



New South Wales

North Sydney Local Environmental Plan 2013

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, pursuant to section 33A of the *Environmental Planning and Assessment Act 1979*, adopt the mandatory provisions of the *Standard Instrument (Local Environmental Plans) Order 2006* and prescribe matters required or permitted by that Order so as to make a local environmental plan as follows.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

2013 No 411

North Sydney Local Environmental Plan 2013

Contents

	Page
Part 1 Preliminary	
1.1 Name of Plan	5
1.1AA Commencement	5
1.2 Aims of Plan	5
1.3 Land to which Plan applies	6
1.4 Definitions	6
1.5 Notes	6
1.6 Consent authority	6
1.7 Maps	7
1.8 Repeal of planning instruments applying to land	7
1.8A Savings provision relating to development applications	7
1.9 Application of SEPPs	8
1.9A Suspension of covenants, agreements and instruments	8
Part 2 Permitted or prohibited development	
2.1 Land use zones	10
2.2 Zoning of land to which Plan applies	10
2.3 Zone objectives and Land Use Table	10
2.4 Unzoned land	11
2.5 Additional permitted uses for particular land	11
2.6 Subdivision—consent requirements	12
2.7 Demolition requires development consent	12
2.8 Temporary use of land	12
Land Use Table	
Part 3 Exempt and complying development	
3.1 Exempt development	23
3.2 Complying development	24
3.3 Environmentally sensitive areas excluded	25
Part 4 Principal development standards	
4.1 Minimum subdivision lot size	27
4.2 Rural subdivision	27
4.3 Height of buildings	27
4.4 Floor space ratio	28
4.4A Non-residential floor space ratio ranges	29
4.5 Calculation of floor space ratio and site area	30

	Page
4.6 Exceptions to development standards	32
Part 5 Miscellaneous provisions	
5.1 Relevant acquisition authority	35
5.1A Development on land intended to be acquired for public purposes	36
5.2 Classification and reclassification of public land	36
5.3 Development near zone boundaries	37
5.4 Controls relating to miscellaneous permissible uses	38
5.5 Development within the coastal zone	39
5.6 Architectural roof features	39
5.7 Development below mean high water mark	40
5.8 Conversion of fire alarms	40
5.9 Preservation of trees or vegetation	41
5.9AA Trees or vegetation not prescribed by development control plan	43
5.10 Heritage conservation	43
5.11 Bush fire hazard reduction	47
5.12 Infrastructure development and use of existing buildings of the Crown	47
5.13 Eco-tourist facilities	47
Part 6 Additional local provisions	
Division 1 North Sydney Centre	
6.1 Objectives of Division	48
6.2 Land to which this Division applies	49
6.3 Building heights and massing	49
6.4 Miller Street setback	50
6.5 Railway infrastructure—transitional arrangements	50
Division 2 General provisions	
6.6 Dual occupancies	52
6.7 Development in Zone RE1 or Zone RE2	52
6.8 Development on land in Zone IN4	53
6.9 Limited development on foreshore area	54
6.10 Earthworks	55
6.11 Converting serviced apartments to residential flat buildings	56
6.12 Residential flat buildings	57
6.13 Vehicular access	57
6.14 Office premises in Zone B1 Neighbourhood Centre	57
6.15 Airspace operations	57
6.16 Development at 14–16 Military Road, Neutral Bay	58

2013 No 411

North Sydney Local Environmental Plan 2013

Contents

	Page
6.17 Development at 200 Miller Street, North Sydney	58
6.18 Development at Rowlison Parade, Cammeray	59
6.19 Luna Park site	59
Schedule 1 Additional permitted uses	60
Schedule 2 Exempt development	69
Schedule 3 Complying development	76
Schedule 4 Classification and reclassification of public land	77
Schedule 5 Environmental heritage	79
Dictionary	151

North Sydney Local Environmental Plan 2013

under the

Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1.1 Name of Plan

This Plan is *North Sydney Local Environmental Plan 2013*.

1.1AA Commencement

This Plan commences 42 days after the day on which it is published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in North Sydney in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment,
 - (b) in relation to the character of North Sydney's neighbourhoods:
 - (i) to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and
 - (ii) to maintain a diversity of activities while protecting residential accommodation and local amenity, and
 - (iii) to ensure that new development on foreshore land does not adversely affect the visual qualities of that foreshore land when viewed from Sydney Harbour and its tributaries,
 - (c) in relation to residential development:
 - (i) to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing, and

2013 No 411

Clause 1.3 North Sydney Local Environmental Plan 2013

Part 1 Preliminary

- (ii) to maintain and provide for an increase in dwelling stock, where appropriate,
- (d) in relation to non-residential development:
 - (i) to maintain a diversity of employment, services, cultural and recreational activities, and
 - (ii) to ensure that non-residential development does not adversely affect the amenity of residential properties and public places, in terms of visual and acoustic privacy, solar access and view sharing, and
 - (iii) to maintain waterfront activities and ensure that those activities do not adversely affect local amenity and environmental quality,
- (e) in relation to environmental quality:
 - (i) to maintain and protect natural landscapes, topographic features and existing ground levels, and
 - (ii) to minimise stormwater run-off and its adverse effects and improve the quality of local waterways,
- (f) to identify and protect the natural, archaeological and built heritage of North Sydney and ensure that development does not adversely affect its significance,
- (g) to provide for the growth of a permanent resident population and encourage the provision of a full range of housing, including affordable housing.

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 Minister 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 Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

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

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:
North Sydney Local Environmental Plan 1989
North Sydney Local Environmental Plan 2001
- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

1.8A Savings provision relating to development applications

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

Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the

2013 No 411

Clause 1.9 North Sydney Local Environmental Plan 2013

Part 1 Preliminary

consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:
 - State Environmental Planning Policy No 1—Development Standards
 - State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6 and Parts 3 and 4)
 - State Environmental Planning Policy No 60—Exempt and Complying Development

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.

- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

2013 No 411

Clause 2.1 North Sydney Local Environmental Plan 2013

Part 2 Permitted or prohibited development

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Residential Zones

R2 Low Density Residential

R3 Medium Density Residential

R4 High Density Residential

Business Zones

B1 Neighbourhood Centre

B3 Commercial Core

B4 Mixed Use

Industrial Zones

IN2 Light Industrial

IN4 Working Waterfront

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

E2 Environmental Conservation

E4 Environmental Living

2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without development consent, and
 - (c) development that may be carried out only with development consent, and
 - (d) development that is prohibited.

-
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
 - (3) In the Land Use Table at the end of this Part:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.
 - (4) This clause is subject to the other provisions of this Plan.

Notes.

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

2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with development consent.
- (2) Before granting 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

2013 No 411

Clause 2.6 North Sydney Local Environmental Plan 2013

Part 2 Permitted or prohibited development

(b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.

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

2.6 Subdivision—consent requirements

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

Notes.

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

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

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

2.7 Demolition requires development consent

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

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

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

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

Land Use Table

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

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

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

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

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

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

2013 No 411

Clause 2.8 North Sydney Local Environmental Plan 2013

Part 2 Land Use Table

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 encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Dual occupancies (attached); Dwelling houses; Group homes; Health consulting rooms; Home-based child care; Information and education facilities; Medical centres; Places of public worship; Recreation areas; Respite day care centres; Roads; Semi-detached dwellings

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the development of sites for medium density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To provide for a suitable visual transition between high density residential areas and lower density residential areas.

-
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Group homes; Home-based child care; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing

4 Prohibited

Any development not specified in item 2 or 3

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a reasonably high level of residential amenity is achieved and maintained.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Entertainment facilities; Home-based child care; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing

2013 No 411

Clause 2.8 North Sydney Local Environmental Plan 2013

Part 2 Land Use Table

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To encourage active street life while maintaining high levels of residential amenity.
- To encourage development for the purpose of shop top housing.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Entertainment facilities; Health services facilities; Information and education facilities; Kiosks; Medical centres; Neighbourhood shops; Office premises; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Respite day care centres; Restaurants or cafes; Roads; Shops; Shop top housing; Signage; Take away food and drink premises

4 Prohibited

Any development not specified in item 2 or 3

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To prohibit further residential development in the core of the North Sydney Centre.
- To minimise the adverse effects of development on residents and occupiers of existing and new development.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Backpackers' accommodation; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Serviced apartments; Sex services premises; Signage; Vehicle repair stations; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Zone B4 Mixed Use**1 Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.
- To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses on the lower levels and residential uses above those levels.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Backpackers' accommodation; Boarding houses; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services

2013 No 411

Clause 2.8 North Sydney Local Environmental Plan 2013

Part 2 Land Use Table

premises; Shop top housing; Signage; Vehicle repair stations;
Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To encourage a mix of lower scale housing types.
- To permit development that is compatible with the scale and character of the surrounding residential area.

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Depots; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Health services facilities; Industrial training facilities; Information and education facilities; Light industries; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Signage; Warehouse or distribution centres

4 Prohibited

Any development not specified in item 2 or 3

Zone IN4 Working Waterfront

1 Objectives of zone

- To retain and encourage waterfront industrial and maritime activities.

-
- To identify sites for maritime purposes and for activities that require direct waterfront access.
 - To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.
 - To encourage employment opportunities.
 - To minimise any adverse effect of development on land uses in other zones.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Charter and tourism boating facilities; Jetties; Kiosks; Light industries; Marinas; Roads; Signage

4 Prohibited

Any development not specified in item 2 or 3

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

Environmental protection works

3 Permitted with consent

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

2013 No 411

Clause 2.8 North Sydney Local Environmental Plan 2013

Part 2 Land Use Table

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Environmental protection works

3 Permitted with consent

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 ensure sufficient public recreation areas are available for the benefit and use of residents of, and visitors to, North Sydney.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Building identification signs; Business identification signs; Community facilities; Environmental facilities; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (outdoor); Roads; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

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

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Building identification signs; Business identification signs; Community facilities; Environmental facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect and preserve bushland to provide representation of the natural state and to enable existing animal and plant communities to survive in the long term.
- To allow, where appropriate, for low-impact recreational opportunities, which will protect the value of bushland.

2 Permitted without consent

Environmental protection works

2013 No 411

Clause 2.8 North Sydney Local Environmental Plan 2013

Part 2 Land Use Table

3 Permitted with consent

Environmental facilities; Roads

4 Prohibited

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

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Child care centres; Dwelling houses; Health consulting rooms; Places of public worship; Recreation areas; Respite day care centres; Roads; Seniors housing

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

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

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
 - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
 - (5) To be exempt development, the development must:
 - (a) be installed in accordance with the manufacturer's specifications, if applicable, and

2013 No 411

Clause 3.2 North Sydney Local Environmental Plan 2013

Part 3 Exempt and complying development

- (b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

Note. A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.

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

3.2 Complying development

Note. Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
 - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
 - (c) the development is designated development, or
 - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
 - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or
 - (f) the development is on land identified as an environmentally sensitive area.
- (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 to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
 - (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,

2013 No 411

Clause 3.3 North Sydney Local Environmental Plan 2013

Part 3 Exempt and complying development

- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to ensure that subdivision and associated development promotes the desired future character of the neighbourhood through consistent lot size, shape, orientation and housing density,
 - (b) to maintain a mix of dwelling sizes and affordable accommodation,
 - (c) to prevent fragmentation of land, which would prevent the achievement of the extent of development and nature of uses envisioned for particular locations,
 - (d) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties,
 - (e) to ensure that lot sizes allow buildings to be sited to protect natural or cultural features, including heritage items, and retain special features, such as trees and views.
- (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 individual lots in a strata plan or community title scheme.
- (4A) For the purpose of calculating the size of a lot, the area of any access handle, access way or right of carriageway is excluded.

4.2 Rural subdivision

[Not applicable]

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
 - (b) to promote the retention and, if appropriate, sharing of existing views,

2013 No 411

Clause 4.4 North Sydney Local Environmental Plan 2013

Part 4 Principal development standards

- (c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,
 - (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
 - (e) to ensure compatibility between development, particularly at zone boundaries,
 - (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.
- (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 height of the street elevation of any building on land in Zone R2 Low Density Residential that is also within a heritage conservation area must not exceed 5.5 metres unless any adjoining buildings with the same street frontage are at least 2 storeys high.
- (2B) Despite subclauses (2) and (2A), the maximum height of a building on land in the following zones with a site area of less than 230 square metres (excluding the area of any access handle, access way or right of carriageway) must not exceed 5.5 metres:
- (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential.
- (2C) Despite subclause (2), development consent may be granted to development on land identified as “Land in St Leonards” on the Exceptions to Development Standards Map if the height of a building (excluding plant rooms and other similar structures) will exceed the maximum height shown for the land on the Height of Buildings Map by no more than 3 metres.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure the intensity of development is compatible with the desired future character and zone objectives for the land,
 - (b) to limit the bulk and scale of development.
- (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.

4.4A Non-residential floor space ratio ranges

- (1) The objectives of this clause are as follows:
- (a) to provide for development with continuous and active street frontages on certain land in Zone B1 Neighbourhood Centre, Zone B4 Mixed Use and Zone SP2 Infrastructure,
 - (b) to encourage an appropriate mix of residential and non-residential uses,
 - (c) to provide a level of flexibility in the mix of land uses to cater for market demands,
 - (d) to ensure that a suitable level of non-residential floor space is provided to reflect the hierarchy of commercial centres.
- (2) The non-residential floor space ratio for all buildings within a site on land identified on the Non-Residential Floor Space Ratio Range Map as specified in Column 1 of the Table to this subclause must not be less than the ratio shown for that land in Column 2 of that Table and must not exceed the ratio shown for that land in Column 3 of that Table.

Column 1	Column 2	Column 3
Area 2	0.75:1	2:1
Area 3	3:1	4:1
Area 4	1:1	2:1
Area 5	0.6:1	2:1
Area 6	0.5:1	2:1
Area 7	0.5:1	1:1
Area 8	3:1	4:1

- (3) The non-residential floor space ratio for all buildings within a site on land identified as follows on the Non-Residential Floor Space Ratio Range Map must not be less than the ratio shown for that land:
- (a) Area 1—3:1,
 - (b) Area 9—0.5:1,
 - (c) Area 10—1:1,
 - (d) Area 12—2:1,
 - (e) Area 13—1.5:1.
- (4) The non-residential floor space ratio for all buildings within a site on land identified as Area 11 on the Non-Residential Floor Space Ratio Range Map must not exceed 2:1.

2013 No 411

Clause 4.5 North Sydney Local Environmental Plan 2013

Part 4 Principal development standards

- (5) Development consent must not be granted to the erection of a building on land identified as Area 1–13 on the Non-Residential Floor Space Ratio Range Map unless the consent authority is satisfied that the building will have an active street frontage after its erection.
- (6) Despite subclause (5), an active street frontage is not required for any part of a building that is used for any of the following:
 - (a) entrances and lobbies (including as part of a mixed use development),
 - (b) access for fire services,
 - (c) vehicular access.
- (7) In this clause, a building has an *active street frontage* if no part of the ground floor of the building facing a street is used for residential accommodation.
- (8) 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 residential accommodation, a car park or a telecommunications facility, in all buildings within a site to the site area.

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

2013 No 411

Clause 4.6 North Sydney Local Environmental Plan 2013

Part 4 Principal development standards

purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) **Covenants to prevent “double dipping”**

When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) **Covenants affect consolidated sites**

If:

- (a) a covenant of the kind referred to in subclause (9) applies to any land (*affected land*), and
- (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

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

(11) **Definition**

In this clause, *public place* has the same meaning as it has in the *Local Government Act 1993*.

4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has

considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

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

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

2013 No 411

Clause 4.6 North Sydney Local Environmental Plan 2013

Part 4 Principal development standards

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (ca) clause 4.3 (2C),
 - (cb) clause 6.3 (2) (a) and (b).
- (8A) Subclause (8) (ca) ceases to apply on 11 March 2014.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

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

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

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>
Zone E2 Environmental Conservation and marked "Local open space"	Council
Zone E2 Environmental Conservation and marked "Regional open space"	The corporation constituted under section 8 of the Act

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

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

2013 No 411

Clause 5.1A North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

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

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

Column 1	Column 2
Land	Development
Zone RE1 Public Recreation and marked "Local open space"	Environmental facilities; Recreation areas
Zone RE1 Public Recreation and marked "Regional open space"	Environmental facilities; Recreation areas
Zone SP2 Infrastructure and marked "Classified road"	Alterations and additions to semi-detached dwellings
Zone E2 Environmental Conservation and marked "Local open space"	Environmental facilities
Zone E2 Environmental Conservation and marked "Regional open space"	Environmental facilities

5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.
Note. Under the *Local Government Act 1993*, "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.
- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

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

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

5.3 Development near zone boundaries

- (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 25 metres.
- (3) This clause does not apply to:
 - (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (a1) land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone B1 Neighbourhood Centre, Zone B3 Commercial Core, Zone B4 Mixed Use, Zone IN2 Light Industrial, Zone IN4 Working Waterfront, Zone RE2 Private Recreation or Zone E4 Environmental Living, or

2013 No 411

Clause 5.4 North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

- (b) land within the coastal zone, or
- (c) land proposed to be developed for the purpose of sex services or restricted premises.

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

- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (5) This clause does not prescribe a development standard that may be varied under this Plan.

5.4 Controls relating to miscellaneous permissible uses

(1) Bed and breakfast accommodation

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

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

(2) Home businesses

If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.

(3) Home industries

If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area.

(4) Industrial retail outlets

If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:

- (a) 40% 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.

Note. When this Plan was made it did not permit industrial retail outlets.

(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.

Note. When this Plan was made it did not permit farm stay accommodation.

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 40 square metres.

(7) **Neighbourhood shops**

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

(8) **Roadside stalls**

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

Note. When this Plan was made it did not permit roadside stalls.

(9) **Secondary dwellings**

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

- (a) 60 square metres,
(b) 30% of the total floor area of the principal dwelling.

5.5 Development within the coastal zone

[Not applicable]

5.6 Architectural roof features

- (1) The objectives of this clause are as follows:
- (a) to permit variations to maximum building height standards for roof features of visual interest,
- (b) to ensure that roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard,
- (c) to maintain solar access to new and existing buildings, public reserves and streets,
-

2013 No 411

Clause 5.7 North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

- (d) to promote the retention and, if appropriate, sharing of existing views.
- (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 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
- (a) development consent, or
 - (b) a permit granted by the Council.
- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.

2013 No 411

Clause 5.9 North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.
- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
- (a) that is or forms part of a heritage item or that is within a heritage conservation area, or
 - (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,
- unless the Council is satisfied that the proposed activity:
- (c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and
 - (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.
- Note.** As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.
- (8) This clause does not apply to or in respect of:
- (a) the clearing of native vegetation:
 - (i) that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003*, or
 - (ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
 - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
 - (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying and Spatial Information Act 2002*, or

- (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

Note. Permissibility may be a matter that is determined by or under any of these Acts.

- (9) Subclause (8) (a) (ii) does not apply in relation to land in Zone R5 Large Lot Residential, E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living.

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

5.9AA Trees or vegetation not prescribed by development control plan

- (1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.
- (2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.

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 North Sydney,
- (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,

2013 No 411

Clause 5.10 North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

- (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.

2013 No 411

Clause 5.10 North Sydney Local Environmental Plan 2013

Part 5 Miscellaneous provisions

(8) **Aboriginal places of heritage significance**

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) **Demolition of nominated State heritage items**

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) **Conservation incentives**

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

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

5.11 Bush fire hazard reduction

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

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

5.13 Eco-tourist facilities

[Not applicable]

2013 No 411

Clause 6.1 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

Part 6 Additional local provisions

Division 1 North Sydney Centre

6.1 Objectives of Division

The objectives of this Division are as follows:

- (a) to maintain the status of the North Sydney Centre as a major commercial centre,
- (b) to require arrangements for railway infrastructure to be in place before any additional non-residential gross floor area is permissible in relation to any proposed development in the North Sydney Centre,
- (c) to permit an additional 250,000 square metres of non-residential gross floor area in addition to the estimated existing (as at 28 February 2003) 700,000 square metres of non-residential gross floor area,
- (d) to ensure that transport infrastructure, and in particular North Sydney station, will enable and encourage a greater percentage of people to access the North Sydney Centre by public transport than by private transport and:
 - (i) be convenient and accessible, and
 - (ii) ensure that additional car parking is not required in the North Sydney Centre, and
 - (iii) have the capacity to service the demands generated by development in the North Sydney Centre,
- (e) to encourage the provision of high-grade commercial space with a floor plate, where appropriate, of at least 1,000 square metres,
- (f) to protect the privacy of residents, and the amenity of residential and open space areas, within and around the North Sydney Centre,
- (g) to prevent any net increase in overshadowing of any land in Zone RE1 Public Recreation (other than Mount Street Plaza) or any land identified as "Special Area" on the North Sydney Centre Map,
- (h) to prevent any increase in overshadowing that would adversely impact on any land within a residential zone,
- (i) to maintain areas of open space on private land and promote the preservation of existing setbacks and landscaped areas, and to protect the amenity of those areas.

6.2 Land to which this Division applies

- (1) This Division applies to the North Sydney Centre.
- (2) A provision in this Division prevails over any other provision of this Plan to the extent of any inconsistency.

6.3 Building heights and massing

- (1) The objectives of this clause are as follows:
 - (a) to achieve a transition of building heights generally from 100 Miller Street and 79–81 Berry Street to the boundaries of the North Sydney Centre,
 - (b) to promote a height and massing that has no adverse impact on land in Zone RE1 Public Recreation or land identified as “Special Area” on the North Sydney Centre Map or on the land known as the Don Bank Museum at 6 Napier Street, North Sydney,
 - (c) to minimise overshadowing of, and loss of solar access to, land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone RE1 Public Recreation or land identified as “Special Area” on the North Sydney Centre Map,
 - (d) to promote scale and massing that provides for pedestrian comfort in relation to protection from the weather, solar access, human scale and visual dominance,
 - (e) to encourage the consolidation of sites for the provision of high grade commercial space.
- (2) Development consent must not be granted for the erection of a building on land to which this Division applies if:
 - (a) the development would result in a net increase in overshadowing between 12 pm and 2 pm on land to which this Division applies that is within Zone RE1 Public Recreation or that is identified as “Special Area” on the North Sydney Centre Map, or
 - (b) the development would result in a net increase in overshadowing between 10 am and 2 pm of the Don Bank Museum, or
 - (c) the site area of the development is less than 1,000 square metres.
- (3) Development consent for development on land to which this Division applies may be granted for development that would exceed the maximum height of buildings shown for the land on the Height of Buildings Map if the consent authority is satisfied that any increase in overshadowing between 9 am and 3 pm is not likely to reduce the amenity of any dwelling located on land to which this Division does not apply.

2013 No 411

Clause 6.4 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

(4) **Mount Street Plaza**

Development consent may be granted to development on land at 105–153 Miller Street, North Sydney, known as the MLC Building, that would result in a net increase in overshadowing of the land known as Mount Street Plaza that is within Zone RE1 Public Recreation.

(5) In determining whether to grant development consent for development on land to which this Division applies, the consent authority must consider the following:

- (a) the likely impact of the proposed development on the scale, form and massing of the locality, the natural environment and neighbouring development and, in particular, the lower scale development adjoining North Sydney Centre,
- (b) whether the proposed development preserves significant view lines and vistas,
- (c) whether the proposed development enhances the streetscape in relation to scale, materials and external treatments.

