pair	1 and 1A Sully Street	Lots 200 and 201, DP 1104698	Local	I451
Randwick	"Tayar", Italianate house	1-3 The Avenue	Lot 11, DP 883045	Local	I452
Randwick	Randwick Fire Station	6 The Avenue	Lot 14, Section 10, DP 758867	Local	I453
Randwick	"Avonmore Terrace"	26-42 The Avenue	Lot 1, DP 966761; Lots A-C, DP 950369; Lots 1-5, DP 14466	State	I454
Randwick	2 storey semi-detached pair	8-10 Victoria Street	Lot A, DP 442243; Lot 2, DP 505908	Local	I455
Randwick	"Keletera", symmetrical cottage	5 Wentworth Street	Lot 12, Section 28, DP 975242	Local	I456
Randwick	Newmarket House	7 Young Street	Lot 38, DP 1264010	Local	I466
Randwick	Weatherboard cottage	22 Young Street	Lot 2, DP 545098	Local	I457
Randwick	Big Stable Newmarket	29-39 Young Street	Lot B, DP 330407	State	I458
South Coogee	Cairo Street stairs and associated sandstone retaining walls	1-21LH Cairo Street	Road reserve	Local	I459
South Coogee	"Santa Fe"	28 Coldstream Street	Lot 2366, DP 752015	Local	I460
South Coogee	Garnet Street sandstone retaining wall, embankment and street trees	7-13LH Denning Street; 347H Rainbow Street; 2LH and 6LH Garnet Street	Garnet Street sandstone retaining wall, embankment and street trees	Local	L461
South Coogee	Randwick Cemetery	42-138 Malabar Road	Lot 54 and 55, DP 752015	Local	I462
South Coogee	Timber cottage	85 Malabar Road	Lot 1, DP 943175	Local	I463
South Coogee	"Quarry Reserve"	95 Moverley Road	Lot 1, DP 553251	Local	I464

South Coogee “Quarry Reserve” 955 Moverley Road Part of Lot 5190, DP 75015 Local 1465

Part 2 Heritage conservation areas

Name of area	Identification on Heritage Map	Significance
North Randwick	Shown by red hatching and labelled “C1”	Local and State (in part)
Old Tote and Figtree Theatre	Shown by red hatching and labelled “C2”	Local
Sacred Heart	Shown by red hatching and labelled “C3”	Local
West Kensington	Shown by red hatching and labelled “C4”	Local
Kamay Botany Bay National Park (Botany Bay National Park, La Perouse Headland, Yarra Bay and Frenchmans Bay)	Shown by red hatching and labelled “C5”	State and Local (in part)
Prince Henry Hospital Site	Shown by red hatching and labelled “C6”	Local
Malabar Headland	Shown by red hatching and labelled “C7”	State
Bunnerong Power Station	Shown by red hatching and labelled “C8”	Local
Dudley Street	Shown by red hatching and labelled “C9”	Local
Gordon Square	Shown by red hatching and labelled “C10”	Local
Moira Crescent	Shown by red hatching and labelled “C11”	Local
High Cross	Shown by red hatching and labelled “C12”	Local
Racecourse	Shown by red hatching and labelled “C13”	Local
Randwick Environment Park	Shown by red hatching and labelled “C14”	Local
Randwick Junction	Shown by red hatching and labelled “C15”	Local
The Spot	Shown by red hatching and labelled “C16”	Local

St Jude's	Shown by red hatching and labelled "C17"	Local
St Mark's	Shown by red hatching and labelled "C18"	Local
Struggletown	Shown by red hatching and labelled "C19"	Local
Caerleon Crescent	Shown by red hatching and labelled "C20"	Local
Edgecumbe Estate	Shown by red hatching and labelled "C21"	Local

Part 3 Archaeological sites

Suburb	Item name	Address	Property description	Significance	Item no
Coogee	Bishops court	21-29 Moira Crescent	SP 3850; Lot 39, DP 13587; SP 82854; Lot B, DP 319928	Local	A1
Coogee	Original roadway and turning circle	Moira Crescent and Western end of Marcel Avenue, Coogee	Roadway itself being the original entrance driveway and turning circle to Bishops court	Local	A2
Little Bay	Former Prince Henry Hospital site—rock cut steps	Part of 4R Coast Hospital Road	Lot 97, DP 270427	State	A3
Little Bay	Former Prince Henry Hospital site—retaining wall	Part of 5R Coast Hospital Road	Part of Lot 98, DP 270427	State	A4
Little Bay	Former Prince Henry Hospital site—canalised water course	5R Coast Hospital Road	Part of Lot 98, DP 270427	State	A5
Little Bay	Former Prince Henry Hospital site—sandstone shelf and cutting	9-33 Brodi Avenue	Part of Lot 51, DP 270427	State	A6
Little Bay	Former Prince Henry Hospital site—canalised water course	Part of 5R Coast Hospital Road	Part of Lot 98, DP 270427	State	A7

