

# Appendix F – Draft Northern Beaches LEP 202X

## Northern Beaches Local Environmental Plan 202X – Preliminary Draft

### Status information

NOTE: THIS VERSION IS AN INDICATIVE PRELIMINARY DRAFT ONLY AND WILL BE SUBJECT TO GATEWAY REVIEW & DETERMINATION BY THE NSW DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE, PUBLIC EXHIBITION, AGENCY CONSULTATION, AND DRAFTING BY PARLIAMENTARY COUNSEL, AND MAY THEREFORE BE ALTERED IN THIS PROCESS.

### About this plan

This Plan is a standard instrument local environmental plan under the *Environmental Planning and Assessment Act 1979*.

### Legend

On the pages that follow:

Text marked in 'black'

Mandated content set by the Standard Instrument – Principal Local Environmental Plan (2006)

Text marked in 'red'

Proposed local content included by Council

Minor amendments made 28/05/2024.

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# Part 1 Preliminary

## 1.1 Name of Plan

This Plan is **Northern Beaches Local Environmental Plan 202X**.

## 1.1AA Commencement

This Plan commences **28 days after it is published on the NSW legislation website**.

## 1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in **Northern Beaches** in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows:

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

(a) in relation to sustainability, to –

(i) promote development that is economically, ecologically, and socially sustainable,

(ii) identify and protect the natural, scenic, cultural, heritage and built values of the Northern Beaches,

(iii) protect, maintain and restore the ecological condition of coastal areas, catchments (including groundwater aquifers), waterways (wetlands, watercourses, lagoons, and estuaries) and riparian areas,

(iv) protect, conserve and restore areas of high environmental value, including threatened species habitat, native vegetation, core habitat, and biodiversity corridors,

(v) consider and control for the cumulative impact of development on the health of the bushland, coasts, catchments, and waterways,

(vi) promote waste avoidance, resource recovery, efficient waste management and circular economy outcomes,

(vii) build resilience and minimise risks to the community in areas subject to environmental hazards including climate change,

(b) in relation to infrastructure and collaboration, to –

(i) ensure development is enabled and supported by appropriate social and physical infrastructure and services to meet increases in demand,

(c) in relation to liveability, to –

(i) create vibrant and liveable town centres by focusing employment and residential development near existing centres,

(ii) support healthy living and enhance the quality of life and social well-being of the community,

- (iii) ensure development is compatible with the desired future character of the Northern Beaches,
  - (iv) provide diverse housing, recreational opportunities, and community facilities to meet the needs of a growing and changing population,
  - (v) promote urban design standards and design excellence requirements for developments in the private and public domain,
- (d) in relation to productivity, to –
- (i) provide a range of business, industrial, and tourism opportunities to encourage local employment and economic growth,
  - (ii) enable and support walking, cycling, and use of public transport through appropriate intensification of development near transport nodes.

### 1.3 Land to which Plan applies

This Plan applies to the land identified on the Land Application Map.

### 1.4 Definitions

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

### 1.5 Notes

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

### 1.6 Consent authority

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

### 1.7 Maps

(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:

- (a) approved by the local plan-making authority when the map is adopted, and
- (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made.

(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.

(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

#### **Note—**

The maps adopted by this Plan are to be made available on the NSW Planning Portal. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP*



maps and Standard requirements for LEP GIS data which are available on the website of the Department of Planning and Environment.

## **1.8 Repeal of planning instruments applying to land**

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

Note. The following local environmental plans are repealed under this provision:

Warringah Local Environmental Plan 2000

Warringah Local Environmental Plan 2011

Manly Local Environmental Plan 2013

Pittwater Local Environment Plan 2014

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

### **1.8A Savings provision relating to development applications**

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

(2) Continuation of Permitted Development

Development that is permitted with development consent on land in Oxford Falls and Belrose North under Warringah Local Environmental Plan 2000, as in force immediately before <insert date of LEP commencement>, continues to be permitted with development consent on the land until <insert date 2 years following the date of LEP commencement>.