6.4 Miller Street setback

- (1) The objective of this clause is to maintain the established setback and landscaped setting on the eastern side of Miller Street between McLaren Street and Mount Street.
- (2) Development consent must not be granted for the erection of a building on land identified as “Miller Street Setback” on the North Sydney Centre Map unless:
 - (a) the building height will be less than 1.5 metres, and
 - (b) the part of the building that will be on that land is used only for access to the building or landscaping purposes.

6.5 Railway infrastructure—transitional arrangements

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of railway infrastructure to satisfy needs that arise from development in North Sydney Centre.
- (2) Development consent must not be granted for development on land to which this Division applies if the total non-residential gross floor area of buildings on the land after the development is carried out would exceed the total non-residential gross floor area of buildings lawfully existing on the land immediately before the development is carried out, unless:
 - (a) the Director-General has certified, in writing to the consent authority, that satisfactory arrangements have been made for

-
- railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development, and
- (b) the consent authority is satisfied that the increase in non-residential gross floor area authorised under the development consent concerned when added to the increases (reduced by any decreases) in non-residential gross floor area authorised under all consents granted since 28 February 2003 in relation to land in the North Sydney Centre would not exceed 250,000 square metres.
- (3) In determining whether to certify arrangements in accordance with subclause (2) (a), the Director-General must consider the views of:
- (a) Transport for NSW, and
- (b) any other public authority the Director-General considers relevant.
- (4) The Council is to review this Division to determine whether the policy objectives of the Division remain valid and whether the terms of the Division remain appropriate for securing those objectives. The review is to be undertaken as soon as practicable after development consent has been granted that would result in the sum of increases (reduced by any decreases) in the non-residential gross floor area authorised under all consents granted in relation to land in the North Sydney Centre since 28 February 2003 exceeding 200,000 square metres.
- (5) For the purposes of this clause:
- (a) an increase in non-residential gross floor area is the amount by which the non-residential gross floor area authorised on land after a development consent is granted exceeds the non-residential gross floor area authorised on the land immediately before the development consent was granted, and
- (b) a decrease in non-residential gross floor area is the amount by which the non-residential gross floor area authorised on land after a development consent is granted is less than the non-residential gross floor area authorised on the land immediately before the development consent was granted, and
- (c) a development consent does not include a development consent that has lapsed or been surrendered.
- (6) In this clause, ***non-residential gross floor area*** means that part of the gross floor area of a building that is used for the purposes of business premises (excluding funeral homes), hotel or motel accommodation, office premises, retail premises (excluding pubs), serviced apartments or recreation facilities (indoor) (but only where those facilities are used for the purpose of gain).

2013 No 411

Clause 6.6 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

Division 2 General provisions

6.6 Dual occupancies

- (1) Development consent must not be granted for the erection of a dual occupancy unless:
 - (a) the form of the building will appear as a dwelling house, and
 - (b) the dwellings in the dual occupancy will be attached by at least 80% of the common wall or 80% of the common floor or ceiling, and
 - (c) the area of the lot on which the dual occupancy is to be situated is at least 450 square metres.
- (2) A dual occupancy must not be erected on land that is located within a heritage conservation area or on which a heritage item is located unless:
 - (a) there is no existing building erected on the land, or
 - (b) the dual occupancy:
 - (i) will be situated substantially within the fabric of an existing building, and
 - (ii) will conserve the appearance of the existing building, as visible from a public place, and
 - (iii) will conserve the majority of the significant fabric of the existing building.

6.7 Development in Zone RE1 or Zone RE2

- (1) This clause applies to land in the following zones:
 - (a) Zone RE1 Public Recreation,
 - (b) Zone RE2 Private Recreation.
- (2) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the following:
 - (a) the need for the proposed development on the land,
 - (b) whether the proposed development is likely to have a detrimental impact on the existing or likely future use of the land,
 - (c) whether the height and bulk of any proposed building or structure has regard to the existing vegetation and topography,
 - (d) whether the proposed development will adversely impact on bushland and remnant bushland,
 - (e) whether the proposed development will adversely impact on stormwater flow,

-
- (f) in the case of land in Zone RE1 Public Recreation, whether the proposed development will significantly diminish public access to, and use of, that public recreation area.
 - (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the proposed development is consistent with the objectives of the zone of any adjacent land, and
 - (b) the proposed development is not likely to result in any adverse impacts on development that is permissible on any adjacent land, and
 - (c) the proposed development is consistent with the most restrictive development standards applying to any adjacent land in the following zones in relation to the height of buildings, floor space ratios and setbacks:
 - (i) Zone R2 Low Density Residential,
 - (ii) Zone R3 Medium Density Residential,
 - (iii) Zone R4 High Density Residential,
 - (iv) Zone B1 Neighbourhood Centre,
 - (v) Zone B3 Commercial Core,
 - (vi) Zone B4 Mixed Use,
 - (vii) Zone IN2 Light Industrial,
 - (viii) Zone IN4 Working Waterfront,
 - (ix) Zone E4 Environmental Living.

6.8 Development on land in Zone IN4

- (1) The objectives of this clause are as follows:
 - (a) to ensure development on land in Zone IN4 Working Waterfront is in proportion with the site and its surroundings,
 - (b) to acknowledge the unique environmental quality of the foreshores of the harbour.
- (2) Development consent must not be granted for development on land in Zone IN4 Working Waterfront if the consent authority is satisfied that:
 - (a) the proposed development is inconsistent with:
 - (i) the size of the site and the part of the waterway where the development is to be situated, particularly in relation to the number, size and draft of any boats to be moored, or
 - (ii) the proximity, scale and height of surrounding development, or

2013 No 411

Clause 6.9 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

- (iii) the scenic, environmental and cultural qualities of the site and its surrounding area, or
- (b) the proposed development is likely to have a significantly adverse effect on:
 - (i) public views and views from surrounding properties, or
 - (ii) natural features on or adjoining the site, such as cliff lines, bushland and significant trees.
- (3) Development consent may be granted for an outdoor seating area associated with a kiosk on land to which this clause applies if the area used for that purpose does not exceed 40 square metres.
- (4) In this clause, *draft*, in relation to boats, means:
 - (a) the vertical distance between the boat's waterline and its lowest point in the water, or
 - (b) the minimum water depth within which the boat will float.

Note. The lowest point of the boat may be the hull or an attachment to the hull such as a keel, rudder or propeller.

6.9 Limited development on foreshore area

- (1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.
- (2) Development consent must not be granted for development on land in 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 subclause (2) unless the consent authority is satisfied that:
 - (a) the development will contribute to achieving the objectives for the zone in which the land is located, and
 - (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
 - (c) the development will not cause environmental harm such as:

- (i) pollution or siltation of the waterway, or
 - (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or
 - (iii) an adverse effect on drainage patterns, and
 - (d) the development will not cause congestion or generate conflict 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.
- (4) In this clause:
- foreshore area*** means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the Foreshore Building Line Map.
- foreshore building line*** means:
- (a) the line that is landward of, and at the distance specified on the Foreshore Building Line Map from, the mean high water mark of the nearest natural waterbody shown on that map, or
 - (b) if no distance is specified, the line shown as the foreshore building line on that map.

6.10 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.

2013 No 411

Clause 6.11 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

- (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:
 - (i) drainage patterns and soil stability in the locality of the development, and
 - (ii) natural features of, and vegetation on, the site and adjoining land,
 - (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 Aboriginal objects or 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.

6.11 Converting serviced apartments to residential flat buildings

- (1) The objective of this clause is to prevent substandard residential accommodation occurring through the conversion of serviced apartments to residential flat buildings.
- (2) Development consent must not be granted for the subdivision, under a strata scheme, of a building or part of a building that is being, or has been, used for serviced apartments into a residential flat building unless the consent authority has considered the following in relation to the residential flat building:
 - (a) the design quality principles set out in Part 2 of *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development*,
 - (b) the design principles of the *Residential Flat Design Code* (published by the Department of Planning, Infrastructure and Natural Resources, September 2002).

6.12 Residential flat buildings

- (1) The objective of this clause is to ensure that dwelling houses or dual occupancies will not be left isolated on sites that are not reasonably capable of development for residential flat buildings.
- (2) This clause applies to land in Zone R4 High Density Residential.
- (3) Development consent must not be granted for development for the purposes of a residential flat building if the development will result in a single dwelling house or dual occupancy being located on adjoining land in Zone R4 High Density Residential unless:
 - (a) the adjoining land is at least 900 square metres, or
 - (b) the consent authority is satisfied that the adjoining land is land on which development may be carried out for the purposes of a residential flat building.

6.13 Vehicular access

Despite any other provision of this Plan, development for the purposes of a driveway and vehicular crossing within a road reserve associated with a permissible use in an adjoining zone may be carried out with development consent.

6.14 Office premises in Zone B1 Neighbourhood Centre

- (1) The objective of this clause is to permit additional compatible uses within Zone B1 Neighbourhood Centre but only if that use does not impact on the activation of street frontages.
- (2) Development consent must not be granted for development for the purposes of office premises on land in Zone B1 Neighbourhood Centre unless the consent authority is satisfied that the office premises will be located above ground floor level or away from the primary street frontage at ground level of the building in which the office premises are located.

6.15 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

2013 No 411

Clause 6.16 North Sydney Local Environmental Plan 2013

Part 6 Additional local provisions

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.

Obstacle Limitation Surface Map means the Obstacle Limitation Surface Map for the Sydney (Kingsford Smith) Airport prepared by the relevant Commonwealth body.

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.

6.16 Development at 14–16 Military Road, Neutral Bay

- (1) This clause applies to land at 14–16 Military Road, Neutral Bay, being Lot 1, DP 191827 and Lot F, DP 441071.
- (2) Despite any other provision of this Plan, development for the purposes of a driveway, car parking, landscaping and an acoustic wall used in relation to a service station is permitted with development consent.

6.17 Development at 200 Miller Street, North Sydney

- (1) This clause applies to land at 200 Miller Street, North Sydney, being Lot 3, DP 1101874.
- (2) Despite any other provision of this Plan, development for the purposes of a driveway used in relation to a car park, place of public worship and ancillary residential accommodation at 34 McLaren Street, North Sydney, is permitted with development consent.

6.18 Development at Rowlison Parade, Cammeray

- (1) This clause applies to land at Rowlison Parade, Cammeray, known as Tunks Park, being Lots 4A and 5A, DP 431013.
- (2) Despite any other provision of this Plan, development for the purposes of a driveway used in relation to a dual occupancy (attached) erected on land at 6 Rowlison Parade, Cammeray, is permitted with development consent.

6.19 Luna Park site

Development that is a land use authorised under the *Luna Park Site Act 1990* may be carried out with development consent on land comprising the Luna Park site, as described in Schedule 1 to that Act.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 1 Additional permitted uses

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 2 Anzac Avenue, Cammeray

- (1) This clause applies to land at 2 Anzac Avenue, Cammeray, being Lot 2, DP 1080152.
- (2) Development for the following purposes is permitted with development consent:
 - (a) a registered club,
 - (b) a recreation facility (indoor),
 - (c) a recreation facility (outdoor).

2 Use of certain land at Cammeray Road, Cammeray

- (1) This clause applies to land at Green Park, Cammeray Road, Cammeray, being Lot 7138, DP 93723.
- (2) Development for the purposes of a child care centre is permitted with development consent.

3 Use of certain land at 429–431 Miller Street, Cammeray

- (1) This clause applies to land at 429–431 Miller Street, Cammeray, being Lot 3, DP 10462 and Lot 1, DP 1047285.
- (2) Development for the purposes of a pub is permitted with development consent.

4 Use of certain land at Park Avenue, Cammeray

- (1) This clause applies to land at Cammeray Park, Park Avenue, Cammeray, being Lot 1103, DP 752067.
- (2) Development for the purposes of a registered club is permitted with development consent.

5 Use of certain land at 250 West Street, Cammeray

- (1) This clause applies to land at St Thomas Rest Park, 250 West Street, Cammeray, being Lot 100, DP 790953.
- (2) Development for the purposes of a dwelling house is permitted with development consent.

6 Use of certain land at 34–48 Alexander Street, Crows Nest

- (1) This clause applies to land at 34–48 Alexander Street, Crows Nest, being Lots 10–12, Section 4, DP 1265, Lot 1, DP 185720 and Lot 1, DP 1081820.
- (2) Development for the purposes of a car park is permitted with development consent.

7 Use of certain land at 84–90 Atchison Street, Crows Nest

- (1) This clause applies to land at 84–90 Atchison Street, Crows Nest, being Lots 8–11, Section 6, DP 2872.
- (2) Development for the purposes of retail premises is permitted with development consent.

8 Use of certain land at 111–115 Chandos Street, Crows Nest

- (1) This clause applies to land at 111–115 Chandos Street, Crows Nest, being Lots 28 and 29, Section 6, DP 2872.
- (2) Development for the purposes of office premises is permitted with development consent.

9 Use of certain land at 2 Ernest Place, Crows Nest

- (1) This clause applies to land at 2 Ernest Place, Crows Nest, being Lot 1, DP 785343.
- (2) Development for the following purposes is permitted with development consent:
 - (a) business premises,
 - (b) child care centres,
 - (c) entertainment facilities,
 - (d) health consulting rooms,
 - (e) retail premises.

10 Use of certain land at 6–10 Falcon Street, Crows Nest

- (1) This clause applies to land at 6–10 Falcon Street, Crows Nest, being Lot 1, DP 314750, Lot 1, DP 104029, Lot 1, DP 104030, Lots 1–3, DP 455869 and Lot 13, Section 4, DP 1265.
- (2) Development for the purposes of a car park is permitted with development consent.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 1 Additional permitted uses

11 Use of certain land at 44 Hume Street, Crows Nest

- (1) This clause applies to land at 44 Hume Street, Crows Nest, being Lot 1, DP 627992 and Lots 1147–1149 and 1151, DP 728437.
- (2) Development for the following purposes is permitted with development consent:
 - (a) business premises,
 - (b) child care centres,
 - (c) health consulting rooms,
 - (d) recreation facilities (indoor),
 - (e) retail premises.

12 Use of certain land at 1 Bradly Avenue, Kirribilli

- (1) This clause applies to land at 1 Bradly Avenue, Kirribilli, being Lot 1, DP 1091583.
- (2) Development for the purposes of business premises with a maximum floor area of 325m² is permitted with development consent.

13 Use of certain land at 37 Broughton Avenue, Kirribilli

- (1) This clause applies to land at 37 Broughton Avenue, Kirribilli, being Lot 1, DP 336189.
- (2) Development for the purposes of a pub is permitted with development consent.

14 Use of certain land at 2–28 Ennis Road, Kirribilli

- (1) This clause applies to land at Bays 24–44, 2–28 Ennis Road, Kirribilli, being cubic spaces under the Warringah Expressway.
- (2) Development for the purposes of any permissible use in Zone B1 Neighbourhood Centre is permitted with development consent.

15 Use of certain land at 40 McDougall Street, Kirribilli

- (1) This clause applies to land at 40 McDougall Street, Kirribilli, being Lot 3, DP 740787.
- (2) Development for the purposes of a car park is permitted with development consent.

16 Use of certain land at 76 McDougall Street, Kirribilli

- (1) This clause applies to land at 76 McDougall Street, Kirribilli, being Lot 2, DP 1046761.

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

17 Use of certain land at 78 McDougall Street, Kirribilli

- (1) This clause applies to land at 78 McDougall Street, Kirribilli, being Lot 2, DP 326759.
- (2) Development for the following purposes is permitted with development consent:
 - (a) a restaurant or cafe,
 - (b) an entertainment facility.

18 Use of certain land at 162 Blues Point Road, McMahons Point

- (1) This clause applies to land at 162 Blues Point Road, McMahons Point, being Lot 2, DP 557873.
- (2) Development for the purposes of business premises is permitted with development consent.

19 Use of certain land at 206 Blues Point Road, McMahons Point

- (1) This clause applies to land at 206 Blues Point Road, McMahons Point, being Lot 1, DP 565890.
- (2) Development for the purposes of a pub is permitted with development consent.

20 Use of certain land at 35–51 Mitchell Street, McMahons Point

- (1) This clause applies to land at 35–51 Mitchell Street, McMahons Point, being Lot 1, DP 557873 and Lots 4–7, DP 16870.
- (2) Development for the purposes of business premises is permitted with development consent.

21 Use of certain land at 2 Thomas Street, McMahons Point

- (1) This clause applies to land at 2 Thomas Street, McMahons Point, being Lot 1, SP 55380.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

22 Use of certain land at 4 Alfred Street South, Milsons Point

- (1) This clause applies to land at North Sydney Pool, 4 Alfred Street South, Milsons Point, being Lot 100, DP 875048, Lot 101, DP 880236, Lot 102, DP 854064, Lot 6, DP 127637 and Lot 103, DP 1007291.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 1 Additional permitted uses

- (2) Development for the following purposes is permitted with development consent:
 - (a) a recreation facility (indoor),
 - (b) a restaurant or cafe.

23 Use of certain land at 41 Alfred Street South, Milsons Point

- (1) This clause applies to land at Bradfield Park, 41 Alfred Street South, Milsons Point, being Lot 1, DP 873687.
- (2) Development for the following purposes is permitted with development consent:
 - (a) markets,
 - (b) a restaurant or cafe.

24 Use of certain land at Montpelier Street, Neutral Bay

- (1) This clause applies to land at Forsyth Park, Montpelier Street, Neutral Bay, being Lot 1, DP 182655.
- (2) Development for the purposes of a child care centre is permitted with development consent.

25 Use of certain land at 263 Alfred Street, North Sydney

- (1) This clause applies to land at 263 Alfred Street, North Sydney, being Lots 1–13, SP 71563.
- (2) Development for the purposes of residential accommodation is permitted with development consent.

26 Use of certain land at 77–81 Berry Street, North Sydney

- (1) This clause applies to land at 77–81 Berry Street, North Sydney, being Lots 1–241, SP 74602.
- (2) Development for the purposes of shop top housing is permitted with development consent.

27 Use of certain land at 88 Berry Street, North Sydney

- (1) This clause applies to land at 88 Berry Street, North Sydney, being Lot 1, DP 1063620.
- (2) Development for the purposes of a registered club is permitted with development consent.

28 Use of certain land at Blue Street, North Sydney

- (1) This clause applies to land known as the Blue Street Car Park at the eastern end of Blue Street, North Sydney, located on top of the northern

railway approach to the Sydney Harbour Bridge and bounded by the North Shore Railway Line and the Pacific Highway.

- (2) Development for the purposes of a single level car park is permitted with development consent.

29 Use of certain land at 34 McLaren Street, North Sydney

- (1) This clause applies to land at 34 McLaren Street, North Sydney, being Lot 1, DP 1033999, Lots 1–4, DP 1042467 and Lots 1 and 2, DP 62370.
- (2) Development for the purpose of a car park is permitted with development consent.

30 Use of certain land at Miller Street, North Sydney

- (1) This clause applies to land at North Sydney Oval, Miller Street, North Sydney, being Lot 1108, DP 48839.
- (2) Development for the following purposes is permitted with development consent:
- (a) child care centres,
 - (b) depots,
 - (c) educational establishments,
 - (d) entertainment facilities,
 - (e) function centres,
 - (f) health consulting rooms,
 - (g) kiosks,
 - (h) public administration buildings,
 - (i) recreation facilities (major),
 - (j) signage.
- (3) Development for the following purposes is permitted with development consent if the development is located within the sports grandstands and will not exceed a combined gross floor area of 2,000m²:
- (a) business premises,
 - (b) office premises,
 - (c) shops.

31 Use of certain land at Miller Street, North Sydney

- (1) This clause applies to land at St Leonards Park, Miller Street, North Sydney, being part Crown land 316–3000.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 1 Additional permitted uses

- (2) Development for the purposes of an entertainment facility is permitted with development consent.

32 Use of certain land at 7–11 Mount Street, North Sydney

- (1) This clause applies to land at 7–11 Mount Street, North Sydney, being Lot 1, DP 225258.
- (2) Development for the purpose of residential accommodation is permitted with development consent if it is associated with a place of public worship.

33 Use of certain land at 32–76 Pacific Highway, North Sydney

- (1) This clause applies to the land at 32–76 Pacific Highway, North Sydney, being the Middlemiss Street Bays 1–10 (cubic spaces under North Sydney Railway Line).
- (2) Development for the purposes of any permissible use in Zone B1 Neighbourhood Centre, vehicle repair stations or vehicle sales or hire premises is permitted with development consent.

34 Use of certain land at 93–95 Pacific Highway, North Sydney

- (1) This clause applies to land at 93–95 Pacific Highway, North Sydney, being Lots 1–49, SP 73356.
- (2) Development for the purposes of shop top housing is permitted with development consent.

35 Use of certain land at 37 Ridge Street, North Sydney

- (1) This clause applies to land at 37 Ridge Street, North Sydney, being Lot 3, DP 1101874.
- (2) Development for the purposes of a recreation facility (outdoor) is permitted with development consent.

36 Use of certain land at 40 Ridge Street, North Sydney

- (1) This clause applies to land at 40 Ridge Street, North Sydney, being Lots 8 and 9, DP 758790.
- (2) Development for the purposes of a place of public worship is permitted with development consent.

37 Use of certain land at 50 Ridge Street, North Sydney

- (1) This clause applies to land at St Leonards Park, 50 Ridge Street, North Sydney, being Lots 1104–1107, DP 46990.

-
- (2) Development for the purposes of a registered club and recreational facilities (indoor) is permitted with development consent.

38 Use of certain land at Balls Head Drive, Waverton

- (1) This clause applies to land at Balls Head Drive, Waverton, known as the former Quarantine boat depot, being Lots 104 and 105, DP 1162898.
- (2) Development for the following purposes is permitted with development consent:
- (a) a community facility,
 - (b) an information and education facility.

39 Use of certain land at Balls Head Drive, Waverton

- (1) This clause applies to land at Balls Head Drive, Waverton, known as the ex-coal loader and Caltex sites, being Lot 99, DP 1048930.
- (2) Development for the purposes of an emergency services facility is permitted with development consent.

40 Use of certain land at Woolcott Street, Waverton

- (1) This clause applies to land at Waverton Park, Woolcott Street, Waverton, known as Waverton Bowling Club, being Lot 1, DP 115703.
- (2) Development for the purposes of a registered club is permitted with development consent.

41 Use of certain land at Milray Avenue, Wollstonecraft

- (1) This clause applies to land at Smoothery Park, Milray Avenue, Wollstonecraft, being Lot A, DP 6622.
- (2) Development for the purposes of a community facility is permitted with development consent.

42 Use of certain land at 7–17 Nicholson Street, Wollstonecraft

- (1) This clause applies to land at 7–17 Nicholson Street, Wollstonecraft, being Lots 28–30, Section 33, DP 4320, Lot 1, DP 1089027 and Lot 32, DP 961019.
- (2) Development for the purposes of a car park is permitted with development consent.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 1 Additional permitted uses

43 Use of certain land in Zone SP2

- (1) This clause applies to land in Zone SP2 Infrastructure that is identified as “Railway” and “Classified road” on the Land Zoning Map.
- (2) Development for the purposes of signage 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.