Little Bay	Former Prince Henry Hospital site—resident Medical Officer’s (RMO) residence	2 Coast Hospital Road	Part of Lot 73, DP 270247	State	A8
Little Bay	Former Prince Henry Hospital site—North Rock Anchor site	Part of 5R and part of 6R Coast Hospital Road	Part of Lot 98, DP 270247; Crown Land	State	A9
Little Bay	Former Prince Henry Hospital site—footings and kerbing	Part of 5R and part of 1 Coast Hospital Road	Part of Lot 98 and part of Lot 79, DP 270427	State	A10
Little Bay	Former Prince Henry Hospital site—rock cutting (south drain)	Part of 5R and part of 6R Coast Hospital Road	Part of Lot 98, DP 270247; Crown Land		A11
Little Bay	Former Prince Henry Hospital site—remnant garden beds	Part of 5R Coast Hospital Road	Part of Lot 98, DP 270247	State	A12
Little Bay	Former Prince Henry Hospital site—Cemetery Road	Part of 1528 and part of 1530B Anzac Parade	Part of Lots 4 and 5, DP 1110408; Part of Lot 1, DP 706184	State	A13
Little Bay	Former Prince Henry Hospital site—sandstone platform	Part of 5R Coast Hospital Road	Lot 98, DP 270247	State	A14
Little Bay	Former Prince Henry Hospital site—moveable item M1: cut sandstone blocks	Part of 1-33R Harvey Street	Part of Lot 66, DP 270247	State	A15
Little Bay	Former Prince Henry Hospital site—moveable item M2: sandstone blocks	Part of 5R Brodie Avenue	Part of Lot 47, DP 270427	State	A16
Little Bay	Former Prince Henry Hospital site—moveable item M3: original hospital gates	Part of 10-16 Jenner Street	SP 79613	State	A17

Little Bay	Former Prince Henry Hospital site—moveable item M4: concrete plinths	Part of 5R Coast Hospital Road	Part of Lot 98, DP 270427	State	A18
Little Bay	Former Prince Henry Hospital site—moveable item M5: dressed sandstone blocks	Part of 1406R Anzac Parade	Part of Lot 10, DP 1127719	State	A19
Randwick	Remnant structure	16 Carey Street	Lot 19, DP 1208	Local	A20

Part 4 Aboriginal heritage

Suburb	Item name	Address	Property description	Significance	Item no
Little Bay	Aboriginal objects and Aboriginal place of heritage significance within the Former Prince Henry Hospital site	1430 Anzac Parade	Multiple lots and DPs	State	AH1

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 [Randwick Local Environmental Plan 2012 Acid Sulfate Soils Map](#).

Active Street Frontages Map means the [Randwick Local Environmental Plan 2012 Active Street Frontages Map](#).

Additional Permitted Uses Map means the [Randwick Local Environmental Plan 2012 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—

- (aaa) agritourism,
- (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](#).

agritourism means the following—

- (a) farm gate premises,
- (b) farm experience premises.

Note—

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

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.

Alternative Building Heights Map means the [Randwick Local Environmental Plan 2012 Alternative Building Heights Map](#).

Alternative Floor Space Ratio Map means the [Randwick Local Environmental Plan 2012 Alternative Floor Space Ratio Map](#).

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) 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,
- (c) facilities for holding tastings, tours or workshops.

Note—

See clause 5.4 for controls in certain 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 funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, 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, with access to communal amenities, used for the short term placement of campervans, tents, annexes or other similar portable and lightweight temporary shelters for accommodation and includes a primitive camping ground but does not include—

- (a) a caravan park, or
- (b) farm stay accommodation.

canal estate development—see clause 2.9.

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 an area of land, with access to communal amenities, used for the installation or placement of caravans, or caravans and other moveable dwellings, but does not include farm stay accommodation.

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 **farm gate 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.

Note—

Centre-based child care facilities are a type of **early education and care facility**—see the definition of that term in this Dictionary.

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 (Biodiversity and Conservation) 2021*, Chapter 2.

coastal hazard has the same meaning as in the *Coastal Management Act 2016*.

coastal lake means a body of water identified in *State Environmental Planning Policy (Resilience and Hazards) 2021*, Schedule 1.

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 farm means a farm on which agriculture is undertaken that is—

- (a) on land categorised as farmland under the *Local Government Act 1993*, section 515, or
- (b) a primary production business within the meaning of the *Income Tax Assessment Act 1997* of the Commonwealth, or part of a primary production business, including a business that—
 - (i) was a primary production business, and
 - (ii) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

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 Randwick City Council.

creative industry means a building or place the principal purpose of which is to produce or demonstrate arts, crafts, design or other creative products, and includes artists' studios, recording studios, and set design and production facilities.