## **1.9 Application of SEPP**

(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.

(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

*[Note – the clause may be updated to reference relevant SEPPs at the time of publication]*

(2A) Division 1 of Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to the land to which clause 6.x 'Affordable Housing' applies.

### **1.9A Suspension of covenants, agreements and instruments**

(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with 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 13.4 of the Crown Lands Management Act 2016 or
- (c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or
- (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or
- (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or
- (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or
- (g) to any planning agreement within the meaning of Subdivision 2 of Division 7.1 of the Act.

(3) This clause does not affect the rights or interests of any public authority under any registered instrument.

(4) Under section 3.16 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

## **Part 2 Permitted or prohibited development**

### **2.1 Land use zones**

The land use zones under this Plan are as follows:

#### **Rural Zones**

- RU2 Rural Landscape
- RU4 Primary Production Small Lots

#### **Residential Zones**

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential

#### **Employment Zones**

- Zone E1 Local Centre
- Zone E2 Commercial Centre
- Zone E3 Productivity Support
- Zone E4 General Industrial

#### **Mixed Use Zones**

- Zone MU1 Mixed Use

#### **Special Purpose Zones**

- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist
- SP4 Enterprise

#### **Recreation Zones**

- RE1 Public Recreation
- RE2 Private Recreation

## Environment Protection Zones

- C1 National Parks and Nature Reserves
- C2 Environmental Conservation
- C3 Environmental Management
- C4 Environmental Living

## Waterway Zones

- W1 Natural Waterways
- W2 Recreational Waterways
- W4 Working Waterfront

## 2.2 Zoning of land to which Plan applies

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

## 2.3 Zone objectives and Land Use Table

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

### Notes—

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

## 2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with development consent.
- (2) In deciding whether to grant development consent, the consent authority:
  - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and

(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

## 2.5 Additional permitted uses for particular land

(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:

- (a) with development consent, or
- (b) if the Schedule so provides—without development consent,

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

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

## 2.6 Subdivision—consent requirements

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

### Notes—

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

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

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

### Note—

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

## 2.7 Demolition requires development consent

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

### Note—

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

## 2.8 Temporary use of land

(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of **52 days** (whether or not consecutive days) in any period of 12 months.

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

## 2.9 Canal estate development prohibited

- (1) Canal estate development is prohibited on land to which this Plan applies.
- (2) In this Plan, **canal estate development** means development that involves -
- (a) a constructed canal, or other waterway or waterbody, that -
    - (i) is inundated by surface water or groundwater movement, or
    - (ii) drains to a waterway or waterbody by surface water or groundwater movement, and
  - (b) the erection of a dwelling, and
  - (c) one or both of the following—
    - (i) the use of fill material to raise the level of all or part of the land on which the dwelling is erected, or is proposed to be erected, to comply with requirements for residential development in the flood planning area, or
    - (ii) excavation to create a waterway.
- (3) Canal estate development does not include development for the purposes of drainage or the supply or treatment of water if the development is—
- (a) carried out by or with the authority of a person or body responsible for the drainage, supply or treatment, and
  - (b) limited to the minimal reasonable size and capacity.
- (4) In this clause—
- flood planning area** has the same meaning as in clause 5.21.

# Land Use Table

## Note—

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

*State Environmental Planning Policy (Housing) 2021*

*State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 2—relating to infrastructure facilities, including air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

*State Environmental Planning Policy (Resources and Energy) 2021*, Chapter 2

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

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

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

**NOTE – Refer to PP Appendix B for list of land uses that are proposed to be permitted without consent, permitted with consent, and prohibited in each zone.**

## Zone RU2 Rural Landscape

### 1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## Zone RU4 Primary Production Small Lots

### 1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To minimise the impact of development on long distance views of the area and on views to and from adjacent national parks and bushland.
- To maintain and enhance the natural landscape including landform and vegetation.
- To ensure low intensity of land use other than land uses that are primary industry enterprises.
- To maintain the rural and scenic character of the land.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **Zone R1 General Residential**