Display of goods on footpath

- (1) Must be associated with a lawfully established business carried out on land used for the purpose of:
 - (a) business premises, office premises or retail premises and located on land in Zone B1 Neighbourhood Centre, Zone B3 Commercial Core, Zone B4 Mixed Use or Zone IN4 Working Waterfront, or
 - (b) a neighbourhood shop on land in Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone IN2 Light Industrial.
- (2) Must be on the part of the footpath that is adjacent to that business.
- (3) Maximum area—5m².
- (4) Must be at least 1.8m from the kerb.
- (5) If located at an intersection of 2 roads, must not be located within 3m of the intersection measured from the property boundary.
- (6) Must not obstruct access to the associated premises or to adjacent premises.
- (7) Must not involve the broadcasting of any live or recorded entertainment including music, broadcast programs, flashing lights, or the like.
- (8) Maximum height of temporary display structures—1.5m above ground level (existing).
- (9) All materials and equipment must be temporary and removed from the footpath at close of business.
- (10) Must not involve construction work.
- (11) **Signage**
Must meet the following requirements:
 - (a) must display name and logo of business only,

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 2 Exempt development

- (b) if located on furniture or equipment—must cover no more than 33% of the height of that furniture or equipment,
- (c) must not be illuminated.

Lighting (external)

- (1) Must not be for the lighting of tennis courts.
- (2) Must comply with AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*.

Minor routine maintenance of buildings identified as heritage items or on land within heritage conservation areas

Note. See clause 5.10 (3) (a) for requirements relating to other minor works or maintenance relating to heritage items and heritage conservation areas.

Must comprise one or more of the following works:

- (a) replacing screws and bolts to secure fixtures,
- (b) rehinging doors or gates,
- (c) replacing plumbing or wiring that does not involve the replacement of fixed floor, wall or ceiling linings,
- (d) repairing (that does not include replacing), sanding, polishing or oiling timber floorboards,
- (e) removing or replacing floor coverings (that does not include removal of floorboards attached to joists or concrete slabs),
- (f) maintaining or upgrading kitchens or bathrooms (that does not include removal of walls, widening of openings, demolition of chimney breasts or fireplaces),
- (g) removing or replacing built in cupboards,
- (h) removing or replacing internal light fittings,
- (i) repainting internal surfaces of a building,
- (j) replacing broken glass panes within windows (that does not involve a change in the opacity or colour of the glass),
- (k) replacing broken roof tiles.

Outdoor dining areas

- (1) Must be used for and associated with:
 - (a) an adjacent food and drink premises being carried out with lawful consent on land in Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone B1 Neighbourhood Centre, Zone B3 Commercial Core, Zone B4 Mixed Use or Zone IN4 Working Waterfront, or

-
- (b) an adjacent neighbourhood shop being carried out with lawful consent on land in Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone IN2 Light Industrial.
- (2) If located on land in a business zone or Zone IN4 Working Waterfront—maximum area is 10m².
- (3) If located on land in a residential zone or Zone IN2 Light Industrial—maximum area is 5m².
- (4) Must be located at least 1.8m from a public road.
- (5) If located at an intersection of 2 roads, must not be located within 3m of the intersection measured from the property boundary.
- (6) Must not involve construction work.
- (7) Must not obstruct access to the associated premises or to adjacent premises.
- (8) Must be located on the part of the footpath that is adjacent to the associated premises.
- (9) Must not involve the broadcasting of any live or recorded entertainment including music, broadcast programs, flashing lights, or the like.
- (10) Maximum height of dividing screens or removable planter boxes—900mm if approved by Council.
- (11) All materials and equipment must be temporary and removed from the footpath at close of business, unless otherwise approved by Council.
- (12) **Signage**
Any signage must meet the following requirements:
- (a) must display name and logo of business only,
 - (b) must be located on an umbrella, canopy, dividing screen or menu pedestal board,
 - (c) must cover no more than 33% of the height of any such item,
 - (d) must not be illuminated.
- (13) **Umbrellas**
Any installed umbrellas must meet the following requirements:
- (a) if installed on land in a business zone or Zone IN4 Working Waterfront—maximum 3,
 - (b) if installed on land in a residential zone or Zone IN2 Light Industrial—maximum 1,
 - (c) maximum diameter—2m.
-

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 2 Exempt development

Signage (other than signs for home occupations (sex services), sex services premises or restricted premises)

(1) **General requirements**

All signs must comply with the following:

- (a) must relate to the premises on which the sign is situated, except for temporary signs,
- (b) must not cover mechanical ventilation inlet or outlet vents,
- (c) must not be animated, flashing or moving,
- (d) must not be illuminated, except for under awning signs,
- (e) must not be a variable message or video sign.

(2) Business and building identification signs must comply with the general requirements for signage and the following:

- (a) in relation to signs on building walls (flush wall signs):
 - (i) 2 signs per building or, if located on a residential building, 1 sign per building, and
 - (ii) maximum length—600mm, and
 - (iii) maximum height—300mm, and
 - (iv) must not project beyond 200mm from the wall, and
 - (v) must not be located above an awning or the ground floor level of the building, whichever is lower,
- (b) in relation to awning fascia signs:
 - (i) 1 sign per ground floor tenancy, and
 - (ii) must not project above or below the fascia or return end of the awning, and
 - (iii) must be located flush to the fascia or return end of the awning,
- (c) in relation to under awning signs:
 - (i) 1 sign per ground floor tenancy, and
 - (ii) maximum height—500mm, and
 - (iii) maximum length—2.5m, and
 - (iv) must be suspended at least 2.6m above ground level (existing), and
 - (v) must not project beyond the awning, and
 - (vi) must be erected at right angles to the face of the building, and
 - (vii) must be at least 600mm from the kerb of any public road, and

-
- (viii) must be structurally stable, and
 - (ix) must not be externally illuminated, and
 - (x) must not be internally illuminated unless located on land in Zone B1 Neighbourhood Centre, Zone B3 Commercial Core, Zone B4 Mixed Use or Zone IN4 Working Waterfront, and
 - (xi) if internally illuminated, must use high efficiency lighting such as T5 or the like,
- (d) in relation to top hamper signs:
 - (i) 1 sign per ground floor tenancy, and
 - (ii) must not extend below the doorway or window, and
 - (iii) if over a public footpath, must be at least 2.6m above the footpath, and
 - (iv) must not extend more than 200mm beyond the building,
 - (e) in relation to signs behind the glass line of a shop window:
 - (i) must not occupy more than 25% of the area of the window, and
 - (ii) must be located on the facade fronting the primary street address on the ground floor, and
 - (iii) 1 sign per ground floor tenancy.
- (3) Real estate signs must comply with the general requirements for signage and the following:
- (a) must not be more than 1 sign per real estate agency displayed at the premises for sale or lease,
 - (b) must not protrude beyond the property boundaries,
 - (c) must be removed within 14 days of the sale or lease of the property,
 - (d) maximum area:
 - (i) in relation to residential premises—2.5m², or
 - (ii) 4.5m²,
 - (e) must not have returns exceeding 200mm,
 - (f) must not impede pedestrian and vehicular access or movement,
 - (g) must not obstruct the sight line of pedestrian or vehicular traffic,
 - (h) must not be located on the roof of a building.
- (4) Temporary signs advertising local, cultural, religious, social or recreational events and associated relevant details including
-

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 2 Exempt development

sponsorship of the event must comply with the general requirements for signage and the following:

- (a) maximum area—5m²,
 - (b) must not be displayed earlier than 28 days before the event and must be removed within 14 days of the conclusion of the event,
 - (c) must not impede pedestrian and vehicular access or movement,
 - (d) must not obstruct the sight line of pedestrian or vehicular traffic,
 - (e) must be for a one-off or annual event,
 - (f) sponsor names or logos must be less prominent than event details.
- (5) Change of message on existing signs (other than roof-top or sky signs) must comply with the following:
- (a) must relate to an existing, approved sign that has been lawfully erected,
 - (b) must not contain the advertising of tobacco products, offensive words or graphics or discriminatory material,
 - (c) if advertising an alcohol product, must be located on the premises where that product is sold,
 - (d) must not change signage illumination,
 - (e) new message must comply with any content requirements of any existing development consent,
 - (f) must not change sign dimensions or orientation.

Stair lifts (platform type)

- (1) Must be associated with an attached dwelling, dual occupancy, dwelling house, multi dwelling housing, residential flat building or semi-detached dwelling.
- (2) Must not be visible from the foreshore.
- (3) Must be attached to existing stairs only.
- (4) Must be installed according to manufacturer's specification.
- (5) Minimum stair width for pedestrian access—900mm.

Tree removal or pruning

- (1) In this clause, *tree* includes a living perennial plant with a single, woody self-supporting stem or trunk, unbranched for some distance from the ground.

- (2) Applies to the removal, cutting down, lopping, topping or pruning of any of the following:
- (a) Cocos palms (*Syagrus romanzoffiana*),
 - (b) African olive trees (*Olea africana*),
 - (c) trees located on public land, but only if work is carried out by a person engaged by Council to do such work.

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 3 Complying development

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

Strata subdivision of dual occupancies

- (1) All buildings must have been approved by the Council.
- (2) Final occupation certificate must have been issued with respect to all development on the land.
- (3) Subdivision layout must not contravene the development consent for the completed development.

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 Division 3 of Part 3 of *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
Part of Tunks Park, Rowlison Parade, Cammeray	Lots 4A and 5A, DP 431013

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

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Cammeray—ANZAC Memorial Club, 2 Anzac Avenue	Lot 2, DP 1080152	Nil
Cammeray—drainage reserve adjacent to 30 Cowdroy Avenue	Lot 1, DP 1170407	Nil
Cremorne—drainage reserve adjacent to 30 and 32 Grasmere Road	Lot 21, DP 1165065	Nil
Cremorne—4–6 Langley Street	Lots 1–3, DP 1122786; Lot 2, DP 386185	Nil
Cremorne—106 Parraween Street	Lot 1, DP 980455; Lots A and B, DP 318784; Lot 1, DP 980451; Part Lot 12, Section 2, DP 4785; Lot 1, DP 572817	Nil
Cremorne—108 Parraween Street	Lot 4, DP 1122786	Nil

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 4 Classification and reclassification of public land

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Crows Nest—34–48 Alexander Street (also known as 11 Burlington Street)	Lots 10–12, Section 4, DP 1265; Lot 1, DP 1081820; Lot 1, DP 185720	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

Note. Heritage items marked with an asterisk (*) are also National or Commonwealth heritage items.

Locality	Item name	Address	Property description	Significance	Item no
	North Sydney bus shelters	Various	Various	Local	I0407
Cammeray	“Tarella”	3 Amherst Street	Lot 101, DP 618220	State	I0001
Cammeray	House	11 Armstrong Street	Lot 10, Section C, DP 1922	Local	I0002
Cammeray	House	135 Bellevue Street	Lot 15, Section 5, DP 2407	Local	I0003
Cammeray	Electricity substation	143 Bellevue Street	Lot B, DP 329809	State	I0004
Cammeray	All Saints Anglican Church	5–7 Carter Street	Lots 9 and 10, Section A, DP 4895	Local	I0005
Cammeray	“Heatherbrae” and stables	12 Colin Street	Lot 0, SP 22816; Lots 3 and 4, SP 37256	Local	I0006
Cammeray	House	1 Lytton Street	Lot B, DP 439435	Local	I0007
Cammeray	House	3 Lytton Street	Lot A, DP 439435	Local	I0008
Cammeray	House	8 Lytton Street	Lot 41, DP 550577	Local	I0009
Cammeray	House	10 Lytton Street	Lot 42, DP 550577	Local	I0010
Cammeray	Former hospital	11 Lytton Street	Lots 0–5, SP 63541	Local	I0011
Cammeray	House	22 Lytton Street	Lot 5, DP 4588	Local	I0012
Cammeray	House	26 Lytton Street	Lot 3, DP 4588	Local	I0013
Cammeray	House	28 Lytton Street	Lot 2, DP 4588	Local	I0014

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Cammeray	House	30 Lytton Street	Lot 11, DP 609809	Local	I0015
Cammeray	Suspension bridge	Miller Street	Miller Street road reserve	Local	I0018
Cammeray	“Franklea”	336–338 Miller Street	Lots 0–4, SP 273	Local	I0017
Cammeray	“Wieewa”	336–338 Miller Street	Lots 5 and 6, SP 10734	Local	I0016
Cammeray	Cammeray Public School	68 Palmer Street (corner Bellevue Street)	Lot 1, DP 123406; Lot 1, DP 316706; Lot 1, DP 316130; Lots 4 and 5, Section 35, DP 758790; Lots 1 and 2, DP 174370; Lot 66, DP 1049613	Local	I0019
Cammeray	House	5 The Boulevarde	Lot D, DP 333692	Local	I0020
Cammeray	House	49 The Boulevarde	Lot 23, DP 657776; Lot 24, DP 657777	Local	I0021
Cammeray	Tunks Park, sewerage viaduct	Tunks Park	Crown reserve (Tunks Park); Lot 1, Section 7, DP 2407	Local	I0025
Cammeray	House	2 Vale Street	Lot 10, DP 748772	Local	I0022
Cammeray	House	280 West Street	Lot 6, Section A, DP 1922	Local	I0023
Cammeray	Cammeray Park (including golf course)		Lots 2–4, DP 244543; Closed road; Crown reserve	Local	I0024
Cremerne	House	7 Bannerman Street (33 Bogota Avenue)	Lot 7, DP 82855	Local	I0026
Cremerne	“Dalkeith”	8 Bannerman Street	Lot 1, DP 603005	State	I0027
Cremerne	House	9 Bannerman Street	Lot 6, DP 72206	Local	I0028
Cremerne	“Ingleneuk”	19 Bennett Street	Lot 1, DP 1060193	Local	I0029

Locality	Item name	Address	Property description	Significance	Item no
Cremorne	House	33 Bennett Street	Lot 74, DP 3104	Local	I0030
Cremorne	House	36 Bennett Street	Lot 8, DP 15273	Local	I0031
Cremorne	House	38 Bennett Street	Lot 7, DP 15273	Local	I0032
Cremorne	House	40 Bennett Street	Lot 6, DP 15273	Local	I0033
Cremorne	House	42 Bennett Street	Lot 5, DP 15273	Local	I0034
Cremorne	House	4 Bertha Road	Lot A, DP 350785	Local	I0035
Cremorne	House	5 Bertha Road	Lot 84, DP 3104	Local	I0036
Cremorne	House	15–17 Bertha Road	Lot B, DP 82595	Local	I0037
Cremorne	House	24 Bertha Road	Lot 10, DP 75945	Local	I0038
Cremorne	House	7 Burroway Street	Lot 1, DP 395000	Local	I0039
Cremorne	House	6 Claude Avenue	Lots 0–3, SP 13316	Local	I0040
Cremorne	House	8 Claude Avenue	Lot 1, DP 1126679	Local	I0041
Cremorne	House	10 Claude Avenue	Lot 9, DP 74620	Local	I0042
Cremorne	House	12 Claude Avenue	Lot 10A, DP 364659	Local	I0043
Cremorne	House	14 Claude Avenue	Lot 11, DP 659444	Local	I0044
Cremorne	“Belvedere”	7 Cranbrook Avenue	Lot A, DP 329662	State	I0045
Cremorne	“Egglemont”	11 Cranbrook Avenue	Lots 27 and 28, DP 8862	State	I0046
Cremorne	House	32 Cranbrook Avenue	Lot 21, DP 8862	Local	I0048
Cremorne	House	34 Cranbrook Avenue	Lot 22, DP 8862	Local	I0049

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Cremorne	“Dunbrody”	9 Davidson Parade	Lots 0–10, SP 13144	Local	I0050
Cremorne	House	7 Ellalong Road	Lot 28, DP 181223	Local	I0051
Cremorne	House	1 Florence Lane	Lot 2, DP 847742	Local	I0053
Cremorne	House	7 Florence Street	Lot 1, DP 81852	Local	I0052
Cremorne	House	22 Gerard Street	Lot 49, Section 3, DP 63129	Local	I0054
Cremorne	House	24 Gerard Street	Lot 48, DP 951981	Local	I0055
Cremorne	Willoughby Falls remains	Grafton Street, opposite Fall Street (part of Primrose Park)	Lot 7136, DP 1071218	Local	I0083
Cremorne	“Bundabulla”	10 Guthrie Avenue	Lot 1, DP 795415	Local	I0056
Cremorne	Flat building	6 Hampden Avenue	Lots 0–6, SP 13174	Local	I0057
Cremorne	House	4 Harrison Street	Lot 33, DP 2989; Lot 1, DP 582291	Local	I0058
Cremorne	House	6 Harrison Street	Lot 32, DP 2989; Lot 1, DP 962811	Local	I0059
Cremorne	House	8 Harrison Street	Lot 31, DP 2989; Lot 1, DP 114085	Local	I0060
Cremorne	House	14 Harrison Street	Lot 0, SP 21937	Local	I0061
Cremorne	Warringah Lodge	6 Lodge Road	Lot 1, DP 324064; Part Lot 101, DP 10291	Local	I0063
Cremorne	Former Cremorne Post Office/telephone exchange	219 Military Road	Lot 12, DP 877844	Local	I0064

Locality	Item name	Address	Property description	Significance	Item no
Cremorne	SCEGGS Redlands	274 Military Road	Lots 1, 3 and 4, DP 783663; Lot 1, DP 343811; Lot 1, DP 80618; Lot 1, DP 713405; Lot 2, DP 222013; Lot 21, DP 88932; Lots 1 and 2, DP 783664; Lots 11 and 12, DP 877879	Local	I0065
Cremorne	Cremorne Orpheum Theatre	380 Military Road	Lot 8, Section 1, DP 978497; Lot 9, DP 975041; Lot 10, DP 951095; Lots 1 and 2, DP 1106512	Local	I0066
Cremorne	SCEGGS Redlands	53–57 Murdoch Street	Lot 1, DP 731455	Local	I0067
Cremorne	Former Cremorne Hall	57 Murdoch Street (2 Allister Street)	Lot 1, DP 731455	Local	I0068
Cremorne	House	58 Murdoch Street	Lot 3, DP 598028	Local	I0069
Cremorne	House	59 Murdoch Street	Lot 45, DP 8862	Local	I0070
Cremorne	Willsdene Hall	82 Murdoch Street	Lots 0–5, SP 13514	Local	I0071
Cremorne	Neutral Bay House	19 Rangers Road	Lot 16, DP 2989	Local	I0078
Cremorne	House	14 Spofforth Street	Lot 1, DP 196242	Local	I0079
Cremorne	St Peter's Anglican Church	29 Waters Road (corner Gerard and Winnie Streets)	Lot 1, DP 999570	Local	I0080
Cremorne	Folly Point Sewage Treatment Works	Primrose Park, Young Street	Lot 7136, DP 1071218; Lot 100, DP 727041	Local	I0081

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Cremorne	Primrose Park	Young Street	Lot 100, DP 727041; Lot 4, DP 1130646; Lots 10–14, Section 3, DP 979110; Lots 29–31, Section 4, DP 78960; Lot 7136, DP 1071218; Lot D, DP 108873; Lot I, DP 21566; Lots X and W, DP 368807; Lot B, DP 433892; Lot 2, DP 204872; Lot 1, DP 501784; Lot B, DP 407953; Lot 86, DP 19754; Lot 71, DP 19621	Local	I0082
Cremorne Point	Head of Shell Cove	Bogota Avenue	Lot 1, DP 974533	Local	I0580
Cremorne Point	Sydney Ancher House	15 Bogota Avenue	Lots 2 and 3, DP 387664	Local	I0577
Cremorne Point	“Arden”	17–19 Bogota Avenue	Lot 1, DP 387664	Local	I0578
Cremorne Point	House	29 Bogota Avenue	Lot 2, DP 505413	Local	I0579
Cremorne Point	House	2 Bromley Avenue	Lot 0, SP 16970; Lots 3 and 4, SP 33524	Local	I0084
Cremorne Point	“Roslyn”	4 Bromley Avenue	Lot 2, DP 4756	Local	I0085
Cremorne Point	“Balangowan”	5 Bromley Avenue	Lot A, DP 398150	Local	I0086
Cremorne Point	House	6 Bromley Avenue	Lots 3 and 4, DP 4756	Local	I0087
Cremorne Point	House	9 Cremorne Road	Part Lot 35, Section G, DP 4389	Local	I0088
Cremorne Point	House	14 Cremorne Road	Lot 40, Section F, DP 4389	Local	I0089
Cremorne Point	House	15 Cremorne Road	Part Lot 32, Section G, DP 4389	Local	I0090
Cremorne Point	House	17 Cremorne Road	Lot 31, Section G, DP 4389	Local	I0091

Locality	Item name	Address	Property description	Significance	Item no
Cremorne Point	Flat building	18–20 Cremorne Road	Lots 0–7, SP 13516	Local	I0092
Cremorne Point	House	26 Cremorne Road	Lot 1, DP 926849	Local	I0093
Cremorne Point	House	27 Cremorne Road	Lot 27, Section G, DP 4389	Local	I0094
Cremorne Point	House	56 Cremorne Road	Lot 1, DP 938072; Lot 59, Section F, DP 4150	Local	I0095
Cremorne Point	House	58 Cremorne Road	Lot 60, Section F, DP 978830	Local	I0096
Cremorne Point	House	62 Cremorne Road	Lot 1, DP 707975	Local	I0097
Cremorne Point	Flat building	83 Cremorne Road	Lots 0–8, SP 16022	Local	I0098
Cremorne Point	Sydney Amateur Sailing Club building	Green Street	Lot 1201, DP 752067	Local	I0103
Cremorne Point	House	3 Green Street	Lots 3–5, DP 34211	Local	I0099
Cremorne Point	“The Laurels”	5 Green Street	Lots 0–8, SP 16098	Local	I0100
Cremorne Point	Site of Cremorne smelter	Cremorne Reserve, east of 5 Green Street	Lot 7033, DP 1060232	Local	I0102
Cremorne Point	House	6 Green Street	Lot 1, DP 1111641	Local	I0101
Cremorne Point	Site of Cremorne coal bore	Hodgson Avenue	Hodgson Avenue road reserve	Local	I0105
Cremorne Point	House	14 Hodgson Avenue	Lot 21, DP 979719	Local	I0104
Cremorne Point	House	20 Iredale Avenue	Lot 1, DP 948654	Local	I0062

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Cremorne Point	Old Cremorne Wharf	Kareela Road, foreshore of Mosman Bay	Lot 3, DP 852697	Local	I0110
Cremorne Point	“Nenagh”	28 Kareela Road	Lot 1, DP 974547; Lot 39, Section C, DP 3900	Local	I0106
Cremorne Point	House	43 Kareela Road	Lot 12, Section D, DP 3900	Local	I0107
Cremorne Point	“Coomera”	63 Kareela Road	Lot 2, Section D, DP 3900	Local	I0108
Cremorne Point	House	68 Kareela Road	Lot 1, DP 840768	Local	I0109
Cremorne Point	Former tram terminus shed	Corner Milson and Wharf Roads	Lot 1, DP 881930	Local	I0131
Cremorne Point	Low Level Sewage Pumping Station No 57	Milson Road (adjacent to Cremorne Wharf)	Crown reserve (western section of Cremorne Reserve stretching from Bogota Avenue around Robertsons Point)	Local	I0129
Cremorne Point	Former tram turning loop and ferry interchange	Milson Road and Wharf Road	Crown reserve (western section of Cremorne Reserve stretching from Bogota Avenue around Robertsons Point)	Local	I0130
Cremorne Point	“Wallenundgal”	1 Milson Road	Lot A, DP 315605	Local	I0111
Cremorne Point	Waldorf Apartments	3 Milson Road	Lots 0–8, SP 36367	Local	I0112
Cremorne Point	Warrigal Flats	13 Milson Road	Lots 0–6, SP 4433	Local	I0113
Cremorne Point	House	14 Milson Road	Lot 33, Section E, DP 4389	Local	I0114
Cremorne Point	“Woollooware”	18 Milson Road	Lot 31, Section E, DP 4389	Local	I0115