Note—

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

crematorium means a building or place in which deceased persons or pets are cremated or processed by alkaline hydrolysis, whether or not the building or place 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.

data centre means a building or place the principal purpose of which is to collect, distribute, process

or store electronic data using information technology.

Note—

Data centres are a type of **high technology industry**—see the definition of that term in this Dictionary.

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

dwelling house means a building containing only one dwelling.

Note—

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

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

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that—

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

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

Note—

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

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

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

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

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

- (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 experience premises means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide visitors to the farm, on a commercial basis, with small-scale and low-impact tourist or recreational activities, including the following, but not including motor sports—
 - (i) horse riding,
 - (ii) farm tours,
 - (iii) functions or conferences,
 - (iv) farm field days.

Note—

Farm experience premises are a type of **agritourism**—see the definition of that term in this Dictionary.

farm gate premises—

- (a) means a building or place—
 - (i) on a commercial farm, and
 - (ii) ancillary to the farm, and
 - (iii) used to provide visitors to the farm, on a commercial basis, with agricultural products predominantly from the farm, supplemented by products from other farms in the region, or with services or activities related to the products, including the following—
 - (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) 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,

(C) tastings or workshops,

(D) the provision of information or education related to the products, and

(b) includes cellar door premises.

Note—

Farm gate premises are a type of **agritourism**—see the definition of that term in this Dictionary.

farm stay accommodation means a building or place—

(a) on a commercial farm, and

(b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Note—

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 [Randwick Local Environmental Plan 2012 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 area means the land identified as “Foreshore area” on the [Foreshore Building Line Map](#).

Foreshore Building Line Map means the [Randwick Local Environmental Plan 2012 Foreshore Building Line Map](#).

Foreshore Scenic Protection Area Map means the [Randwick Local Environmental Plan 2012 Foreshore Scenic Protection Area 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.

goods repair and reuse premises means a building or place the principal purpose of which is to collect, repair or refurbish goods, including furniture and appliances, for the purposes of sale, hire or swap, and includes premises known as op shops.

Note—

Goods repair and reuse premises are a type of **business premises**—see the definition of that term in this Dictionary.

green infrastructure means the network of green spaces, natural systems and semi-natural systems

that support sustainable communities and includes waterways, bushland, tree canopy and green ground cover, parks and open spaces.

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 [Randwick Local Environmental Plan 2012 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 [Randwick Local Environmental Plan 2012 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,

and includes a data centre, 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 1—

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)*.

Note 2—

Home-based child care is a type of **early education and care facility**—see the definition of that term in this Dictionary.

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.

Kensington and Kingsford town centres means the land identified as “Area 1” on the [Special Provisions Area Map](#).

Key Sites Map means the [Randwick Local Environmental Plan 2012 Key Sites Map](#).

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

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 [Randwick Local Environmental Plan 2012 Land Application Map](#).

Land Reservation Acquisition Map means the [Randwick Local Environmental Plan 2012 Land Reservation Acquisition Map](#).

Land Zoning Map means the [Randwick Local Environmental Plan 2012 Land Zoning Map](#).

landholding means an area of land—

- (a) constituted or worked as a single property, and
- (b) if comprising more than 1 lot—the lots are—
 - (i) contiguous, or

(ii) separated only by a road or watercourse.

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,
- (d) creative 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, knackerries, 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.

Lot Size Map means the [Randwick Local Environmental Plan 2012 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.

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

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, 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.

Non-Residential Floor Space Ratio Map means the [Randwick Local Environmental Plan 2012 Non-Residential Floor Space Ratio Map](#).

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.

primitive camping ground means a camping ground approved under the [Local Government Act 1993](#), Chapter 7, Part 1 as a primitive camping ground.

Note—

Primitive camping ground is a type of **camping ground**—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) (Repealed)
- (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, but does not include the preparation and serving of food and drink to people that occurs as part of—

- (a) an artisan food and drink industry, or
- (b) farm gate premises.

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), (b) (Repealed)
- (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 farm gate premises, 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 1—

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.

Note 2—

School-based child care is a type of **early education and care facility**—see the definition of that term in this Dictionary.

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 the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

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.

Special Provisions Area Map means the [Randwick Local Environmental Plan 2012 Special Provisions Area Map](#).

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, local distribution premises 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.

Terrestrial Biodiversity Map means the [Randwick Local Environmental Plan 2012 Terrestrial Biodiversity Map](#).

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.

urban heat island effect means the effect resulting from conditions that contribute to higher temperatures in urban areas, including—

- (a) use of roads, car parks, pavements, roofs, walls and other hard and dark surfaces, and
- (b) activities that generate heat, including waste air from mechanical cooling systems, and
- (c) reduction in green infrastructure.

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, but does not include 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.