## **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **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 ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of the Northern Beaches.
- To ensure that low density residential environments are of a high visual quality in their presentation to public streets and spaces.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

## Zone R3 Medium Density Residential

### 1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of the Northern Beaches
- To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.
- To allow increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## Zone R5 Large Lot Residential

### 1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.
- To ensure that large lot/ rural residential environments are characterised by landscaped settings that are in harmony with the natural environment of the Northern Beaches.
- To ensure that large lot/ rural residential environments are of a high visual quality in their presentation to public streets and spaces.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited



## Zone E1 Local Centres

### 1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To ensure new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## Zone E2 Commercial Centre

### 1 Objectives of zone

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To recognise and support the role of Brookvale and Frenchs Forest as future employment centres for the Northern Beaches and the role of Warringah Mall as a retail centre of sub-regional significance.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## Zone E3 Productivity Support

### 1 Objectives of zone

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- To create a pedestrian environment that is safe and interesting and encourages activity.
- To create employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and the natural environment.
- To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## Zone E4 General Industrial

### 1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To accommodate uses that, because of special building or site requirements or operational characteristics, cannot be, or should not be, located in other zones.

### 2 Permitted without consent

### 3 Permitted with consent

### 4 Prohibited

## **Zone MU1 Mixed Use**

### **1 Objectives of zone**

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To provide an active day and evening economy encouraging, where appropriate, weekend and night-time economy functions.

### **2 Permitted without consent**

### **3 Permitted with consent**

### **4 Prohibited**

## **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**

### **3 Permitted with consent**

### **4 Prohibited**

## **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**

### **3 Permitted with consent**

## **4 Prohibited**

### **Zone SP3 Tourist**

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

- To provide for a variety of tourist-oriented development and related uses.

#### **2 Permitted without consent**

#### **3 Permitted with consent**

#### **4 Prohibited**

### **Zone SP4 Enterprise**

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

- To provide for development and land uses that support enterprise and productivity.
- To provide healthy, attractive, functional and safe business areas.
- To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.
- To create business park employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.
- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide opportunities for new and emerging light industries.
- To restrict retail uses to ensure sufficient land is available for industrial and light industrial uses to meet future demands.

#### **2 Permitted without consent**

#### **3 Permitted with consent**

#### **4 Prohibited**

### **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 allow development that does not substantially diminish public use of, or access to, public open space resources.
- To provide passive and active public open space resources, and ancillary development, to meet the needs of the community.

- 2 Permitted without consent**
- 3 Permitted with consent**
- 4 Prohibited**

## **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 allow development of a scale and character that is appropriate to the nature of its recreational use and is integrated with the landform and landscape.

### **2 Permitted without consent**

### **3 Permitted with consent**

### **4 Prohibited**

## **Zone C1 National Parks and Nature Reserves**

### **1 Objectives of zone**

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

### **2 Permitted without consent**

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

### **3 Permitted with consent**

Nil

### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone C2 Environmental Conservation**

### **1 Objectives of zone**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.

- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect and enhance the quality and character of bushland parks and reserves.
- To enable the management and appropriate use of land in bushland parks and reserves, and land protected by a conservation mechanism.
- To ensure recreational access to natural areas is sustainable and consistent with the conservation objectives of the zone.
- To ensure that development, by way of its type, design and location, complements and enhances the natural environment.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **Zone C3 Environmental Management**

## **1 Objectives of zone**

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To protect, manage, restore and enhance the ecology and hydrology of riparian corridors and waterways, groundwater resources, areas of remnant native vegetation, core habitat, threatened ecological communities, threatened species, and dependent ecosystems.
- To ensure development does not result in further fragmentation of ecological communities, remnant native vegetation or habitat.
- To protect and enhance the natural landscape by conserving remnant bushland and rock outcrops and by encouraging the spread of an indigenous tree canopy.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **Zone C4 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 provide for residential development of a low density and scale in an urban environment, integrated with the landform and landscape and not visually prominent.