Locality	Item name	Address	Property description	Significance	Item no
Cremorne Point	House	32 Milson Road	Lot 24, DP 946149	Local	I0116
Cremorne Point	House	33 Milson Road	Lots 0–12, SP 48603	Local	I0117
Cremorne Point	“Blackwood”	59 Milson Road	Lot 9, Section F, DP 4389	Local	I0118
Cremorne Point	“Mobarik”	61 Milson Road	Lot 8, Section F, DP 4389	Local	I0119
Cremorne Point	“Eventide”	63 Milson Road	Lot 7, Section F, DP 4389	Local	I0120
Cremorne Point	“Coolooba”	67 Milson Road	Lot 6, Section F, DP 4389	Local	I0121
Cremorne Point	Riviera Flats	73 Milson Road	Lots 0–6, SP 9838	Local	I0122
Cremorne Point	Mayfair Court	86 Milson Road	Lots 0–10, SP 43228	Local	I0123
Cremorne Point	Flat building	90 Milson Road	Lots 0–7, SP 3768	Local	I0124
Cremorne Point	Flat building	96 Milson Road	Lots 0–13, SP 11356; Lots 13 and 14, SP 61327	Local	I0125
Cremorne Point	Flat building	101 Milson Road	Lots 0–4 and 6, SP 10353; Lot 7, SP 20318	Local	I0126
Cremorne Point	House	136 Milson Road	Lot 1, DP 216126	Local	I0127
Cremorne Point	House	146 Milson Road	Lot 4, Section A, DP 4389	Local	I0128
Cremorne Point	House	7 Murdoch Street	Lot 1, DP 74420	Local	I0132
Cremorne Point	House	2 Prior Avenue	Lot 6, DP 192697	Local	I0072
Cremorne Point	House	3 Prior Avenue	Lot 7, DP 192697	Local	I0073
Cremorne Point	House	4 Prior Avenue	Lot 8, DP 192697	Local	I0074

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Cremorne Point	House	5 Prior Avenue	Lot 1, DP 199254	Local	I0075
Cremorne Point	House	6 Prior Avenue	Lot 10, DP 192697	Local	I0076
Cremorne Point	House	7A Prior Avenue	Lot 1, DP 134111	Local	I0077
Cremorne Point	Gloucester Flats	3 Wulworra Avenue	Lot 1, DP 235905	Local	I0133
Cremorne Point	Windsor Flats	5 Wulworra Avenue	Lots 0–12, SP 14060	Local	I0134
Cremorne Point	2 storey residence	8 Wulworra Avenue	SP 15153; SP 17856	Local	I0135
Cremorne Point	Cremorne Reserve (including Robertsons Point)		Lot 1, DP 974533; Lots 7168 and 7169, DP 1060231; Lot 1, DP 449844; Lot 7033, DP 1060232; Crown reserve (linking Green Street and Old Cremorne Wharf); Crown reserve (western section of Cremorne Reserve stretching from Bogota Avenue around Robertsons Point)	Local	I0136
Cremorne Point	Robertsons Point Lighthouse		Adjoining southern tip of Robertsons Point	Local	I0137
Crows Nest	Electricity Powerhouse No 187	23 Albany Street (corner Oxley Street)	Part Lot 12, Section 7, DP 2872; Lots 13–17, Section 7, DP 2872	State	I0138
Crows Nest	House	103 Alexander Street	Lot 4, DP 664797	Local	I0139
Crows Nest	Barn, outbuilding at rear	114 Atchison Street	Lot B, DP 964617	Local	I0140
Crows Nest	St Leonards Centre	28–34 Clarke Street	Lots 21–24, Section 8, DP 2872	Local	I0141

Locality	Item name	Address	Property description	Significance	Item no
Crows Nest	House	18 David Street	Lot 101, DP 867508	Local	I0142
Crows Nest	Former Church of Christ	69 Falcon Street	Lot 21, Section 3, DP 1720	Local	I0143
Crows Nest	Former hall	14 Hayberry Street	Lot 8, Section 2, DP 1265	Local	I0144
Crows Nest	House	104 Hayberry Street	Lot 1, DP 230039	Local	I0145
Crows Nest	Crows Nest Performing Arts Centre	6 Holtermann Street	Lots 21 and 22, Section 7, DP 1265	Local	I0146
Crows Nest	Uniting Church hall	8 Holtermann Street	Lot 20, Section 7, DP 1265	Local	I0147
Crows Nest	Uniting Church parsonage	10 Holtermann Street	Lot B, DP 309979	Local	I0148
Crows Nest	Shop	86 Holtermann Street	Lots 0–3, SP 34745	Local	I0149
Crows Nest	Former North Shore Gas Co office	286–288 Pacific Highway	Lots 1–6, DP 716494	Local	I0150
Crows Nest	Bank	306 Pacific Highway	Lot 2, DP 109422	Local	I0151
Crows Nest	Former National Australia Bank	308 Pacific Highway	Lot 1, DP 936314	Local	I0152
Crows Nest	Shop	312 Pacific Highway	Lot A, DP 436382	Local	I0153
Crows Nest	Shop	314 Pacific Highway	Lot B, DP 436382	Local	I0154
Crows Nest	Shop	316 Pacific Highway	Lot C, DP 436382	Local	I0155
Crows Nest	Shop	318 Pacific Highway	Lot D, DP 436382	Local	I0156
Crows Nest	Shop	320 Pacific Highway	Lot E, DP 436382	Local	I0157
Crows Nest	Shop	322 Pacific Highway	Lot F, DP 436382	Local	I0158

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Crows Nest	Shop	326 Pacific Highway	Lot B, DP 333866	Local	I0159
Crows Nest	Shop	330 Pacific Highway	Lot D, DP 402972	Local	I0160
Crows Nest	Shop	332 Pacific Highway	Lot C, DP 402972	Local	I0161
Crows Nest	Shop	334 Pacific Highway	Lot B, DP 402972	Local	I0162
Crows Nest	Shop	336 Pacific Highway	Lot A, DP 402972	Local	I0163
Crows Nest	Shop	338 Pacific Highway	Lot 1, DP 101100	Local	I0164
Crows Nest	North Sydney Girls' High School	365 Pacific Highway (between David and Myrtle Streets)	Lot 2, DP 503944; Lot 1, DP 57348; Lot 6, DP 1129; Lot 1, DP 121466; Lot 1, DP 441022; Lot 1, DP 112934; Lot 1, DP 231800; Lot 1, DP 181780; Lots C and D, DP 180999; Lot 1, DP 182669; Lots A and B, DP 440323; Lot 1, DP 182051; Lot 1, DP 794607; Lot 1, DP 503944; Lot 2, DP 57348	Local	I0165
Crows Nest	Higgins Buildings	366 Pacific Highway	Lot 6, DP 222601	Local	I0166
Crows Nest	Higgins Buildings	368 Pacific Highway	Lot 5, DP 222601	Local	I0167
Crows Nest	Higgins Buildings	370 Pacific Highway	Lot 4, DP 222601	Local	I0168
Crows Nest	Higgins Buildings	372 Pacific Highway	Lot 3, DP 222601	Local	I0169
Crows Nest	Higgins Buildings	374 Pacific Highway	Lot 2, DP 222601	Local	I0170
Crows Nest	Higgins Buildings	376 Pacific Highway	Lot 1, DP 222601	Local	I0171

Locality	Item name	Address	Property description	Significance	Item no
Crows Nest	Willoughby House, former OJ Williams store	429 Pacific Highway	Lot 1, DP 651865	Local	I0172
Crows Nest	Crows Nest Fire Station	99 Shirley Road	Lots 26–28, Section 2, DP 1649	Local	I0173
Crows Nest	Shop	87 West Street	Lot 6, DP 1113783	Local	I0174
Crows Nest	Shop	89 West Street	Lot 7, DP 1113783	Local	I0175
Crows Nest	Shop	89A West Street	Lot 8, DP 1113783	Local	I0176
Crows Nest	House	169 West Street	Lot 1, DP 926269	Local	I0177
Crows Nest	House	179 West Street	Lot 2, Section 1, DP 819	Local	I0178
Crows Nest	Shop	205 West Street	Lot 1, DP 86395	Local	I0179
Crows Nest	St Thomas Rest Park (including Sexton's Cottage and cemetery fence)	250 West Street	Lot 100, DP 790953; Lot 104, DP 790981	Local	I0180
Crows Nest	Crows Nest Hotel	1–3 Willoughby Road	Lot 1, DP 434184	Local	I0181
Crows Nest	Northside Baptist Church	63 Willoughby Road	Lots 1 and 2, Section 6, DP 1265	Local	I0182
Kirribilli	Electricity Substation No 217	Bligh Street	Lot 1, DP 180216	Local	I0183
Kirribilli	Careening Cove slipways and seawall, east end	1 Bradly Avenue	Lot 1, DP 1091583	Local	I0184
Kirribilli	Greenway Flats	Corner Broughton and McDougall Streets	Lot 4, DP 218808	Local	I0187

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	St John the Baptist Anglican Church	7-9 Broughton Street	Lots 5-8, Section B, DP 1537	Local	I0185
Kirribilli	The Fantasia Preschool	11-17 Broughton Street	Lots 3 and 4, Section B, DP 1537	Local	I0186
Kirribilli	St Aloysius College (part of junior school)	29 Burton Street (14-24 Bligh Street)	Lot 1, DP 830667	Local	I0188
Kirribilli	House	8 Carabella Street	Lot 1, DP 102581	Local	I0189
Kirribilli	House	10 Carabella Street	Lots 0, 4 and 5, SP 14718	Local	I0190
Kirribilli	Glenferrie Private Hotel	12A Carabella Street	Lots 1 and 2, DP 772496; Lot 1, DP 100406	Local	I0211
Kirribilli	House	28 Carabella Street	Lots 0-2, SP 14703	Local	I0191
Kirribilli	"Keston"	31 Carabella Street	Lots 0-4, SP 54187	Local	I0192
Kirribilli	"Sunnyside"	40 Carabella Street	Lot 1, DP 983668	Local	I0193
Kirribilli	House	42 Carabella Street	Lot 1, DP 902108	Local	I0194
Kirribilli	House	44 Carabella Street	Lot 1, DP 499641	Local	I0195
Kirribilli	"Burnleigh"	48 Carabella Street	Lot 1, DP 903698	Local	I0196
Kirribilli	House	54 Carabella Street	Lot 1, DP 134325	Local	I0197
Kirribilli	House	56 Carabella Street	Lot 1, DP 114716	Local	I0198
Kirribilli	House	58 Carabella Street	Lot 1, DP 926330	Local	I0199
Kirribilli	House	64 Carabella Street	Lots 33 and 34, Section B, DP 1537	Local	I0200

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	House	66 Carabella Street	Lot 32, Section B, DP 4453	Local	I0201
Kirribilli	“Fairhaven”	69 Carabella Street	Lots 19 and 20, DP 4140	Local	I0202
Kirribilli	Araluen House	71 Carabella Street	Lots 17 and 18, DP 4140	Local	I0203
Kirribilli	“Elamang”	73–83 Carabella Street	Lot 200, DP 1166282	Local	I0204
Kirribilli	House	100 Carabella Street	Lot 2, DP 706914	Local	I0205
Kirribilli	House	102 Carabella Street	Lot 1, DP 706914	Local	I0206
Kirribilli	House	104 Carabella Street	Lot E, DP 441339	Local	I0207
Kirribilli	House	106 Carabella Street	Lot B, DP 396813	Local	I0208
Kirribilli	House	108 Carabella Street	Lot A, DP 396813	Local	I0209
Kirribilli	House	119 Carabella Street	Lot 2, DP 668557	Local	I0210
Kirribilli	House	5 Elamang Avenue	Lot B, DP 307268	Local	I0212
Kirribilli	“Doondi”	8 Elamang Avenue	Lot 1, DP 102047	Local	I0213
Kirribilli	“Vandaura”	10 Elamang Avenue	Lot 6, DP 456104; Lot 7, DP 4140	Local	I0214
Kirribilli	House	17 Elamang Avenue	Lot 29, DP 4313	Local	I0215
Kirribilli	House	29 Elamang Avenue	Lot 9, Section 2, DP 1276	Local	I0216
Kirribilli	“Illingullin”	14 Fitzroy Street	Lot 31, DP 748442	Local	I0217
Kirribilli	Kirribilli Neighbourhood Centre	16–18 Fitzroy Street	Lot 1, DP 70567	Local	I0218

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	House	20 Fitzroy Street	Lot A, DP 108846	Local	I0219
Kirribilli	House	22 Fitzroy Street	Lot B, DP 108846	Local	I0220
Kirribilli	House	24 Fitzroy Street	Lot C, DP 108846	Local	I0221
Kirribilli	House	26 Fitzroy Street	Lot D, DP 108846	Local	I0222
Kirribilli	House	28 Fitzroy Street	Lot 1, DP 584966	Local	I0223
Kirribilli	House	30 Fitzroy Street	Lot 2, DP 584966	Local	I0224
Kirribilli	House	32 Fitzroy Street	Lot 3, DP 584966	Local	I0225
Kirribilli	House	34 Fitzroy Street	Lot B, DP 445711	Local	I0226
Kirribilli	House	36 Fitzroy Street	Lot 2, Section C, DP 1537	Local	I0227
Kirribilli	“Morookra”	38 Fitzroy Street	Lot 3, Section C, DP 1537	Local	I0228
Kirribilli	“Oakdene”	40 Fitzroy Street	Lot 4, Section C, DP 1537	Local	I0229
Kirribilli	House	42 Fitzroy Street	Lot 5, Section C, DP 1537	Local	I0230
Kirribilli	House	44 Fitzroy Street	Lot 6, Section C, DP 1537	Local	I0231
Kirribilli	House	46 Fitzroy Street	Lot 7, Section C, DP 1537	Local	I0232
Kirribilli	House	48 Fitzroy Street	Lot 8, Section C, DP 1537	Local	I0233
Kirribilli	House	50 Fitzroy Street	Lot 2, DP 1010858	Local	I0234
Kirribilli	Mount Warwick Apartments	2 Holbrook Avenue	Lots 0–4, SP 13638	Local	I0235
Kirribilli	Huntingdon Apartments	6 Holbrook Avenue	Lots 0–10, SP 6878	Local	I0236

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	“Sunnyside”	11 Holbrook Avenue	Lot 1, DP 1040689	Local	I0237
Kirribilli	“Brendalan”	17 Holbrook Avenue	Lots 0–7, SP 11691	Local	I0238
Kirribilli	Walder Apartments	19 Holbrook Avenue	Lots 0–10, SP 13999; Lots 11 and 12, SP 57334	Local	I0239
Kirribilli	Mayfair Apartments	21 Holbrook Avenue	Lots 0–16, SP 15002	Local	I0240
Kirribilli	“Renown”	23 Holbrook Avenue	Lots 0, 1 and 3–9, SP 9438; Lot 10, SP 11130	Local	I0241
Kirribilli	Stone retaining wall	Corner Jeffreys and Upper Pitt Streets	Jeffreys Street road reserve	Local	I1134
Kirribilli	Copes Lookout	Jeffreys Street (east side of wharf)	Lot 2, DP 851449; Lot 3, DP 567224; Jeffreys Street road reserve (southern portion)	Local	I0256
Kirribilli	“Wyalla”	1–5 Jeffreys Street	Lot 101, DP 1108496	Local	I0242
Kirribilli	House	26 Jeffreys Street	Lot 1, DP 1074240; Lots 2 and 3, DP 792680	Local	I0243
Kirribilli	House	28 Jeffreys Street	Lot 3, DP 230232	Local	I0244
Kirribilli	House	30 Jeffreys Street	Lot 2, DP 230232	Local	I0245
Kirribilli	House	32 Jeffreys Street	Lot 1, DP 230232	Local	I0246
Kirribilli	House	34 Jeffreys Street	Lot 5, DP 207833	Local	I0247
Kirribilli	House	36 Jeffreys Street	Lot 4, DP 207833	Local	I0248
Kirribilli	House	38 Jeffreys Street	Lot 3, DP 207833	Local	I0249

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	House	40 Jeffreys Street	Lots 0–2, SP 39011	Local	I0250
Kirribilli	House	42 Jeffreys Street	Lot 1, DP 207833	Local	I0251
Kirribilli	House	44 Jeffreys Street	Lot D, DP 377418	Local	I0252
Kirribilli	House	46 Jeffreys Street	Lot C, DP 377418	Local	I0253
Kirribilli	House	48 Jeffreys Street	Lot B, DP 377418	Local	I0254
Kirribilli	House	50 Jeffreys Street	Lot A, DP 377418	Local	I0255
Kirribilli	Foreshore in front of Mary Booth Park and 55 and 59 Kirribilli Avenue, boat slips, sandstone walling, cliff face	Kirribilli Avenue	Lots 5–8, DP 21555; Lot 52, DP 858699; Lot 101, DP 871097; Lot 2, DP 793871; Lot 2, DP 630381	Local	I0266
Kirribilli	Faux stone balustrade	Kirribilli Avenue (corner Broughton Street)	Kirribilli Avenue road reserve	Local	I1133
Kirribilli	House	40 Kirribilli Avenue	Lot 4, DP 228298	Local	I0257
Kirribilli	House	42 Kirribilli Avenue	Lot 5, DP 228298	Local	I0258
Kirribilli	“Elsiemere”	55 Kirribilli Avenue	Lot A, DP 385192	Local	I0259
Kirribilli	“Studley Royal”	59 Kirribilli Avenue	Lots 0–5, 8 and 9, SP 16930; Lot 10, SP 69080	Local	I0260
Kirribilli	“St Julian”	107 Kirribilli Avenue	Lot 5, DP 13064	Local	I0261
Kirribilli	Kirribilli Point fortifications	109 Kirribilli Avenue	Lot 867, DP 752067	Local	I0262

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	Admiralty House	109 Kirribilli Avenue	Lots 12, 18 and 19, DP 13064; Lot 867, DP 752067; Lots 1-3, DP 228902	Local*	I0263
Kirribilli	Kirribilli House	111 Kirribilli Avenue		Local*	I0264
Kirribilli	“Soma”	126 Kirribilli Avenue	Lots 0-9, SP 50081	Local	I0265
Kirribilli	Milson Park	McDougall Street	Lot 706, DP 752067 and closed road	Local	I0301
Kirribilli	Low Level Sewage Pumping Station No 33	74 McDougall Street	Lot 1, DP 773343	Local	I0267
Kirribilli	Sydney Flying Squadron Ltd building	76 McDougall Street	Lots 1-2, DP 1046761	Local	I0268
Kirribilli	Ensemble Theatre	78 McDougall Street	Lot 2, DP 326759	Local	I0269
Kirribilli	House	8 Parkes Street	Lot 1, DP 739154	Local	I0270
Kirribilli	House	12 Parkes Street	Lot 1, DP 706725	Local	I0271
Kirribilli	House	9 Peel Street	Lot 1, DP 930718	Local	I0272
Kirribilli	House	11 Peel Street	Lot 1, DP 930942	Local	I0273
Kirribilli	House	13 Peel Street	Lot 1, DP 114159	Local	I0274
Kirribilli	House	15 Peel Street	Lot F, DP 25693	Local	I0275
Kirribilli	House	17 Peel Street	Lot E, DP 25693	Local	I0276
Kirribilli	House	19 Peel Street	Lot D, DP 25693	Local	I0277
Kirribilli	House	21 Peel Street	Lot C, DP 25693	Local	I0278
Kirribilli	House	23 Peel Street	Lot B, DP 25693	Local	I0279
Kirribilli	House	24 Peel Street	Lot 1, DP 115499	Local	I0280
Kirribilli	House	25 Peel Street	Lot A, DP 25693	Local	I0281
Kirribilli	Royal Sydney Yacht Squadron building	33 Peel Street	Lot 1, DP 89565; Lot 5, DP 208274	Local	I0282

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	“Bratton”	38 Pitt Street	Lot 1, DP 627119	Local	I0283
Kirribilli	House	41 Pitt Street	Lot 3, DP 228298	Local	I0284
Kirribilli	House	43 Pitt Street	Lot 2, DP 228298	Local	I0285
Kirribilli	House	45 Pitt Street	Lot 1, DP 228298	Local	I0286
Kirribilli	House	1 Plunkett Street	Lot 1, DP 75725	Local	I0287
Kirribilli	“Craiglea”	49 Upper Pitt Street (also known as 88 Kirribilli Street)	Lots 0–17, SP 50441; Lots 20–23, SP 53759; Lots 24 and 25, SP 54600	Local	I0288
Kirribilli	“The Rock-Fort”	59 Upper Pitt Street	Lots 0–21, CT 39, DP 322192	Local	I0289
Kirribilli	House	61 Upper Pitt Street	Lot A, DP 340557	Local	I0290
Kirribilli	“Greenmount”	67 Upper Pitt Street	Lot 3, DP 84852	Local	I0291
Kirribilli	“The Grange”	69 Upper Pitt Street	Lot 0, SP 15581; Lots 7–9, SP 33713	Local	I0292
Kirribilli	“Redlynn”	8 Waruda Street	Lots 0–11, SP 10675	Local	I0293
Kirribilli	Regent Apartments	29 Waruda Street	Lots 0–12, CT 3	Local	I0294
Kirribilli	House	29 Willoughby Street	Lot 6, DP 236361	Local	I0295
Kirribilli	House	31 Willoughby Street	Lot 5, DP 236361	Local	I0296
Kirribilli	House	45 Willoughby Street	Lot 1, DP 115096; Lot 2, DP 948337	Local	I0297
Kirribilli	House	60 Willoughby Street	Lot 11, DP 559003	Local	I0298
Kirribilli	Paton’s slipways	62 Willoughby Street	Lot 1, DP 326760; Lot 1, DP 326759; Lot 1, DP 1095443; Lots 1 and 2, DP 572899	Local	I0299

Locality	Item name	Address	Property description	Significance	Item no
Kirribilli	Fern Lodge	6 Winslow Street	Lot 1, DP 901143	Local	I0300
Kurraba Point	Flat building	2 Baden Road	Lots 0–6, SP 34666	Local	I0551
Kurraba Point	Flat building	6 Baden Road	Lots 0–2, SP 60286	Local	I0552
Kurraba Point	Flat building	8 Baden Road	Lot 25, DP 17443	Local	I0553
Kurraba Point	House	1 Honda Road	Lot 11, DP 86145	Local	I0631
Kurraba Point	House	3 Honda Road	Lot 10, DP 600595	Local	I0632
Kurraba Point	Site and remains of Port Jackson and Manly Steamship Company depot	Kurraba Road, Kurraba Point Reserve (including Hodgson and Spains Lookouts)	Lots 6–11, DP 17577; Lot 1, DP 430427; Lots 1 and 2, DP 616462; Lot 1, DP 127089; Lots 14 and 15, DP 17443; Lot 1, DP 942981; Lot 1060, DP 665716; Lots 1052 and 1067, DP 752067; Lot 1, DP 1031935	Local	I0669
Kurraba Point	House	75 Kurraba Road	Lot 34, DP 3183	Local	I0657
Kurraba Point	House	95 Kurraba Road	Lots 0–2, SP 13995	Local	I0658
Kurraba Point	“Once Upon A Time”	115A Kurraba Road	Lots 0–3, SP 13551	Local	I0660
Kurraba Point	House	130 Kurraba Road	Lot 1, DP 926261	Local	I0661
Kurraba Point	“Mona”	132 Kurraba Road	Lots 0–3, SP 14237	Local	I0662
Kurraba Point	House	142 Kurraba Road	Lot 1, DP 537932	Local	I0663
Kurraba Point	House	144 Kurraba Road	Lot 1, DP 771000	Local	I0664

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Kurraba Point	“Hollowforth”	146 Kurraba Road	Lots 0–2, SP 22278	State	I0665
Kurraba Point	“Casa Madrona”	168 Kurraba Road	Lot 1, DP 1087623	Local	I0666
Kurraba Point	House	174B Kurraba Road	Lot B, DP 412459	Local	I0667
Kurraba Point	“Gingie”	176 Kurraba Road	Lot 2, DP 28012	Local	I0668
Kurraba Point	“Englemere”	11 Shellcove Road	Lots 0–8, SP 52378	Local	I0686
Kurraba Point	House	13 Shellcove Road	Lot 1, DP 938160	Local	I0687
Kurraba Point	“Keynsham”	29 Shellcove Road	Lot 101, DP 1067984	Local	I0688
Kurraba Point	“Brent Knowle”	31 Shellcove Road	Lot B, DP 416193	Local	I0689
Kurraba Point	“Ailsa”	33 Shellcove Road	Lot 5, DP 15766	Local	I0690
Kurraba Point	“St Anne’s”	37 Shellcove Road	Lot 1, DP 8928	Local	I0691
Kurraba Point	“Gundamaine”	39 Shellcove Road	Lots 0–4, SP 18527	Local	I0692
Kurraba Point	House	42 Shellcove Road	Lot B, DP 315560	Local	I0693
Kurraba Point	“The Cobbles”	49 Shellcove Road	Lot 2, DP 959594	Local	I0694
Kurraba Point	House	52 Shellcove Road	Lot 9, DP 192717	Local	I0695
Kurraba Point	House	54 Shellcove Road	Lot 8, DP 192717	Local	I0696
Kurraba Point	“Honda”	55 Shellcove Road	Lot 1, DP 835534	Local	I0697
Kurraba Point	House	61 Shellcove Road	Lot 2, DP 153047	Local	I0699

Locality	Item name	Address	Property description	Significance	Item no
Kurraba Point	Wallaringa Mansions	1 Wallaringa Avenue (19 Wycombe Road)	Lots 0–7, SP 73259; Lots 8–12, SP 75886; Lots 2 and 3, DP 876732	Local	I0736
Kurraba Point	“Nutcote”	5 Wallaringa Avenue	Lot 1, DP 562377	State	I0730
Kurraba Point	House	7 Wallaringa Avenue	Lot 1, DP 199237	Local	I0731
Kurraba Point	House	9 Wallaringa Avenue	Lot 1, DP 743095	Local	I0732
Kurraba Point	“St Julian’s”	23 Wycombe Road	Lots 0–6, SP 11386	Local	I0739
Kurraba Point	House	23A Wycombe Road	Lot 33, DP 3183; Lot 31, DP 68342	Local	I0740
Kurraba Point	“Tenalba”	31 Wycombe Road	Lot 100, DP 533090	Local	I0742
Lavender Bay	Neptune Engineering site		Lots 2–4, DP 807276; Lot 1, DP 868707	Local	I0386
Lavender Bay	Railway marshalling yards		Lot 100, DP 1103512	Local	I0396
Lavender Bay	Railway viaduct		Lot 100, DP 1103512	Local	I0397
Lavender Bay	Rubble seawall		Adjacent to Lot 1187, DP 48335 (seaward side)	Local	I0394
Lavender Bay	Electricity Substation No 219	Corner Arthur Street and Arthur Lane	Lot 1, DP 181730	Local	I0313
Lavender Bay	House	23 Arthur Street	Lot 1, DP 795593	Local	I0302
Lavender Bay	House	24 Arthur Street	Lot 32, DP 107589	Local	I0303
Lavender Bay	House	26 Arthur Street	Lot 11, DP 587928	Local	I0304
Lavender Bay	House	27 Arthur Street	Lot B, DP 107237	Local	I0305

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay	House	28 Arthur Street	Lot 12, DP 587928	Local	I0306
Lavender Bay	House	29 Arthur Street	Lot A, DP 107237	Local	I0307
Lavender Bay	House	30 Arthur Street	Lot 3, DP 587510	Local	I0308
Lavender Bay	House	31 Arthur Street	Lot 52B, DP 346292	Local	I0309
Lavender Bay	House	32 Arthur Street	Lot 2, DP 587510	Local	I0310
Lavender Bay	House	33 Arthur Street	Lot 100, DP 815808	Local	I0311
Lavender Bay	House	34 Arthur Street	Lot 1, DP 587510	Local	I0312
Lavender Bay	Stone retaining wall	Bayview Street	Bayview Street road reserve	Local	I0322
Lavender Bay	Seawall	3, 5, 7, 9, 23A and 23B Bayview Street	Lots 1 and 2, DP 167089; Lots 0-2, SP 54824; Lot 2, DP 166929; Lot 4, DP 24707; Lots 51 and 52, DP 788973	Local	I0314
Lavender Bay	"Ildemere"	11 Bayview Street	Lots 1-5, DP 1097479	State	I0315
Lavender Bay	Ildemere boathouse	11A Bayview Street	Lots 3 and 5, DP 1097479	State	I0316
Lavender Bay	House	25 Bayview Street	Lot 1, DP 206872	Local	I0317
Lavender Bay	House	27 Bayview Street	Lot 2, DP 206872	Local	I0318
Lavender Bay	House	29 Bayview Street	Lot 3, DP 206872	Local	I0319
Lavender Bay	House	31 Bayview Street	Lot 41, DP 630293	Local	I0320
Lavender Bay	House	33 Bayview Street	Lot 42, DP 630293	Local	I0321

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay	“Lurline”	43 East Crescent Street	Lot 1, DP 980306	Local	I0323
Lavender Bay	House	47 East Crescent Street	Lot A, DP 383325	Local	I0324
Lavender Bay	House	49 East Crescent Street	Lot 1, DP 432999	Local	I0325
Lavender Bay	Low level sewage pumping station	King George Street	King George Street road reserve	Local	I0330
Lavender Bay	House	11 King George Street	Lot 1, DP 80950	Local	I0326
Lavender Bay	House	15 King George Street	Lot 1, DP 514929	Local	I0327
Lavender Bay	House	17 King George Street	Lot 2, DP 514929	Local	I0328
Lavender Bay	Lavender Bay boat sheds	23A King George Street	Lot 1025, DP 662065	Local	I0329
Lavender Bay	Lavender Crescent stone wall	Lavender Crescent	Lavender Street and Lavender Crescent road reserve; Lavender Street and Walker Street road reserve	Local	I0347
Lavender Bay	Watt Park	Lavender Crescent	Lots 1 and 2, DP 108816; Lot 30, DP 12668; pathway	Local	I0348
Lavender Bay	“Quibree”	23 Lavender Crescent	Lot 1, DP 134152	Local	I0340
Lavender Bay	House	10 Lavender Street	Lot 1, DP 202808	Local	I0331
Lavender Bay	House	12 Lavender Street	Lot 2, DP 202808	Local	I0332
Lavender Bay	House	14 Lavender Street	Lot 3, DP 202808	Local	I0333

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay	House	16 Lavender Street	Lot 4, DP 202808	Local	I0334
Lavender Bay	House	18 Lavender Street	Lot 5, DP 202808	Local	I0335
Lavender Bay	House	19 Lavender Street	Lots 0–2, SP 66449	Local	I0336
Lavender Bay	House	20 Lavender Street	Lot 6, DP 202808	Local	I0337
Lavender Bay	House	21 Lavender Street	Lot 1, DP 932805	Local	I0338
Lavender Bay	House	22 Lavender Street	Lot 7, DP 202808	Local	I0339
Lavender Bay	House	24 Lavender Street	Lot 8, DP 202808	Local	I0341
Lavender Bay	Gateposts and fence of former Folkestone House	26 Lavender Street	Lots 0–12, SP 1893	Local	I0342
Lavender Bay	Christ Church Rectory	28 Lavender Street	Lot 1, DP 786970	Local	I0343
Lavender Bay	House	41 Lavender Street	Lot 1, DP 931274	Local	I0344
Lavender Bay	House	43 Lavender Street	Lot 1, DP 966284	Local	I0345
Lavender Bay	House	45 Lavender Street	Lot 1, DP 513417	Local	I0346
Lavender Bay	St Francis Xavier Church	19 Mackenzie Street	Lot 2, DP 86304	Local	I0349
Lavender Bay	St Francis Xavier School Hall	19 Mackenzie Street	Lot 2, DP 86304	Local	I0350
Lavender Bay	St Francis Xavier Parish Centre	20 Mackenzie Street	Lot 2, DP 527890	Local	I0351
Lavender Bay	House	1 Waiwera Street	Lot 18, Section 5, DP 976193	Local	I0352
Lavender Bay	House	4 Waiwera Street	Lot 4, DP 874313	Local	I0353

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay	Flat building	15 Waiwera Street	Lots 0–2, SP 33029	Local	I0354
Lavender Bay	House	16 Waiwera Street	Lot 1, DP 797978	Local	I0355
Lavender Bay	House	18 Waiwera Street	Lot 19, DP 1094222	Local	I0356
Lavender Bay	House	20 Waiwera Street	Lot 1, DP 986038	Local	I0357
Lavender Bay	House	22 Waiwera Street	Lot 1, DP 112272	Local	I0358
Lavender Bay	Bellarion Court	23 Waiwera Street	Lots 0–23, CT 49	Local	I0359
Lavender Bay	Clark Park	Walker Street	Lot 62, DP 3756; Lots 1–3, DP 931990; Lot 1, DP 917865; Crown Land Plan No 2137–3000; unidentified Crown land	Local	I0385
Lavender Bay	Lavender Bay Ferry Wharf	Walker Street	Part Lot 1, DP 876572; Lot 1, DP 878922	Local	I0384
Lavender Bay	House	1 Walker Street	Lot 1, DP 931832	Local	I0360
Lavender Bay	“Berowra”	2 Walker Street	Lot 2, DP 874703	Local	I0361
Lavender Bay	House	3 Walker Street	Lot 1, DP 977470	Local	I0362
Lavender Bay	“Mercedes”	9 Walker Street	Lot 1, DP 215241	Local	I0363
Lavender Bay	Christ Church Anglican Church	10 Walker Street	Lot 2, DP 786970	Local	I0364
Lavender Bay	“Brenda”	11 Walker Street	Lot A, DP 332299	Local	I0365
Lavender Bay	“Glenlewis”	11A Walker Street	Lot B, DP 332299	Local	I0366
Lavender Bay	“Merryula”	15 Walker Street	Lot 2, DP 588070	Local	I0367

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay	“Kiengal”	17 Walker Street	Lot 1, DP 588070	Local	I0368
Lavender Bay	House	19 Walker Street	Lot 2, DP 547	Local	I0369
Lavender Bay	House	20 Walker Street	Lot 2, DP 182375	Local	I0370
Lavender Bay	House	21 Walker Street	Lot 3, DP 976597	Local	I0371
Lavender Bay	House	22 Walker Street	Lot 5, DP 109094	Local	I0372
Lavender Bay	House	23 Walker Street	Lot 1, DP 986770	Local	I0373
Lavender Bay	House	24 Walker Street	Lot 4, DP 109094	Local	I0374
Lavender Bay	Royal Art Society of NSW building	25–27 Walker Street	Lots 6 and 7, DP 436011	Local	I0375
Lavender Bay	House	26 Walker Street	Lot 3, DP 109094	Local	I0376
Lavender Bay	House	28 Walker Street	Lot 2, DP 109094	Local	I0377
Lavender Bay	House	29 Walker Street	Lot 5, DP 436011	Local	I0378
Lavender Bay	House	30 Walker Street	Lot 1, DP 109094	Local	I0379
Lavender Bay	House	31 Walker Street	Lot 4, DP 436011	Local	I0380
Lavender Bay	House	33 Walker Street	Lot 3, DP 436011	Local	I0381
Lavender Bay	House	35 Walker Street	Lot 2, DP 436011	Local	I0382
Lavender Bay	House	37 Walker Street	Lot 1, DP 436011	Local	I0383
Lavender Bay, McMahons Point and Waverton	Waverton rail underbridges	Commodore Crescent	Lot 100, DP 1103512	State	I0405

Locality	Item name	Address	Property description	Significance	Item no
Lavender Bay, McMahons Point and Waverton	Waverton underbridge	Euroka Street	Lot 100, DP 1103512	Local	I0406
Lavender Bay, McMahons Point and Waverton	Former Glen Street tram terminus	Glen Street, north of Dind Street		Local	I0404
Lavender Bay, McMahons Point and Waverton	John Street Railway Bridge	John Street	Lot 100, DP 1103512	Local	I0388
Lavender Bay, McMahons Point and Waverton	Brick retaining wall	South of John Street	Lot 100, DP 1103512	Local	I0402
Lavender Bay, McMahons Point and Waverton	Lavender Bay Railway Tunnel	King George Street and Lavender Crescent	Lot 100, DP 1103512	Local	I0389
Lavender Bay, McMahons Point and Waverton	Lavender Bay Railway Line	Between Luna Park and Waverton Railway Station	Lot 100, DP 1103512; Lot 1, DP 825406; Lot 123, DP 870371; Lot 1187, DP 48335	Local	I0387
Lavender Bay, McMahons Point and Waverton	Signal footing	Victoria Street (adjacent to bridge)	Lot 100, DP 1103512	Local	I0390
McMahons Point	World War II Observation Post and stone stair	Blues Point	Crown Land Reserve 944-690	Local	I0424

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	Blues Point foreshore shelf	Blues Point foreshore	Lot 7048, DP 1077149; Lot 1, DP 209345; Lots 1007, 1132 and 1133, DP 752067; Crown Land Reserve 944-690	Local	I0425
McMahons Point	Blues Point Waterfront Group	Blues Point Road and Henry Lawson Drive	Lot 7048, DP 1077149; Lot 1, DP 209345; Lots 1007, 1132 and 1133, DP 752067; Crown Land Reserve 944-690; Lot 2, DP 581992; Lot 2, DP 572828; Lots 50-51, DP 861201; part Henry Lawson Avenue road reserve; Lot 11, DP 853338; public pathway/steps to foreshore, East Crescent Street; Blues Point Road road reserve (southern end)	Local	I0423
McMahons Point	Stone retaining wall	Blues Point Road	Blues Point Road road reserve (southern end)	Local	I0426
McMahons Point	Bollard	Blues Point Road	Crown Land Reserve 944-690	Local	I0427
McMahons Point	Bollard with chain	Blues Point Road	Crown Land Reserve 944-690	Local	I0428
McMahons Point	Excavation	Blues Point Road	Crown Land Reserve 944-690	Local	I0429
McMahons Point	Steps with bollards	Blues Point Road	Crown Land Reserve 944-690	Local	I0450
McMahons Point	Blues Point vehicular ferry dock	Blues Point Road (south end cul de sac)	Lot 7048, DP 1077149; Lot 2, DP 581992	Local	I0451
McMahons Point	Blues Point Tower	14-28 Blues Point Road	Lots 0-146, 149, 150, 153-196 and 198-261, SP 125	Local	I0408

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	Fence	58 Blues Point Road	Lot B, DP 359959	Local	I0410
McMahons Point	House	101 Blues Point Road	Lot 1, DP 216475	Local	I0411
McMahons Point	House	136 Blues Point Road	Lot 11, DP 3713	Local	I0412
McMahons Point	House	138 Blues Point Road	Lot 10, DP 3713	Local	I0413
McMahons Point	House	140 Blues Point Road	Lots 8 and 9, DP 3713	Local	I0414
McMahons Point	Shop	143–147 Blues Point Road	Lot 1, DP 110687	Local	I0415
McMahons Point	Shop	149–151 Blues Point Road	Lots 0–6, SP 15160	Local	I0416
McMahons Point	House	163 Blues Point Road	Lot B, DP 362711	Local	I0417
McMahons Point	House	167 Blues Point Road	Lot C, DP 436985	Local	I0418
McMahons Point	House	169 Blues Point Road	Lot B, DP 436985	Local	I0419
McMahons Point	Clifton Flats	176 Blues Point Road	Lots 0–4, SP 12594	Local	I0420
McMahons Point	Restaurant	180 Blues Point Road	Lot 17, DP 1007270	Local	I0421
McMahons Point	Commercial building	182 Blues Point Road	Lot 1, DP 85103; Lot B, DP 388442; Lot 1, DP 63515	Local	I0422
McMahons Point	House	2 Chuter Street	Lot 101, DP 864440	Local	I0454
McMahons Point	House	4 Chuter Street	Lot 100, DP 864440	Local	I0455
McMahons Point	House	6 Chuter Street	Lot 3, DP 251743	Local	I0456
McMahons Point	House	8 Chuter Street	Lot 2, DP 251743	Local	I0457
McMahons Point	House	9 Chuter Street	Lot 2, DP 595948	Local	I0458

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	House	10 Chuter Street	Lot 1, DP 251743	Local	I0459
McMahons Point	House	11 Chuter Street	Lot 1, DP 595948	Local	I0460
McMahons Point	“Monte Cristo”	3 Commodore Crescent	Lot 5, DP 17113	Local	I0461
McMahons Point	House	50 Dumbarton Street	Lot 100, DP 1045221	Local	I0462
McMahons Point	Ferry access steps	Between 1 and 3 East Crescent Street	Public pathway, steps to foreshore	Local	I0470
McMahons Point	ADEA Court apartment building	7 East Crescent Street	Lots 0–14, SP 10832	Local	I0463
McMahons Point	Flat building	11 East Crescent Street	Lot A, DP 322230	Local	I0464
McMahons Point	Flat building	12 East Crescent Street	Lots 0–7, SP 13674	Local	I0465
McMahons Point	Flat building	15 East Crescent Street	Lots 0–7, SP 15708	Local	I0466
McMahons Point	Flat building	19 East Crescent Street	Lots 0–16, CT 19, DP 325054	Local	I0467
McMahons Point	Seawall	21 and 33 East Crescent Street	Lots 0–80, SP 1976; Lots 81 and 82, SP 12654; Lots 83 and 84, SP 19504; Lots 1 and 2, SP 2268; Lots 0–12, SP 21014; Lot 2, DP 618023	Local	I0314
McMahons Point	Flat building	23–25 East Crescent Street	Lots 0–21, CT 20, DP 983771	Local	I0468
McMahons Point	Flat building	26 East Crescent Street	Lots 0–11, SP 1322	Local	I0469

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	House	2 French Street	Lot 1, DP 222085	Local	I0471
McMahons Point	House	16 French Street	Lots 1 and 2, DP 745924	Local	I0472
McMahons Point	Former tram turning circle and McMahons Point ferry wharf	Henry Lawson Avenue	Lot 2, DP 572828; Lots 50 and 51, DP 861201; part Henry Lawson Avenue road reserve; Lot 11, DP 853338	Local	I0452
McMahons Point	Slipway and site of former Holmes' residence	1 Henry Lawson Avenue	Lot 1, DP 915829	Local	I0453
McMahons Point	Seawall	2A Henry Lawson Avenue (9 East Crescent Street)	Lots 0–82, SP 10316	Local	I0314
McMahons Point	House	48 Middle Street	Lot 102, DP 880994	Local	I0473
McMahons Point	House	5 Mil Mil Street	Lot 1, DP 709759	Local	I0474
McMahons Point	“Farinbourne”	1 Mitchell Street	Lot 11, DP 1023795	Local	I0475
McMahons Point	“Waterview”	2 Mitchell Street	Lot 1, DP 608645	Local	I0476
McMahons Point	House	7 Mitchell Street	Lot 6, DP 151911	Local	I0477
McMahons Point	“Tamas”	10 Mitchell Street	Lot 1, DP 632894	Local	I0478
McMahons Point	House	13 Mitchell Street	Lot 26, DP 910868	Local	I0479
McMahons Point	House	48–50 Mitchell Street	Lot 1, DP 70313	Local	I0480

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	Sandstone cliff	Munro and John Streets (behind boat yard, east side of Berry's Bay)	Lot A, DP 420377; Lot 100, DP 1103512; Lot 2, DP 77853	Local	I0483
McMahons Point	Stannard Bros Shipyard and associated industrial buildings	Munro Street	Lots A and B, DP 420377; Lot 1, DP 127195; Lot 1, DP 449731; Lot 1, DP 849188; Lot 2, DP 77853; Lot 102, DP 1005413; Lots 0–16, SP 63626	Local	I0484
McMahons Point	Sawmiller's Reserve	Munro Street	Lot 1, DP 206431; Lot 1, DP 562177; Lot 2, DP 608752; Lot 13, DP 562184	Local	I0521
McMahons Point	House	10 Munro Street	Lot 100, DP 620084	Local	I0481
McMahons Point	House	4 Parker Street	Lot 1, DP 127151	Local	I0485
McMahons Point	House	26 Thomas Street	Lot 10, DP 1077901	Local	I0486
McMahons Point	House	28 Thomas Street	Lot 1, DP 560134	Local	I0487
McMahons Point	House	2–2C Union Street	Lots 1 and 2, DP 725833	Local	I0488
McMahons Point	House	20A Union Street	Lot A, DP 109328	Local	I0489
McMahons Point	House	26 Union Street	Lot C, DP 109328	Local	I0490
McMahons Point	House	28 Union Street	Lot 5, DP 707267	Local	I0491
McMahons Point	House	30 Union Street	Lot 6, DP 707267	Local	I0492
McMahons Point	House	32 Union Street	Lot E, DP 109328	Local	I0493
McMahons Point	House	34 Union Street	Lot F, DP 109328	Local	I0494