- To protect, manage, restore and enhance the urban ecology and hydrology of riparian corridors and waterways, groundwater resources, areas of remnant native vegetation, core habitat, threatened ecological communities, threatened species, and dependent ecosystems.
- To ensure development does not result in further fragmentation of ecological communities, remnant native vegetation or habitat.
- To protect and enhance the natural landscape by conserving remnant bushland and rock outcrops and by encouraging the spread of an indigenous tree canopy.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **Zone W1 Natural Waterways**

## **1 Objectives of zone**

- To protect the ecological and scenic values of natural waterways.
- To prevent development that would have an adverse effect on the natural values of waterways in this zone.
- To provide for sustainable fishing industries and recreational fishing.
- To ensure development does not adversely impact on the natural environment.
- To ensure development does not adversely obstruct the navigation of the Pittwater waterway.

## **2 Permitted without consent**

## **3 Permitted with consent**

## **4 Prohibited**

# **Zone W2 Recreational Waterways**

## **1 Objectives of zone**

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.
- To provide for amateur and professional recreational yachting or boating clubs and the like that serve Pittwater and the wider region.
- To ensure development does not adversely impact on the enjoyment and use of the waterway or adjoining land.
- To provide for a variety of passive and active recreational pursuits and water-based transport while preserving the environmental setting of the waterway.
- To ensure that public access to the waterway and foreshore areas suitable for public recreational and transport purposes is maintained.

- 2 Permitted without consent**
- 3 Permitted with consent**
- 4 Prohibited**

## **Zone W4 Working Waterfront**

### **1 Objectives of zone**

- To retain and encourage industrial and maritime activities on foreshores.
- To identify sites for maritime purposes and for activities requiring direct foreshore access.
- To ensure that development does not have an adverse impact on the environment and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.
- To provide for water-based business and service facilities that serve Pittwater and the wider region.

- 2 Permitted without consent**
- 3 Permitted with consent**
- 4 Prohibited**

## **Part 3 Exempt and complying development**

### **3.1 Exempt development**

- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
- (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
- (3) To be exempt development, the development:
  - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
  - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
  - (c) must not be designated development, and
  - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
- (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:



- (a) the building has a current fire safety certificate or fire safety statement, or
- (b) no fire safety measures are currently implemented, required or proposed for the building.

(5) To be exempt development, the development must:

- (a) be installed in accordance with the manufacturer's specifications, if applicable, and
- (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

**Note—**

See *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2 and the *Local Land Services Act 2013*, Part 5A.

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

## 3.2 Complying development

- (1) The objective of this clause is to identify development as complying development.
- (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:
  - (a) the development standards specified in relation to that development, and
  - (b) the requirements of this Part,

is complying development.

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

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

- (a) be permissible, with development consent, in the zone in which it is carried out, and
- (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
- (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

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

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

## 3.3 Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:

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

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

## Part 4 Principal development standards

### 4.1 Minimum subdivision lot size

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

- (a) to protect and maintain the local character and amenity of the locality and streetscape by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the prevailing subdivision pattern, size and configuration of existing lots in the locality,
- (b) to provide for subdivision where all resulting lots are capable of providing for development that is safe from hazards, including provision for appropriate bush fire protection measures on land that has an interface to bushland,
- (c) to provide for subdivision where all resulting lots are capable of providing for buildings that retain and protect existing significant natural landscape features, enhance remnant bushland, manage biodiversity and will not unacceptably impact on the natural environment or the amenity of neighbouring properties,
- (d) to require larger lots where existing vegetation, topography, public views and natural features of land, including the foreshore, limit its subdivision potential,
- (e) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,
- (f) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services, and where the location of smaller lots maximises the use of existing infrastructure, public transport and pedestrian access to local facilities and services,
- (g) to protect the integrity of land holding patterns in rural localities against fragmentation.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(3A) For the purposes of subclause (3), in calculating the size of a lot the area of any access corridor (including any right of carriageway, access way or other area that provides for vehicle access) is to be excluded, whether the access corridor is to be created or is in existence at the time of the application for development consent for the subdivision.