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	House	36 Union Street	Part Lot F, DP 109328	Local	I0495
McMahons Point	House	38 Union Street	Lot 1, DP 927013	Local	I0496
McMahons Point	House	40 Union Street	Lot 1, DP 927013	Local	I0497
McMahons Point	“Kailoa”	44 Union Street	Lot 1, DP 910524	State	I0498
McMahons Point	House	77 Union Street	Lot 1, DP 843923	Local	I0499
McMahons Point	House	79 Union Street	Lot 2, DP 843923	Local	I0500
McMahons Point	House	81 Union Street	Lots 0–2, SP 11928	Local	I0501
McMahons Point	House	93 Union Street	Lot 10, DP 873855	Local	I0502
McMahons Point	House	36 Victoria Street	Lots 3 and 4, Section 5, DP 111171	Local	I0503
McMahons Point	House	37 Victoria Street	Lot 1, DP 869851	Local	I0504
McMahons Point	House	40 Victoria Street	Lot 1, DP 87984	Local	I0505
McMahons Point	House	43 Victoria Street	Lot 1, DP 735714	Local	I0506
McMahons Point	House	45 Victoria Street	Lot 2, DP 735714	Local	I0507
McMahons Point	Kilmorey Terrace	51 Victoria Street	Lot 1, DP 801648	Local	I0508
McMahons Point	Kilmorey Terrace	53 Victoria Street	Lot 1, DP 781223	Local	I0509
McMahons Point	Kilmorey Terrace	55 Victoria Street	Lot 1, DP 111600	Local	I0510
McMahons Point	House	62 Victoria Street	Lots 0 and 1, SP 15363	Local	I0511
McMahons Point	House	64 Victoria Street	Lot 2, SP 15363	Local	I0512

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
McMahons Point	House	66 Victoria Street	Lot 3, SP 15363	Local	I0513
McMahons Point	House	68 Victoria Street	Lot 4, SP 15363	Local	I0514
McMahons Point	House	3 Warung Street	Lot 11, DP 613575	Local	I0515
McMahons Point	House	5 Warung Street	Lot 2, DP 206643	Local	I0516
McMahons Point	House	7 Warung Street	Lot A, DP 330192	Local	I0517
McMahons Point	House	9 Warung Street	Lot B, DP 330192	Local	I0518
McMahons Point	House	8 Webb Street	Lot 82, DP 830386	Local	I0519
McMahons Point	House	12 West Crescent Street	Lot 7, Section C, DP 8	Local	I0520
Milsons Point	Alfred Street (entrance to Luna Park)	Alfred Street South	Intersection Alfred Street South, Dind Street and road reserve	Local	I0529
Milsons Point	Bradfield Park (including northern section)	Alfred Street South		Local	I0538
Milsons Point	Sydney Harbour Bridge north pylons	Bradfield Park, Alfred Street South		Local	I0541
Milsons Point	North Sydney Olympic Pool	4 Alfred Street South	Lot 100, DP 875048	Local	I0537
Milsons Point	House	22 Alfred Street South	Lot C, DP 437985	Local	I0522
Milsons Point	House	24 Alfred Street South	Lot B, DP 437985	Local	I0523
Milsons Point	House	26A Alfred Street South	Lot A, DP 437985	Local	I0525
Milsons Point	House	28 Alfred Street	Lot X, DP 403084	Local	I0526

Locality	Item name	Address	Property description	Significance	Item no
Milsons Point	Camden House	48 and 56 Alfred Street South	Lots 0–129, SP 40513; Lot 102, DP 814884	Local	I0527
Milsons Point	Chinese Christian Church	100 Alfred Street South	Lot 14, DP 54205	Local	I0528
Milsons Point	Sydney Harbour Bridge approach viaducts, arches and bays under Warringah Freeway	Sydney Harbour Bridge approach viaducts, including 2–4 Ennis Road and 2–74 Middlemiss Street		State	I0530
Milsons Point	Commercial building	2–2A Glen Street	Lot 1, DP 437535; Lot 3, DP 172924	Local	I0531
Milsons Point	Milsons Point Railway Station Group			State	I0539
Milsons Point	Seawall and wharf site		Lot 1, DP 849664	Local	I0540
Milsons Point	House	15 Northcliff Street	Lot 6, DP 223842	Local	I0532
Milsons Point	House	17 Northcliff Street	Lot 7, DP 223842	Local	I0533
Milsons Point	House	19 Northcliff Street	Lot 8, DP 223842	Local	I0534
Milsons Point	House	21 Northcliff Street	Lot 9, DP 223842	Local	I0535
Milsons Point	Luna Park	1 Olympic Drive	Lots 2–4, DP 1066900; Lots 1247, 1250 and 1256–1258, DP 48514; Lots 10–12, DP 1113743	State	I0536
Neutral Bay	Anderson Park		Lot 7031, DP 93641; Lot 708, DP 752067	Local	I0767
Neutral Bay	Flat building	439 Alfred Street North	Lots 0–8, SP 6854	Local	I0542

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	10 Aubin Street	Lot 1, DP 105866	Local	I0543
Neutral Bay	House	12 Aubin Street	Lot 1, DP 515612	Local	I0544
Neutral Bay	House	14 Aubin Street	Lot 2, DP 515612	Local	I0545
Neutral Bay	House	36 Aubin Street	Lot 8, DP 8295	Local	I0546
Neutral Bay	Aubin Cottage	37 Aubin Street	Lot A, DP 82542	Local	I0547
Neutral Bay	“Reigate”	39 Aubin Street	Lot 10, DP 719178	Local	I0548
Neutral Bay	“Clarence”	44 Aubin Street	Lot B, DP 326990	Local	I0549
Neutral Bay	“Grafton”	46 Aubin Street	Lot 1, DP 175650	Local	I0550
Neutral Bay	Customs Marine Centre	Ben Boyd Road	Lot 2, DP 800615	Local*	I0576
Neutral Bay	Plaques commemorating Ben Boyd	6 Ben Boyd Road	Lots 0–9, SP 6028	Local	I0554
Neutral Bay	“Meredith”	8 Ben Boyd Road	Lot A, DP 311793	Local	I0555
Neutral Bay	“Walton”	12A Ben Boyd Road	Lots 0–6, SP 46504	Local	I0556
Neutral Bay	“Bengallala”	16 Ben Boyd Road	Lot 1, DP 342411	Local	I0557
Neutral Bay	House	18 Ben Boyd Road	Lot 2, DP 211979	Local	I0558
Neutral Bay	House	20 Ben Boyd Road	Lot 1, DP 211979	Local	I0559
Neutral Bay	House	22 Ben Boyd Road	Lot 2, DP 634054	Local	I0560
Neutral Bay	House	24 Ben Boyd Road	Lot 1, DP 634054	Local	I0561
Neutral Bay	House	26 Ben Boyd Road	Lot 2, DP 519979	Local	I0562

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	28 Ben Boyd Road	Lot 1, DP 519979	Local	I0563
Neutral Bay	House	30 Ben Boyd Road	Lot 6, DP 105866	Local	I0564
Neutral Bay	House	32 Ben Boyd Road	Lot 7, DP 105866	Local	I0565
Neutral Bay	House	34 Ben Boyd Road	Lot 101, DP 619141	Local	I0566
Neutral Bay	House	36 Ben Boyd Road	Lot 102, DP 619141	Local	I0567
Neutral Bay	House	41 Ben Boyd Road	Lot B, DP 33304	Local	I0568
Neutral Bay	House	43 Ben Boyd Road	Lot A, DP 33304	Local	I0569
Neutral Bay	House	43A Ben Boyd Road	Lot 4, DP 108214	Local	I0570
Neutral Bay	House	45 Ben Boyd Road	Lot 32, DP 565595	Local	I0571
Neutral Bay	House	47 Ben Boyd Road	Lot 31, DP 565595	Local	I0572
Neutral Bay	“Mount Edgecombe”	56 Ben Boyd Road	Lot D, DP 88125	Local	I0573
Neutral Bay	House	107 Ben Boyd Road	Lot 23, DP 731681	Local	I0574
Neutral Bay	Neutral Bay Public School	175 Ben Boyd Road	Lots 1–3, DP 794832	Local	I0575
Neutral Bay	House	5 Burroway Street	Lot 1, DP 76182	Local	I0581
Neutral Bay	House	1 Byrnes Avenue	Lot A, DP 441367	Local	I0582
Neutral Bay	House	2 Byrnes Avenue	Lot 1, DP 502175	Local	I0583
Neutral Bay	House	3 Byrnes Avenue	Lot B, DP 441367	Local	I0584
Neutral Bay	House	4 Byrnes Avenue	Lot 2, DP 502175	Local	I0585

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	5 Byrnes Avenue	Lot C, DP 441367	Local	I0586
Neutral Bay	House	6 Byrnes Avenue	Lot 3, DP 502175	Local	I0587
Neutral Bay	House	7 Byrnes Avenue	Lot X, DP 441388	Local	I0588
Neutral Bay	House	8 Byrnes Avenue	Lot 4, DP 219596	Local	I0589
Neutral Bay	House	9 Byrnes Avenue	Lot 1, DP 534380	Local	I0590
Neutral Bay	House	10 Byrnes Avenue	Lot 5, DP 219596	Local	I0591
Neutral Bay	House	12 Byrnes Avenue	Lot 6, DP 219596	Local	I0592
Neutral Bay	House	14 Byrnes Avenue	Lot A, DP 177626	Local	I0593
Neutral Bay	House	16 Byrnes Avenue	Lot B, DP 177626	Local	I0594
Neutral Bay	House	5 Darley Street	Lot 1, DP 711331	Local	I0595
Neutral Bay	House	6 Darley Street	Lot 6, DP 659565	Local	I0596
Neutral Bay	House	7 Darley Street	Lot 2, DP 711331	Local	I0597
Neutral Bay	House	9 Darley Street	Lot 3, DP 711331	Local	I0598
Neutral Bay	House	10 Darley Street	Lot 1, DP 900382	Local	I0599
Neutral Bay	House	11 Darley Street	Lot 4, DP 711331	Local	I0600
Neutral Bay	House	12 Darley Street	Lot 2, DP 900382	Local	I0601
Neutral Bay	House	13 Darley Street	Lot 5, DP 711331	Local	I0602
Neutral Bay	House	14 Darley Street	Lot 1, DP 935457	Local	I0603
Neutral Bay	House	15 Darley Street	Lot 1, DP 966786	Local	I0604
Neutral Bay	House	16 Darley Street	Lot 9, DP 656457	Local	I0605

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	17 Darley Street	Lot 1, DP 970562	Local	I0606
Neutral Bay	House	18 Darley Street	Lot 1, DP 934179	Local	I0607
Neutral Bay	House	19 Darley Street	Lot 19, DP 652498	Local	I0608
Neutral Bay	House	20 Darley Street	Lot 10, DP 5144	Local	I0609
Neutral Bay	House	22 Darley Street	Part Lot 11, DP 5144	Local	I0610
Neutral Bay	House	24 Darley Street	Lot 1, DP 964584	Local	I0611
Neutral Bay	House	26 Darley Street	Lot 1, DP 934733	Local	I0612
Neutral Bay	House	28 Darley Street	Lots 12 and 13, DP 456077	Local	I0613
Neutral Bay	House	30 Darley Street	Lot 1, DP 934732	Local	I0614
Neutral Bay	House	31 Darley Street	Lot 17, DP 5144	Local	I0615
Neutral Bay	House	35 Darley Street	Lot 16, DP 5144	Local	I0616
Neutral Bay	House	37 Darley Street	Lot 1, DP 736637	Local	I0617
Neutral Bay	House	317 Ernest Street	Lot 1, DP 599215	Local	I0619
Neutral Bay	House	319 Ernest Street	Lot 2, DP 599215	Local	I0620
Neutral Bay	House	321 Ernest Street	Lot 3, DP 599215	Local	I0621
Neutral Bay	House	323 Ernest Street	Lot 11, DP 599216	Local	I0622
Neutral Bay	House	325 Ernest Street	Lot 12, DP 599216	Local	I0623
Neutral Bay	Flat building	3–5 Harriette Street	Lots 0–6, SP 16802	Local	I0624

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	“Ben Nevis”	18 Harriette Street	Lot 13, Section B, DP 2404	Local	I0625
Neutral Bay	House	34 Harriette Street	Lot 1, DP 82930	Local	I0626
Neutral Bay	Neutral Bay Wharf	1–7 Hayes Street	Lots C and D, DP 341833; Lot 1, DP 430461; Lot 6, DP 851248	Local	I0627
Neutral Bay	“The Hastings”	2 Hayes Street	Lots 0–9, SP 46768	State	I0628
Neutral Bay	“Kcot-Sedar”	4 Hayes Street	Lot 1, DP 319171	Local	I0629
Neutral Bay	Former Neutral Bay Post Office	19 Hayes Street	Lot 1, DP 965067	Local	I0630
Neutral Bay	House	2 Kurraba Road	Lot 1, DP 434786	Local	I0633
Neutral Bay	House	4 Kurraba Road	Lot 2, DP 434786	Local	I0634
Neutral Bay	Kurraba Cottage	31 Kurraba Road	Lot 1, DP 799689	Local	I0635
Neutral Bay	House	33 Kurraba Road	Lot 1, DP 86175	Local	I0636
Neutral Bay	House	38 Kurraba Road	Lot A, DP 164450	Local	I0637
Neutral Bay	House	47 Kurraba Road	Lots 0–2, SP 31863	Local	I0638
Neutral Bay	House	51 Kurraba Road	Lot 1, DP 848770	Local	I0639
Neutral Bay	House	53 Kurraba Road	Lot 2, DP 848770	Local	I0640
Neutral Bay	House	55 Kurraba Road	Lot 1, DP 787067	Local	I0641
Neutral Bay	House	57 Kurraba Road	Lot 26, DP 68342	Local	I0642
Neutral Bay	House	59 Kurraba Road	Lot 27, DP 68342	Local	I0643
Neutral Bay	“Wavertree”	65 Kurraba Road	Lot 28, DP 68342	Local	I0644

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	Flat building	68 Kurraba Road	Lots 0–4, SP 10750	Local	I0655
Neutral Bay	“Lucellen”	72 Kurraba Road	Lot 2, DP 431003	Local	I0656
Neutral Bay	House	102 Kurraba Road	Lot 1, DP 998381	Local	I0659
Neutral Bay	Former St Joseph’s Catholic Church (now hall)	16 Lindsay Street	Part Lot 1, DP 86523	Local	I0670
Neutral Bay	St Joseph’s Catholic Church	16 Lindsay Street	Part Lot 1, DP 86523	Local	I0671
Neutral Bay	House	7 Manns Avenue	Lot 1, DP 356473	Local	I0672
Neutral Bay	House	9–11 Manns Avenue	Lot 1, DP 509072	Local	I0673
Neutral Bay	Former Neutral Bay tram depot and water tower	116 Military Road	Lots 23 and 24, DP 1062529; Lots 1, 4, 5 and 7, DP 730924	Local	I0674
Neutral Bay	Shop	194 Military Road	Lot 2, DP 737344	Local	I0675
Neutral Bay	Shop	196 Military Road	Lot 15, DP 231564	Local	I0676
Neutral Bay	Former CBC Bank	228 Military Road	Lots 0–3, SP 37553	Local	I0677

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	Forsyth Park	Montpelier Street	Lots 1, 4, 6, 8, 10, 13, 15, 17, 19–21, 23 and 24, DP 103911; Part Lots 68 and 69, DP 11142; Lot 1, DP 182655; Lot 1, DP 184674; Lot 1, DP 348146; Lot A, DP 349711; Lot 12, DP 592908; Lot A, DP 332461; Lots 1–3, DP 183069; Lots 1, 2 and 14, Section 12, DP 758925; Lot 5, DP 4129; Lots 1 and 20, DP 910419; Lots 68 and 69, DP 1110684	Local	I0680
Neutral Bay	Horse trough	Montpelier Street	Montpelier Street road reserve	Local	I0678
Neutral Bay	Two former oil tanks and pumping station	Montpelier Street	Lot 1, DP 182655	Local	I0679
Neutral Bay	Henbury Villa	2 Nook Lane	Lot 10, DP 3529	Local	I0618
Neutral Bay	“Derry”	12 Phillips Street	Lot F, DP 177899	Local	I0681
Neutral Bay	“Douglas”	14 Phillips Street	Lot 1, DP 1097060	Local	I0682
Neutral Bay	“Beaumontis”	14 Raymond Road (20 Harriette Street)	Lot 12, Section B, DP 2404	Local	I0683
Neutral Bay	Sandstone rock wall and cliff face	2 and 4 Rose Avenue	Lot 1, DP 1022965	Local	I0685
Neutral Bay	“San Michele”	60A Shellcove Road	Lot 1, DP 986763	Local	I0698
Neutral Bay	“Bovington”	66 Shellcove Road	Lot 1, DP 791424	Local	I0700
Neutral Bay	“Cossington”	70 Shellcove Road	Lot 1, DP 89462	Local	I0701

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	“Trequean”	72 Shellcove Road	Lot 1, DP 1125469	Local	I0702
Neutral Bay	House	73 Shellcove Road	Lots 0–2, SP 9481	Local	I0703
Neutral Bay	St Augustine’s Anglican Church	75 Shellcove Road	Lots 49 and 51, DP 3104	Local	I0704
Neutral Bay	Site of former Spains Wharf	Spains Wharf Road	Spains Wharf Road road reserve; part of Waterways Lease No 7169_1 (associated with Lot 1, DP 743095)	Local	I0705
Neutral Bay	House	15 Spruson Street	Lot C, DP 151193	Local	I0706
Neutral Bay	“The Gables”	16 Spruson Street	Lot A, DP 403052	Local	I0707
Neutral Bay	House	17 Spruson Street	Lot E, DP 437476	Local	I0708
Neutral Bay	House	19 Spruson Street	Lot D, DP 437476	Local	I0709
Neutral Bay	House	21 Spruson Street	Lot 2, DP 501043	Local	I0710
Neutral Bay	House	23 Spruson Street	Lot 1, DP 501043	Local	I0711
Neutral Bay	House	31 Spruson Street	Lot 2, DP 201662	Local	I0712
Neutral Bay	House	18 Thrupp Street	Lots 0–9, SP 18563	Local	I0713
Neutral Bay	“Nazareth”	22 Thrupp Street	Lots 0–2, SP 64754	Local	I0714
Neutral Bay	House	4 Undercliff Street	Lot B, DP 108868	Local	I0715
Neutral Bay	House	6 Undercliff Street	Lot A, DP 108868	Local	I0716
Neutral Bay	House	8 Undercliff Street	Lot 201, DP 620784	Local	I0717

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	10 Undercliff Street	Lot 1, DP 593090	Local	I0718
Neutral Bay	House	12 Undercliff Street	Lot C, DP 107472	Local	I0719
Neutral Bay	House	14 Undercliff Street	Lot B, DP 107472	Local	I0720
Neutral Bay	House	16 Undercliff Street	Lot A, DP 107472	Local	I0721
Neutral Bay	House	18 Undercliff Street	Lot 6, DP 108214	Local	I0722
Neutral Bay	House	20 Undercliff Street	Lot 1, DP 789790	Local	I0723
Neutral Bay	“Hermon”	22 Undercliff Street	Lot 1, DP 789790	Local	I0724
Neutral Bay	House	23 Undercliff Street	Lot 1, DP 73335	Local	I0725
Neutral Bay	House	25 Undercliff Street	Lot 1, DP 88918	Local	I0726
Neutral Bay	House	27 Undercliff Street	Lots 1 and 2, DP 943519	Local	I0727
Neutral Bay	House	29 Undercliff Street	Lot 11, DP 867860	Local	I0728
Neutral Bay	House	29A Undercliff Street	Lot 10, DP 867860	Local	I0729
Neutral Bay	House	7 Watson Street	Lot A, DP 380665	Local	I0733
Neutral Bay	House	9 Watson Street	Lot A, DP 380665	Local	I0734
Neutral Bay	House, sandstone rock wall and cliff face	2 Winter Avenue	Lot 3, DP 1022965	Local	I0735
Neutral Bay	Sandstone rock wall and cliff face	17 Wyagdon Street	Lots 0, 2–6 and 9–11, SP 20922; Lots 12–14, SP 68997	Local	I0685
Neutral Bay	House	2 Wycombe Road	Lots 0–5, SP 41344	Local	I0737

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	Flat building	18 Wycombe Road	Lots 0–4, SP 13441	Local	I0738
Neutral Bay	Wycombe Private Hotel	28 Wycombe Road	Lots 0–10, SP 22240	Local	I0741
Neutral Bay	“Rilstone”	40 Wycombe Road	Lot 9, DP 666648	Local	I0743
Neutral Bay	“Tendring”	49 Wycombe Road	Lots 0–2, SP 14689	Local	I0744
Neutral Bay	House	56 Wycombe Road	Lot 1, DP 608905	Local	I0745
Neutral Bay	“Dartmouth”	68–70 Wycombe Road	Lots 1 and 2, DP 747311	Local	I0746
Neutral Bay	House	75 Wycombe Road (80 Shellcove Road)	Lot 11, DP 807022	Local	I0747
Neutral Bay	House	82 Wycombe Road	Lot 352, DP 663539	Local	I0748
Neutral Bay	St Augustine’s Rectory (Isla) and curate’s lodge	89 Wycombe Road	Lot 1, DP 805649; Lot 41, DP 3104	Local	I0749
Neutral Bay	“Arlington”	95 Wycombe Road	Lots 0–3, SP 62037	Local	I0750
Neutral Bay	“Yarran”	104 Wycombe Road	Lot 101, DP 630573	Local	I0751
Neutral Bay	House	120 Wycombe Road	Lot W, DP 409935	Local	I0752
Neutral Bay	House	122 Wycombe Road	Lot U, DP 420146	Local	I0753
Neutral Bay	House	124 Wycombe Road	Lot 3, DP 790993	Local	I0754
Neutral Bay	House	126 Wycombe Road	Lot 2, SP 34197	Local	I0755
Neutral Bay	House	128 Wycombe Road	Lot F, DP 405288	Local	I0756

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Neutral Bay	House	130 Wycombe Road	Lot D, DP 405290	Local	I0757
Neutral Bay	House	132 Wycombe Road	Lot B, DP 405284	Local	I0758
Neutral Bay	House	134 Wycombe Road	Lot O, DP 406484	Local	I0759
Neutral Bay	“Yeronda”	143 Wycombe Road	Lot 1, DP 361151	Local	I0760
Neutral Bay	House	144 Wycombe Road	Lot 13, DP 67323	Local	I0761
Neutral Bay	House	145 Wycombe Road	Part Lot 35, DP 2989	Local	I0762
Neutral Bay	House	149 Wycombe Road	Part Lot 36, DP 2989	Local	I0763
Neutral Bay	House	151 Wycombe Road	Lot 37, DP 656459	Local	I0764
Neutral Bay	Neutral Bay Fire Station	28 Yeo Street	Lot 1, DP 194554	Local	I0765
Neutral Bay	St John’s Uniting Church (including pipe organ)	49 Yeo Street	Lot 1, DP 836680	State	I0766
North Sydney	House	3 Adderstone Avenue	Lot 11, DP 14085	Local	I0768
North Sydney	House	5 Adderstone Avenue	Lot 12, DP 14085	Local	I0769
North Sydney	House	9 Adderstone Avenue and 9B–9D Kiara Close	Lots 0–5, SP 57236	Local	I0770
North Sydney	House	3 Ancrum Street	Lot 2A, DP 358847	Local	I0771
North Sydney	House	5 Ancrum Street	Lot 1, DP 938623	Local	I0772
North Sydney	House	61 Ancrum Street	Lot 71, DP 1092441	Local	I0773

2013 No 411

North Sydney Local Environmental Plan 2013

Environmental heritage

Schedule 5

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	18 Bank Street	Lot 2B, DP 358847	Local	I0774
North Sydney	House	27 Bank Street	Lot 5, Section 3, DP 117	Local	I0775
North Sydney	House	29 Bank Street	Lot 4, Section 3, DP 418	Local	I0776
North Sydney	House	50 Bank Street	Lot B, DP 349615	Local	I0777
North Sydney	House	59 Bank Street	Lot 21, DP 613940	Local	I0047
North Sydney	House	64 Bank Street	Lot 1, DP 231036	Local	I0778
North Sydney	House	74 Bank Street	Lot 1, DP 726402;	Local	I0779
North Sydney	House	76 Bank Street	Lot 2, DP 726402	Local	I0780
North Sydney	House	100 Bank Street	Lot 31, DP 1012570	Local	I0781
North Sydney	St Peter's Presbyterian School Hall	181 Blues Point Road (10 Miller Street)	Lot 5, DP 37896	Local	I0783
North Sydney	House	193 Blues Point Road	Part Lot 1, DP 123336	Local	I0784
North Sydney	House	195 Blues Point Road	Part Lot 1, DP 123336	Local	I0785
North Sydney	House	197 Blues Point Road	Part Lot 1, DP 123336	Local	I0786
North Sydney	House	201 Blues Point Road	Part Lot 1, DP 123336	Local	I0787
North Sydney	House	203 Blues Point Road	Part Lot 1, DP 123336	Local	I0788
North Sydney	House	205 Blues Point Road	Part Lot 1, DP 123336	Local	I0789
North Sydney	House	207 Blues Point Road	Part Lot 1, DP 123336	Local	I0790

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	Shop	208–210 Blues Point Road	Lot 4, DP 570827	Local	I0791
North Sydney	St Peter's Presbyterian Church Manse	218 Blues Point Road	Lot 4, DP 570827	Local	I0792
North Sydney	St Peter's Presbyterian Church and grounds	218 Blues Point Road	Lot 4, DP 570827	Local	I0793
North Sydney	House	2 Bray Street	Part Lot 1, DP 970812	Local	I0794
North Sydney	House	14 Clark Road	Lot 1, DP 940094	Local	I0796
North Sydney	House	16 Clark Road	Lot 5, DP 940093	Local	I0797
North Sydney	House	1 Doohat Avenue	Lots 0–2, SP 75835	Local	I0798
North Sydney	House	7 Doris Street	Lot A, DP 443099	Local	I0799
North Sydney	House	9 Doris Street	Lot B, DP 443099	Local	I0800
North Sydney	“Dorking”	12 Doris Street	Lot 1, DP 198222	Local	I0801
North Sydney	House	21 Doris Street	Lot 6, Section 1, DP 2432	Local	I0802
North Sydney	House	25 Doris Street	Lot 8, Section 1, DP 2432	Local	I0803
North Sydney	House	27 Doris Street	Lot C, DP 441818	Local	I0804
North Sydney	House	29 Doris Street	Lot B, DP 441818	Local	I0805
North Sydney	House	31 Doris Street	Lot A, DP 441818	Local	I0806
North Sydney	House	33 Doris Street	Lot 11, Section 1, DP 2432	Local	I0807
North Sydney	House	35 Doris Street	Lot 12, Section 1, DP 2432	Local	I0808

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	“Graythwaite”, including outbuildings and grounds	10 Edward Street	Lot 2, DP 539853	State	I0809
North Sydney	House	11 Edward Street	Lot 2, DP 216247	Local	I0810
North Sydney	House	13 Edward Street	Lot 3, DP 216247	Local	I0811
North Sydney	Upton Grange	22 Edward Street	Lot 2, DP 613812; Lot 1, DP 772212	Local	I0812
North Sydney	House	28 Edward Street	Lot 6, DP 747779	Local	I0813
North Sydney	House	32 Edward Street	Lot 7, DP 1108221	Local	I0814
North Sydney	Rockleigh Grange	40 Edward Street	Lot 1, DP 703255	Local	I0815
North Sydney	House	45 Edward Street	Lots B and C, DP 314839	Local	I0816
North Sydney	House	48 Edward Street	Lot 17, Section 1, DP 7544	Local	I0817
North Sydney	House	51 Edward Street	Lot 1, DP 817407	Local	I0818
North Sydney	House	53 Edward Street	Lot 3, DP 999946	Local	I0819
North Sydney	House	55 Edward Street	Lot 1, DP 973946	Local	I0820
North Sydney	House	57 Edward Street	Lot 5, DP 165897	Local	I0821
North Sydney	House	59 Edward Street	Lot 2, DP 310941	Local	I0822
North Sydney	House	61 Edward Street	Lot 1, DP 310941	Local	I0823
North Sydney	House	63 Edward Street	Lot 8, DP 175453	Local	I0824
North Sydney	House	65 Edward Street	Lot 1, DP 973368	Local	I0825

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	“Kenilworth”	67 Edward Street	Lot 1, DP 966223	Local	I0826
North Sydney	House	3 Euroka Street	Lot B, DP 109682	Local	I0827
North Sydney	House	11 Euroka Street	Lot 1, DP 561295	Local	I0828
North Sydney	House	13 Euroka Street	Lot 2, DP 561295	Local	I0829
North Sydney	Sewer vent	Falcon Street (southwest of Warringah Freeway)		State	I0839
North Sydney	North Sydney Boys’ High School	127 Falcon Street	Lot 1, DP 1117305	Local	I0830
North Sydney	“Winstone”	182 Falcon Street	Lot 1, DP 587173	Local	I0831
North Sydney	Flat building	184 Falcon Street	Lot 2, DP 587173	Local	I0832
North Sydney	Flat building	186 Falcon Street	Lot 3, DP 587173	Local	I0833
North Sydney	Flat building	188 Falcon Street	Lot 4, DP 587173	Local	I0834
North Sydney	House	210 Falcon Street	Lot C, DP 439435	Local	I0835
North Sydney	House	212 Falcon Street	Lot D, DP 439435	Local	I0836
North Sydney	House	214 Falcon Street	Lot E, DP 439435	Local	I0837
North Sydney	House	216 Falcon Street	Lot F, DP 439435	Local	I0838
North Sydney	House	2 Hampden Street	Lot 1, DP 573264	Local	I0840
North Sydney	House	4 Hampden Street	Lot 2, DP 573264	Local	I0841
North Sydney	House	6 Hampden Street	Lot 501, DP 262512	Local	I0842

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	8 Hampden Street	Lot 502, DP 262512	Local	I0843
North Sydney	House	10 Hampden Street	Lot 503, DP 262512	Local	I0844
North Sydney	House	12 Hampden Street	Lot 504, DP 262512	Local	I0845
North Sydney	House	14 Hampden Street	Lot 505, DP 262512	Local	I0846
North Sydney	Kesterton Park	High Street	Lots 1, 5 and 7-9, DP 12302; Lot A, DP 309671; Lot A, DP 396389	Local	I0858
North Sydney	House	68 High Street	Lot 1, DP 134119	Local	I0847
North Sydney	House	110 High Street	Lot 82, DP 789030	Local	I0848
North Sydney	Cliff bank and house	114 and 114A High Street	Lots 101 and 102, DP 871565	Local	I0849
North Sydney	"Heatherlie"	116 High Street	Lot 1, DP 743085	Local	I0850
North Sydney	"Rocklea"	119 High Street	Lot 1, DP 749022	Local	I0851
North Sydney	"Kenilworth"	123 High Street	Lot 1, DP 872160	Local	I0852
North Sydney	Rockcliff Mansions	144 High Street	Lots 0-7, 9, 10 and 12, SP 9768; Lots 13 and 14, SP 69157; Lot A, DP 309671	Local	I0853
North Sydney	House	145 High Street	Lot 1, DP 340325	Local	I0854
North Sydney	House	165 High Street	Lot 19, DP 12302	Local	I0855
North Sydney	"Newton"	11 Hipwood Street	Lot 1, DP 795137	Local	I0856
North Sydney	"Newton"	23 Hipwood Street	Lot 10, DP 14085	Local	I0857

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	Gasworks remains, HMAS Platypus	1 Kiara Close and 118–138 High Street	Lots 0–81, SP 36253; Lot 1, DP 945479; Lot A, DP 109583	Local	I0859
North Sydney	House	32 Lord Street	Lot 1, DP 203244	Local	I0860
North Sydney	House	34 Lord Street	Lot 21, DP 612916	Local	I0861
North Sydney	House	36A Lord Street	Lot 3, DP 203244	Local	I0862
North Sydney	House	38 Lord Street	Lot 4, DP 203244	Local	I0863
North Sydney	House	40 Lord Street	Lot A, DP 83712	Local	I0864
North Sydney	House	42 Lord Street	Lot A, DP 83712	Local	I0865
North Sydney	House	44 Lord Street	Lot A, DP 83712	Local	I0866
North Sydney	House	46 Lord Street	Lot A, DP 83712	Local	I0867
North Sydney	House	48 Lord Street	Lot A, DP 83712	Local	I0868
North Sydney	House	50 Lord Street	Lot A, DP 83712	Local	I0869
North Sydney	House	52 Lord Street	Lot A, DP 83712	Local	I0870
North Sydney	“Carlettie”	1 Margaret Street	Lot 2, DP 832212	Local	I0871
North Sydney	House	2A–6 Margaret Street	Lots 0–4, SP 22585	Local	I0872
North Sydney	House	3 Margaret Street	Lot 1, DP 832212	Local	I0873
North Sydney	House	5 Margaret Street	Lot B, DP 440294	Local	I0874
North Sydney	House	7 Margaret Street	Lot A, DP 440294	Local	I0875

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	“Torwood”	3 McLaren Street	Lot 1, DP 780400	Local	I0876
North Sydney	“Grahwey”	9 McLaren Street	Lot A, DP 339358	Local	I0877
North Sydney	“Kelvin”	11 McLaren Street	Lot 11, DP 5030; Lot B, DP 339358	Local	I0878
North Sydney	House	12 McLaren Street	Lots 13–15, DP 192815	Local	I0879
North Sydney	House	21–23 McLaren Street	Lots 0–4, SP 14034	Local	I0880
North Sydney	“Tara”	25 McLaren Street	Lot 9, DP 5030	Local	I0881
North Sydney	“Stormanston”	27 McLaren Street	Lots 7 and 8, DP 5030	Local	I0882
North Sydney	“Fairhaven”	29 McLaren Street	Lot 6, DP 5030	Local	I0883
North Sydney	House	31 McLaren Street	Lot 5, DP 5030	Local	I0884
North Sydney	Memorial Hall of St Thomas	34 McLaren Street	Lots 1–4, DP 1042467; Lot 1, DP 62370	Local	I0888
North Sydney	St Thomas’ Church	34 McLaren Street	Lots 1–4, DP 1042467; Lot 1, DP 62370	Local	I0885
North Sydney	St Thomas’ Church Rectory	34 McLaren Street	Lots 1–4, DP 1042467; Lot 1, DP 62370	Local	I0886
North Sydney	St Thomas’ Kindergarten Hall	34 McLaren Street	Lots 1–4, DP 1042467; Lot 1, DP 62370	Local	I0887
North Sydney	Simsmetal House	41 McLaren Street	Lot 1, DP 557103	Local	I0889
North Sydney	North Sydney Oval	Miller Street	Lot 1108, DP 48839	Local	I1125
North Sydney	St Leonards Park	Miller Street	Lots 1104–1107, DP 46990; Lot 1108, DP 48839; Part Crown Land Plan 316–3000	Local	I0916

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	W. Tunks Memorial Fountain	Miller Street	Part Crown Land Plan 316–3000	Local	I1124
North Sydney	Cottage	10 Miller Street (181 Blues Point Road)	Lot 6, DP 37896	Local	I0890
North Sydney	St Peter's Presbyterian School House	10 Miller Street (181 Blues Point Road)	Lot 6, DP 37896	Local	I0891
North Sydney	Greenwood (former North Sydney Technical High School)	101–103 Miller Street (36 Blue Street)	Lot 1, DP 814292	State	I0892
North Sydney	MLC Building	105–153 Miller Street	Lot 2, DP 792740	Local	I0893
North Sydney	Monte Sant Angelo Group	128 Miller Street	Lots 1–8, DP 262534	Local	I0894
North Sydney	Shop	187 Miller Street	Lot 1, DP 1008019	Local	I0898
North Sydney	“O'Regan”	192 Miller Street	Lot 1, DP 780403; Lot 4, DP 5030	Local	I0899
North Sydney	Restaurant	196 Miller Street	Lot 2, DP 734946	Local	I0900
North Sydney	The Rag & Famish Hotel	199 Miller Street	Lot 1, DP 708306	Local	I0901
North Sydney	North Sydney Council Chambers (including fountain in park adjacent to Council Chambers)	200 Miller Street	Lot 105, DP 1026333	Local	I0902
North Sydney	North Sydney Council Chambers—Wyllie Wing	200 Miller Street		Local	I0903

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	Commercial building	201 Miller Street	Lot 1, DP 706146	Local	I0904
North Sydney	Shop	232–232A Miller Street	Lot 101, DP 1018645	Local	I0905
North Sydney	Trewyn Terraces	240 Miller Street	Lot 8, DP 624861	Local	I0906
North Sydney	Trewyn Terraces	242 Miller Street	Lot 4, DP 263032	Local	I0907
North Sydney	Shop	243 Miller Street	Lot 1, DP 561413	Local	I0908
North Sydney	Trewyn Terraces	244 Miller Street	Lot 3, DP 263032	Local	I0909
North Sydney	Trewyn Terraces	246 Miller Street	Lot 2, DP 263032	Local	I0910
North Sydney	Trewyn Terraces	248 Miller Street	Lot 1, DP 263032	Local	I0911
North Sydney	House	255–257 Miller Street	Lots 12 and 13, DP 979505	Local	I0912
North Sydney	St Mary's Catholic Church	264 Miller Street	Lots 8 and 9, DP 1137247	Local	I0971
North Sydney	St Mary's Catholic Presbytery	264 Miller Street	Lots 8 and 10, DP 1137247	Local	I0972
North Sydney	The Independent Theatre	269 Miller Street	Lot 101, DP 835078	Local	I0914
North Sydney	North Sydney Hotel	292 Miller Street	Lot 1, DP 656298	Local	I0915
North Sydney	Old GPO column	Mount Street Plaza	Part of Mount Street Plaza	Local	I0922
North Sydney	House	2A Mount Street (9 Edward Street)	Lot 1, DP 216247	Local	I0917
North Sydney	St Joseph's Convent School and Chapel	7–11 Mount Street	Lot 1, DP 225258	Local	I0918

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	Former Bank of NSW	51 Mount Street	Lot 1, DP 224124	Local	I0919
North Sydney	Facade of S. Thompson Building (No 67A)	67-69 Mount Street	Lot 1, DP 200724	Local	I0920
North Sydney	House	67-69 Mount Street	Lot 1, DP 200724	Local	I0921
North Sydney	House	1 Napier Street	Lot 21, DP 564122	Local	I0923
North Sydney	House	3 Napier Street	Lot 22, DP 564122	Local	I0924
North Sydney	House	5 Napier Street	Lot 23, DP 564122	Local	I0925
North Sydney	Don Bank Museum	6 Napier Street	Lot 9, DP 4120	State	I0926
North Sydney	House	7 Napier Street	Lot 12, DP 605732	Local	I0927
North Sydney	House	15 Neutral Street	Lot 1, DP 714575	Local	I0928
North Sydney	House	18 Neutral Street	Lot 1, DP 519937	Local	I0929
North Sydney	House	19 Neutral Street	Lot 3, DP 200767	Local	I0930
North Sydney	House	20 Neutral Street	Lot 2, DP 519937	Local	I0931
North Sydney	House	21 Neutral Street	Lot 2, DP 200767	Local	I0932
North Sydney	House	23 Neutral Street	Lot 1, DP 200767	Local	I0933
North Sydney	House	31 Neutral Street	Lot 1, DP 858968	Local	I0934
North Sydney	House	33 Neutral Street	Lot 2, DP 858968	Local	I0935
North Sydney	House	35 Neutral Street	Lot 3, DP 858968	Local	I0936

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	37 Neutral Street	Lot 4, DP 858968	Local	I0937
North Sydney	House	41 Neutral Street	Lot B, DP 447291	Local	I0938
North Sydney	House	41A Neutral Street	Lot A, DP 447291	Local	I0939
North Sydney	House	1 Oak Street	Lot 10, DP 210322	Local	I0940
North Sydney	“Two Oak”	2 Oak Street	Lot 100, DP 793237	Local	I0941
North Sydney	House	3 Oak Street	Lots 111 and 112, DP 597246	Local	I0942
North Sydney	House	4 Oak Street	Lot 7, DP 70448	Local	I0943
North Sydney	House	5 Oak Street	Lot 12, DP 1061004	Local	I0944
North Sydney	House	6 Oak Street	Lot 101, DP 793238	Local	I0945
North Sydney	House	7 Oak Street	Lot 131, DP 597248	Local	I0946
North Sydney	House	8 Oak Street	Lot 102, DP 793238	Local	I0947
North Sydney	House	9 Oak Street	Lot 141, DP 597247	Local	I0948
North Sydney	House	10 Oak Street	Lot 41, DP 807441	Local	I0949
North Sydney	House	11 Oak Street	Lot 15, DP 878342	Local	I0950
North Sydney	House	12 Oak Street	Lot 42, DP 807441	Local	I0951
North Sydney	House	13 Oak Street	Lot 161, DP 595651	Local	I0952
North Sydney	North Sydney Post Office and court house (former police station)	92–94 Pacific Highway	Lot 1203, DP 752067; Lot 7002, DP 1075452	State*	I0953

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	168 Pacific Highway	Lot 2, DP 1002607	Local	I0954
North Sydney	House	170 Pacific Highway	Lot 1, DP 1002607	Local	I0955
North Sydney	“Woodstock”	172 Pacific Highway	Lots 0–19, SP 19533	Local	I0956
North Sydney	Gates and fence of former Crows Nest House	182 Pacific Highway	Lot 1, DP 184559; Lot 1, DP 183591	Local	I0957
North Sydney	Bradfield TAFE College	192 Pacific Highway	Lot 1, DP 782580	Local	I0958
North Sydney	Shop	265 Pacific Highway	Lot B, DP 321904	Local	I0959
North Sydney	Union Hotel	271 Pacific Highway	Lot B, DP 395387	Local	I0960
North Sydney	Former Masonic Temple	317 Pacific Highway	Lot 1, DP 1052632	Local	I0961
North Sydney	War memorial	Ridge Street	Part Crown Land Plan 3163000	Local	I1123
North Sydney	Playfair House	2 Ridge Street	Lot 100, DP 1034902	Local	I0962
North Sydney	House	4 Ridge Street	Lot 1, DP 626796	Local	I0963
North Sydney	House	6 Ridge Street	Lot 101, DP 1034902	Local	I0964
North Sydney	House	8 Ridge Street	Lot 103, DP 1043814	Local	I0965
North Sydney	House	10 Ridge Street	Lot 104, DP 1043814	Local	I0966
North Sydney	House	11 Ridge Street	Lot 1, DP 613236	Local	I0967
North Sydney	House	12 Ridge Street	Lot A, DP 908867	Local	I0968
North Sydney	House	14 Ridge Street	Lot B, DP 908867	Local	I0969

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	St Mary's Primary School	40 Ridge Street	Lot 7, DP 1137247; Lot 1, DP 782363	Local	I0970
North Sydney	House	45 Ridge Street	Part Lot 3, DP 1101874	Local	I0973
North Sydney	House	47 Ridge Street	Part Lot 3, DP 1101874	Local	I0974
North Sydney	House	49 Ridge Street	Part Lot 3, DP 1101874	Local	I0975
North Sydney	House	51 Ridge Street	Part Lot 3, DP 1101874	Local	I0976
North Sydney	House	63 Ridge Street	Lot 1, DP 408756	Local	I0977
North Sydney	House	81 Ridge Street	Lot B, DP 354165	Local	I0978
North Sydney	House	85 Ridge Street	Lot 1, DP 577778	Local	I0979
North Sydney	House	87 Ridge Street	Lot 2, DP 577778	Local	I0980
North Sydney	"St Helen's"	91 Ridge Street	Lot 102, DP 837547	Local	I0981
North Sydney	"St Malo"	95 Ridge Street	Lot 103, DP 837547	Local	I0982
North Sydney	Stone wall	Walker Street (near Hampden Street)	Walker Street road reserve; Walker Street and Hampden Street road reserve	Local	I0996
North Sydney	Former fire station	86 Walker Street	Lot 1, DP 857756	Local	I0983
North Sydney	House	144 Walker Street	Lots 6 and 7, DP 2537	Local	I0984
North Sydney	House	146 Walker Street	Lots 4 and 5, DP 2537	Local	I0985
North Sydney	House	148 Walker Street	Lot 1, DP 900609	Local	I0986
North Sydney	House	150 Walker Street	Lot 1, DP 2537; Lot 1, DP 123337	Local	I0987

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	185 Walker Street	Lots 0–8, SP 67143	Local	I0988
North Sydney	Wenona Girls' School Group—Karakatta	186 Walker Street	Lot 33, DP 2798	Local	I0993
North Sydney	Wenona Girls' School Group—79 Ridge Street	186 Walker Street (79 Ridge Street)	Lot A, DP 354165	Local	I0991
North Sydney	Wenona Girls' School Group—83 Ridge Street	186 Walker Street (83 Ridge Street)	Lot C, DP 354165	Local	I0992
North Sydney	Wenona Girls' School Group—Wenona	186 Walker Street (182 Walker Street)	Part of Lot 101, DP 1172241	Local	I0989
North Sydney	Wenona Girls' School Group—Ralston House	186 Walker Street (184 Walker Street)	Lots 34 and 35, DP 2798	Local	I0990
North Sydney	House	207 Walker Street	Lot 191, DP 614779	Local	I0994
North Sydney	House	209 Walker Street	Lot 1, DP 63061	Local	I0995
North Sydney	House	33 West Street	Lot B, DP 72990	Local	I0997
North Sydney	House	35 West Street	Lot C, DP 72990	Local	I0998
North Sydney	“Courtney Creche”	36 West Street	Lot 1, DP 63644	Local	I0999
North Sydney	House	41 West Street	Lot 1, DP 935629	Local	I1000
North Sydney	House	43 West Street	Lot 2, DP 603668	Local	I1001
North Sydney	Vera Loblay House	44 West Street	Lot 5, DP 58706	Local	I1002

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	45 West Street	Lot 1, DP 603668	Local	I1003
North Sydney	House	58 West Street	Lot 58, DP 1107016	Local	I1004
North Sydney	House	58A West Street	Lot 1, DP 799980	Local	I1005
North Sydney	Shop	67 West Street	Lot A, DP 307138	Local	I1006
North Sydney	House	1 Whaling Road	Lot 1, DP 438117	Local	I1007
North Sydney	House	3 Whaling Road	Lot 2, DP 438117	Local	I1008
North Sydney	House	5 Whaling Road	Lot 3, DP 438117	Local	I1009
North Sydney	House	7 Whaling Road	Lot 4, DP 438117	Local	I1010
North Sydney	House	9 Whaling Road	Lot A, DP 355835	Local	I1011
North Sydney	House	11 Whaling Road	Lot B, DP 355835	Local	I1012
North Sydney	House	15 Whaling Road	Lot 1, DP 84227	Local	I1013
North Sydney	House	17 Whaling Road	Lot 4, DP 777659	Local	I1014
North Sydney	House	19 Whaling Road	Lot 3, DP 777659	Local	I1015
North Sydney	House	21 Whaling Road	Lot 2, DP 777659	Local	I1016
North Sydney	House	23 Whaling Road	Lot 1, DP 777659	Local	I1017
North Sydney	House	25 Whaling Road	Lot 102, DP 736819	Local	I1018
North Sydney	House	27 Whaling Road	Lot 103, DP 736819	Local	I1019
North Sydney	House	29 Whaling Road	Lot 71, DP 749116	Local	I1020

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	House	31 Whaling Road	Lot 72, DP 749116	Local	I1021
North Sydney	House	41 Whaling Road	Lot 1, DP 797300; Lot 1240, DP 704513	Local	I1022
North Sydney	House	45 Whaling Road	Lot 1, DP 501312	Local	I1023
North Sydney	House	47 Whaling Road	Lot 2, DP 501312; Lot 1236, DP 43705	Local	I1024
North Sydney	House	49 Whaling Road	Lot 11, DP 806075; Lot 1113, DP 704510	Local	I1025
North Sydney	House	51 Whaling Road	Lot 12, DP 806075; Lot 1114, DP 704510	Local	I1026
North Sydney	House	53 Whaling Road	Lots 3 and 4, DP 913656; Lot 1115, DP 704510	Local	I1027
North Sydney	House	55 Whaling Road	Lot 1116, DP 704510	Local	I1028
North Sydney	House	57 Whaling Road	Lot 5, DP 545858; Lot 1117, DP 704510	Local	I1029
North Sydney	Telephone exchange	1 Wheeler Lane	Lot 101, DP 1076397	Local	I1030
North Sydney	Shore Sydney Church of England Grammar School	William Street	Lots 3 and 4, DP 18725; Lot 1, DP 66955; Lot 3, DP 75717; Lot 6, DP 84347; Lot 1, DP 89521; Lot 1, DP 120268; Lot B, DP 175244; Lot 1, DP 175784; Lot 1, DP 190523; Lot 6, DP 190774; Lot 1, DP 229912; Lot 1, DP 245768; Lots 3 and 4, DP 508557; Lot 1, DP 539853; Lot 1, DP 570826; Lot 1, DP 610432; Lots B-D, DP 975970	Local	I0782
North Sydney	“Waiwera”	6 William Street	Lot 52, DP 1059651	Local	I1031

Locality	Item name	Address	Property description	Significance	Item no
North Sydney	“Waiwera”	8 William Street	Lot 51, DP 1059651	Local	I1032
St Leonards	Commercial building	1 Chandos Street	Lot 1, DP 564685	Local	I1033
St Leonards	Former Marco Building	583 Pacific Highway	Lot A, DP 431687; Lot 10, DP 660453; Lot 1, DP 772247	Local	I1034
Waverton	House	31 Ancrum Street	Lot A, DP 349615	Local	I1035
Waverton	Former Quarantine Boat Depot	Balls Head Drive	Lots 104 and 105, DP 1162896	Local	I1039
Waverton	Balls Head Foreshore Relics Group—ring bolt	Balls Head Drive	Lot 106, DP 1162896	Local	I1046
Waverton	Balls Head Foreshore Relics Group—ring bolt and iron screen	Balls Head Drive	Lot 106, DP 1162896	Local	I1045
Waverton	Balls Head Foreshore Relics Group—steps to former harbour pool	Balls Head Drive	Lot 106, DP 1162896	Local	I1047
Waverton	Balls Head Foreshore Relics Group—remains of windlass spindle	Balls Head Drive	Lot 106, DP 1162896	Local	I1044
Waverton	Balls Head Reserve	Balls Head Drive	Lot 106, DP 1162896	Local	I1041
Waverton	Former coal loader	Balls Head Drive	Lot 99, DP 1048930; Lots 1–3, DP 542933	Local	I1040

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Waverton	Woodleys Shipyard	1 Balls Head Drive	Lots 101 and 102, DP 1162896	Local	I1038
Waverton	Balls Head Foreshore Relics Group—Uncle Tom's Cabin	Balls Head Reserve	Lot 106, DP 1162896	Local	I1048
Waverton	HMAS Waterhen, cliff face	Balls Head Road	Lot 98, DP 1048930	Local	I1042
Waverton	BP site	3A Balls Head Road	Lots 2 and 20, DP 1048933	Local	I1036
Waverton	House	39 Balls Head Road	Lot 24, Section 7, DP 6894	Local	I1037
Waverton	Waverton Railway Station group (including booking office, hut and tunnel)	Bay Road	Lot 1, DP 746295; Lot 3, DP 224574; Lot 1, DP 825406	State	I1051
Waverton	Palm trees	Bay Road (opposite Waverton Railway Station)	Bay Road road reserve	Local	I1052
Waverton	House	75 Bay Road	Lot 10, Section 1, DP 1098	Local	I1049
Waverton	“Waverton”	122 Bay Road	Lot 8, Section 6, DP 5874	Local	I1050
Waverton	House	22 Carr Street	Lot 6, Section 5, DP 5874	Local	I1053
Waverton	House	24 Carr Street	Lot 5, Section 5, DP 5874	Local	I1054
Waverton	House	37A Carr Street	Lots 1 and 2, DP 1138299	Local	I1055
Waverton	House	47 Carr Street	Lot 16, DP 8688	Local	I1056
Waverton	House	21 Clifton Street	Lot 1, DP 726452	Local	I1057

Locality	Item name	Address	Property description	Significance	Item no
Waverton	House	22 Clifton Street	Lot 1, DP 1078499	Local	I1058
Waverton	House	24 Clifton Street	Lot 1, DP 301646	Local	I1059
Waverton	House	26 Euroka Street	Lot X, DP 110104	Local	I1060
Waverton	House	28 Euroka Street	Lot W, DP 110104	Local	I1061
Waverton	House	30 Euroka Street	Lot V, DP 110104; Lot 14, Section 2, DP 966	Local	I1062
Waverton	House	34 Euroka Street	Lot 1, DP 937146	Local	I1063
Waverton	House	36 Euroka Street	Lot 2, DP 534936	Local	I1064
Waverton	House	38 Euroka Street	Lot 1, DP 534936	Local	I1065
Waverton	“Ferryman”	40 Euroka Street	Lot 18, Section 2, DP 966	Local	I1066
Waverton	House	42 Euroka Street	Lot 19, Section 2, DP 966	Local	I1067
Waverton	House	44 Euroka Street	Lot 20, Section 2, DP 966	Local	I1068
Waverton	House	50 Euroka Street	Lot 1, DP 958722	Local	I1069
Waverton	House	25 King Street	Lots 0–8, SP 33020	Local	I1070
Waverton	House	27 King Street	Lots 0–8, SP 33020	Local	I1071
Waverton	“Rinaultrie”	31 King Street	Lot 1, DP 105627	Local	I1072
Waverton	“St Elmo”	33 King Street	Lot 18, Section 3, DP 4326	Local	I1073
Waverton	“Miroma”	37 King Street	Lot 20, Section 3, DP 4326	Local	I1074
Waverton	“Oakhill”	40 Larkin Street	Lot 9, Section 7, DP 6894	Local	I1075
Waverton	“Cheltenham”	44 Larkin Street	Lot 7, Section 7, DP 6894	Local	I1076

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Waverton	“The Priory”	5 Priory Road	Lots 0–8, SP 12919	Local	I1077
Waverton	House	17 Ross Street	Lot 14, Section 3, DP 1098	Local	I1078
Waverton	House	21 Ross Street	Lot 2, DP 230030	Local	I1079
Waverton	Flat building	26 Toongarah Road	Lots 0–6, SP 7965	Local	I1080
Waverton	House	2 Tunks Street	Lot 11, DP 181748	Local	I1081
Waverton	“Luton”	16 Tunks Street	Lot 4, Section 2, DP 1098	Local	I1082
Waverton	Rob’s Cottage	11 Woolcott Avenue	Lots 1–4, DP 1093469	Local	I1084
Waverton	House	2 Woolcott Street	Lot 9, Section 6, DP 5874	Local	I1083
Wollstonecraft	Wollstonecraft foreshore reserves	East and west of peninsula	Lots 1 and 2, DP 528489; Lot 2, DP 232859; Lot 1, DP 115700; Lot 1, DP 515367; closed road (within Badangi Reserve)	Local	I1122
Wollstonecraft	House	15 Balfour Street	Lot 23, Section 9, DP 4319	Local	I1085
Wollstonecraft	House	22 Balfour Street	Lot 22, Section 10, DP 4319	Local	I1086
Wollstonecraft	Mater Hospital—RMOs’ residence	13 Gillies Street	Lot 54, DP 826360	Local	I1087
Wollstonecraft	Astley Bank	20 Gillies Street	Lot 1, DP 414496	Local	I1088
Wollstonecraft	Plane trees	Hazelbank Road (north of intersection with Gillies Street)	Hazelbank Road road reserve; Hazelbank Road and Sinclair Street road reserve; Hazelbank Road and Gillies Street road reserve	Local	I1089

Locality	Item name	Address	Property description	Significance	Item no
Wollstonecraft	Brennan Park	Hazelbank Road and King Street	Lots 2–7 and 9–15, Section 7, DP 4038; Lots 81 and 82, DP 779984; Lot 7042, DP 1059448	Local	I1121
Wollstonecraft	Kyneton Apartments	19 Ivy Street	Lot A, DP 367499	Local	I1090
Wollstonecraft	Former King Street Wharf	King Street	Adjoining King Street road reserve	Local	I1091
Wollstonecraft	Gas works (including boiler house, exhaustor house, carburettor building, chimney and wharfs)	King and Ross Streets and Gas Works Road	Lots 1 and 5, DP 270176; SP 60590	Local	I1092
Wollstonecraft	House	9 Milner Crescent	Lot 1, DP 931566	Local	I1093
Wollstonecraft	House	13 Milner Crescent	Lot A, DP 950140	Local	I1094
Wollstonecraft	House	17 Milner Crescent	Lot 6, Section 8, DP 4319	Local	I1095
Wollstonecraft	House	27 Milner Crescent	Lot 101, DP 771446	Local	I1096
Wollstonecraft	“Morville”	29 Milner Crescent	Lot 102, DP 771446	Local	I1097
Wollstonecraft	“Wyagdon”	54 Milner Crescent	Lot E, DP 391356	Local	I1098
Wollstonecraft	House	56 Milner Crescent	Lots 0–2, SP 2255	Local	I1099
Wollstonecraft	House	3 Milray Avenue	Lots 9 and 10, Section 15, DP 6622	Local	I1100
Wollstonecraft	House	18 Morton Street	Lot 6, Section 4, DP 4038	Local	I1101
Wollstonecraft	House	20 Morton Street	Lot 5, Section 4, DP 2038	Local	I1102

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Locality	Item name	Address	Property description	Significance	Item no
Wollstonecraft	House	22 Morton Street	Lot 4, Section 4, DP 4038	Local	I1103
Wollstonecraft	House	24 Morton Street	Lot 3, Section 4, DP 4038	Local	I1104
Wollstonecraft	House	26 Morton Street	Lot 2, Section 4, DP 4038	Local	I1105
Wollstonecraft	House	2 Nicholson Street	Lot 1, DP 956027; Lot 1, Section 34, DP 4320	Local	I1106
Wollstonecraft	Berry Island Reserve	Shirley Road	Lot 1, DP 115701	Local	I1115
Wollstonecraft	House	8 Shirley Road	Lot A, DP 409490	Local	I1107
Wollstonecraft	Carpenter House	25 Shirley Road	Lot B, DP 964648; Lot 15, DP 6622	Local	I1108
Wollstonecraft	House	36 Shirley Road	Lot 11, DP 1051114	Local	I1109
Wollstonecraft	House	42 Shirley Road	Lot C, DP 375109	Local	I1110
Wollstonecraft	House	46 Shirley Road	Lots 0–4, SP 881	Local	I1111
Wollstonecraft	House	62 Shirley Road	Lot 1, DP 929894	Local	I1112
Wollstonecraft	“Illaroo”	96 Shirley Road	Lot 1, DP 842687	Local	I1113
Wollstonecraft	Uniting Church	122 Shirley Road	Lot 1, DP 908026; Lot 3, Section 34, DP 4320	Local	I1114
Wollstonecraft	Former Mater Misericordiae Maternity Hospital	7–17 Sinclair Street	Lots 0–68, SP 60544	Local	I1116
Wollstonecraft	House	2 Telopea Street	Lot 1, Section 16, DP 6622	Local	I1117
Wollstonecraft	“The Briars”	3 Telopea Street	Lot 1, Section 17, DP 6622	Local	I1118
Wollstonecraft	House	4A Telopea Street	Lots 0–2, SP 46190	Local	I1119

Locality	Item name	Address	Property description	Significance	Item no
Wollstonecraft	"Tullamore"	11 Telopea Street	Lot 1, DP 972483	Local	I1120

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map	Significance
Bay Road	Shown by red hatching and labelled "CA22"	Local
Cammeray	Shown by red hatching and labelled "CA01"	Local
Careening Cove	Shown by red hatching and labelled "CA10"	Local
Cremorne	Shown by red hatching and labelled "CA03"	Local
Cremorne Point	Shown by red hatching and labelled "CA06"	Local
Crows Nest Road	Shown by red hatching and labelled "CA23"	Local
Edward Street	Shown by red hatching and labelled "CA17"	Local
Holtermann Estate A	Shown by red hatching and labelled "CA07"	Local
Holtermann Estate B	Shown by red hatching and labelled "CA08"	Local
Holtermann Estate C	Shown by red hatching and labelled "CA09"	Local
Holtermann Estate D	Shown by red hatching and labelled "CA18"	Local
Jeffreys Street	Shown by red hatching and labelled "CA26"	Local
Kirribilli	Shown by red hatching and labelled "CA11"	Local
Kurraba Point	Shown by red hatching and labelled "CA16"	Local
Lavender Bay	Shown by red hatching and labelled "CA12"	Local
McLaren Street	Shown by red hatching and labelled "CA19"	Local
McMahons Point North	Shown by red hatching and labelled "CA13"	Local
McMahons Point South	Shown by red hatching and labelled "CA14"	Local
Montague Road	Shown by red hatching and labelled "CA04"	Local
Oaks Avenue	Shown by red hatching and labelled "CA05"	Local
Plateau	Shown by red hatching and labelled "CA02"	Local
Priory Road	Shown by red hatching and labelled "CA24"	Local
Union, Bank and Thomas Streets	Shown by red hatching and labelled "CA15"	Local

2013 No 411

North Sydney Local Environmental Plan 2013

Schedule 5 Environmental heritage

Name of heritage conservation area	Identification on Heritage Map	Significance
Walker and Ridge Streets	Shown by red hatching and labelled "CA20"	Local
Whaling Road	Shown by red hatching and labelled "CA21"	Local
Wollstonecraft	Shown by red hatching and labelled "CA25"	Local

Dictionary

(Clause 1.4)

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.

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,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

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

agriculture means any of the following:

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

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

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

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

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

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

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

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

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

aquaculture has the same meaning as in the *Fisheries Management Act 1994*.

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.

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 means biological diversity.

biological diversity has the same meaning as in the *Threatened Species Conservation Act 1995*.

Note. The term is defined as follows:

biological diversity means the diversity of life and is made up of the following 3 components:

- (a) genetic diversity—the variety of genes (or units of heredity) in any population,
- (b) species diversity—the variety of species,
- (c) ecosystem diversity—the variety of communities or 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.

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

boarding house means a building that:

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

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

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

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

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

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

brothel has the same meaning as in the Act.

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

building has the same meaning as in the Act.

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

building height (or height of building) means the vertical distance between ground level (existing) and 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.

bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (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,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

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

bush fire hazard reduction work has the same meaning as in the *Rural Fires Act 1997*.

Note. The term is defined as follows:

bush fire hazard reduction work means:

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

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

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

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

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

business identification sign means a sign:

- (a) that indicates:
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

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

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

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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

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

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

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

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

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

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:
 - (i) dwellings that are permitted on rural land, and
 - (ii) dwellings that are used for caretaker or staff purposes, or
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

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

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

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

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

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of

the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

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

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

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.

child care centre means a building or place used for the supervision and care of children that:

- (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and
- (b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
 - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - (ii) private tutoring, or
- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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 the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

clearing native vegetation means any one or more of the following:

- (a) cutting down, felling, thinning, logging or removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

(See Division 3 of Part 3 of the *Native Vegetation Act 2003* for the exclusion of routine agricultural management and other farming activities from constituting the clearing of native vegetation if the landholder can establish that any clearing was carried out for the purpose of those activities.)

coastal foreshore means land with frontage to a beach, estuary, coastal lake, headland, cliff or rock platform.

coastal hazard has the same meaning as in the *Coastal Protection Act 1979*.

coastal lake means a body of water specified in Schedule 1 to *State Environmental Planning Policy No 71—Coastal Protection*.

coastal protection works has the same meaning as in the *Coastal Protection Act 1979*.

coastal waters of the State—see section 58 of the *Interpretation Act 1987*.

coastal zone has the same meaning as in the *Coastal Protection Act 1979*.

Note. The term is defined as follows:

coastal zone means:

- (a) the area within the coastal waters of the State as defined in Part 10 of the *Interpretation Act 1987* (including any land within those waters), and
- (b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and

-
- (c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

The coastal zone consists of the area between the western boundary of the coastal zone shown on the maps outlining the coastal zone and the outermost boundary of the coastal waters of the State. The coastal waters of the State extend, generally, to 3 nautical miles from the coastline of the State.

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 North Sydney Council.

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

Crown reserve means:

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

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

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

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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 are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

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

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

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

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

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

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

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

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

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

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

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

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

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

dwelling house means a building containing only one dwelling.

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that:

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

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

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

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

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

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

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

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

emergency services organisation means any of the following:

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

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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.

Exceptions to Development Standards Map means the North Sydney Local Environmental Plan 2013 Exceptions to Development Standards Map.

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 for commercial purposes,
- (c) bee keeping,
- (d) a dairy (pasture-based).

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

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods

such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

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

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

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

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

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

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

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, fed (wholly or substantially) on prepared and manufactured feed, for the purpose of meat production or fibre products, but does not include a poultry farm, dairy or piggery.

Note. Feedlots are a type of **intensive livestock agriculture**—see the definition of that term 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.

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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 North Sydney Local Environmental Plan 2013 Floor Space Ratio Map.

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

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

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

Foreshore Building Line Map means the North Sydney Local Environmental Plan 2013 Foreshore Building Line Map.

forestry has the same meaning as **forestry operations** has for the purposes of Part 5A of the *Forestry Act 2012*.

Note. The term is defined as follows:

forestry operations means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) the harvesting of forest products, or

-
- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning and other silvicultural activities such as bee-keeping, grazing and bush fire hazard reduction, or
 - (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

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, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

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

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

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

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

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

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

- (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

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

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

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

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

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

group home (permanent) or **permanent group home** means a dwelling:

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

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

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

group home (transitional) or **transitional group home** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons

formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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 North Sydney Local Environmental Plan 2013 Height of Buildings Map.

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

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

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

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

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

- (a) shown on the Heritage Map as a heritage conservation area, and
- (b) the location and nature of which is described in Schedule 5,

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

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Division of the Government Service 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 North Sydney Local Environmental Plan 2013 Heritage Map.

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

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

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),
- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,
- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

- (h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

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

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

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

home-based child care means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- (a) the service is licensed within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*,
- (b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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

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

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

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

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

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

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

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

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

- (a) comprises rooms or self-contained suites, and

- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

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

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

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

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry 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 or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies (restricted),

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

- (b) feedlots,
- (c) piggeries,
- (d) poultry farms,

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

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

intensive plant agriculture means any of the following:

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

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

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

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

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

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

Land Application Map means the North Sydney Local Environmental Plan 2013 Land Application Map.

Land Reservation Acquisition Map means the North Sydney Local Environmental Plan 2013 Land Reservation Acquisition Map.

Land Zoning Map means the North Sydney Local Environmental Plan 2013 Land Zoning Map.

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

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

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

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,

(b) home industry.

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, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

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

Lot Size Map means the North Sydney Local Environmental Plan 2013 Lot Size Map.

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

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

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

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

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

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

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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 the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

Meaning of “native vegetation”

- (1) **Native vegetation** means any of the following types of indigenous vegetation:
 - (a) trees (including any sapling or shrub, or any scrub),
 - (b) understorey plants,
 - (c) groundcover (being any type of herbaceous vegetation),
 - (d) plants occurring in a wetland.
- (2) Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.
- (3) **Native vegetation** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

navigable waterway means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

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

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 Range Map means the North Sydney Local Environmental Plan 2013 Non-Residential Floor Space Ratio Range Map.

North Sydney Centre means the land identified as “North Sydney Centre” on the North Sydney Centre Map.

North Sydney Centre Map means the North Sydney Local Environmental Plan 2013 North Sydney Centre Map.

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

NSW Coastal Policy means the publication titled *NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast*, published by the Government.

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*.

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.

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.

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.

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 has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

property vegetation plan means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*.

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

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

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

public authority has the same meaning as in the Act.

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

Note. The term is defined as follows:

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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

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

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

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

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

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

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

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

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

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

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

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

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre,

skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

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

registered club means a club that holds a club licence under the *Liquor Act 2007*.

relic has the same meaning as in the *Heritage Act 1977*.

Note. The term is defined as follows:

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

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

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

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

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

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

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

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,

-
- (e) hardware and building supplies,
 - (f) kiosks,
 - (g) landscaping material supplies,
 - (h) markets,
 - (i) plant nurseries,
 - (j) roadside stalls,
 - (k) rural supplies,
 - (l) shops,
 - (m) timber yards,
 - (n) vehicle sales or hire premises,

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

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

road means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road.

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

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

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

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

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

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

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

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

2013 No 411

North Sydney Local Environmental Plan 2013

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.

secondary dwelling means a self-contained dwelling that:

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

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

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

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

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

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

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

seniors housing means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

- (e) seniors or people who have a disability, or

-
- (f) people who live in the same household with seniors or people who have a disability, or
 - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

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

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

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

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

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

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

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

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

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

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

sewerage system means any of the following:

- (a) biosolids treatment facility,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place 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, but does not include food and drink premises or restricted premises.

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

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

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

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

Note. The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- (a) any basement,
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,
- (d) unenclosed balconies, decks, pergolas and the like.

small bar means a small bar within the meaning of the *Liquor Act 2007*.

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

spa pool has the same meaning as in the *Swimming Pools Act 1992*.

Note. The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

Note. Stock and sale yards are a type of **rural industry**—see the definition of that term in this Dictionary.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

swimming pool has the same meaning as in the *Swimming Pools Act 1992*.

Note. The term is defined as follows:

swimming pool means an excavation, structure or vessel:

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act.

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

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

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

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

(c) any other thing used in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note. The term is defined as follows:

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

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

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

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

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

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

underground mining means:

- (a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and
- (b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

Note. Vehicle sales or hire premises are a type of ***retail premises***—see the definition of that term in this Dictionary.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

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

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

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,

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

- (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, dosing facilities and water supply reservoirs.

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, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

wharf or boating facilities means a wharf (or any of the following facilities associated with a wharf or boating) that are not port facilities:

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

2013 No 411

North Sydney Local Environmental Plan 2013

Dictionary

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.