(3B) Despite subclause (3), development consent may be granted to the subdivision of a lot on which there is an existing dual occupancy, or on which a dual occupancy is proposed in conjunction with the subdivision of land, if –

(a) the area of each lot resulting from the subdivision is equal to or greater than:

a. In zone R2 – 400 square metres,

b. In zone R1 and R3 – 200 square metres,

(b) each of the lots resulting from the subdivision will be occupied by only one dwelling, and

(c) the lot is not within the *Warriewood Valley Release Area* as shown on the *Urban Release Area Map*.

(4) This clause does not apply in relation to the subdivision of any land—

(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or

(b) by any kind of subdivision under the Community Land Development Act 2021.

#### **4.1AA Minimum subdivision lot size for community title schemes**

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

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

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

- a) Zone RU2 Rural Landscape,
- b) Zone RU4 Primary Production Small Lots,
- c) Zone R2 Low Density Residential,
- d) Zone R5 Large Lot Residential,
- e) Zone C3 Environmental Management,
- f) Zone C4 Environmental Living.

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

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

(4) This clause applies despite clause 4.1.

## 4.1X Minimum lot size and frontage for certain residential accommodation

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

- (a) to ensure that lots for residential accommodation are of sufficient size to accommodate proposed dwellings, setbacks to adjoining residential land, private open space and landscaped areas, driveways and vehicle manoeuvring areas,
- (b) to ensure that dual occupancies retain the general low-density scale, streetscape and character of the locality,
- (c) to ensure that manor houses, multi dwelling housing, residential flat buildings and seniors housing retain the general medium-density scale, streetscape and character of the locality,
- (d) to minimise any likely adverse impact of the development on the amenity of the area,
- (e) where an existing lot is inadequate in terms of its area or width—to require the consolidation of 2 or more lots.
- (f) to ensure that lot sizes are appropriate for the environmental capability of the land, having regard to the land's topography and other natural features.

(2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 if—

- (a) the area of the lot is equal to or greater than the area specified in Column 3, and
- (b) the width of the lot at the front building line is equal to or greater than the width specified in Column 4.

(3) In calculating the size of a lot, the area of any existing or proposed access corridor (including any right of carriageway or access way) is to be excluded.

(4) This clause does not apply to land in the *Warriewood Valley Release Area* as shown on the *Urban Release Area Map*.

| Column 1  | Column 2         | Column 3           | Column 4 |
|---|------------------|--------------------|----------|
| Dual occupancies  | Zone R1, Zone R3 | 400m <sup>2</sup>  | 15m      |
| Dual occupancies  | Zone R2          | 800m <sup>2</sup>  | 18m      |
| Manor houses  | Zone R1, Zone R3 | 800m <sup>2</sup>  | 18m      |
| Multi dwelling housing,<br>Multi dwelling housing<br>(terraces) | Zone R1, Zone R3 | 1000m <sup>2</sup> | 20m      |
| Residential flat buildings,<br>other than Manor houses          | Zone R1, Zone R3 | 1000m <sup>2</sup> | 20m      |
| Seniors housing   | Zone R1, Zone R3 | 1000m <sup>2</sup> | 20m      |

## **4.1# Minimum subdivision lot size for strata subdivision (certain uses in certain zones)**

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

(2) This clause applies to land in the following zones that is used, or proposed to be used,

(a) for residential accommodation or tourist and visitor accommodation:

- (i) Zone RU4 Primary Production Small Lots
- (ii) Zone C3 Environmental Management
- (iii) Zone C4 Environmental Living.

(b) for dual occupancy;

- (i) Zone RU2 Rural Landscape,
- (ii) Zone R2 Low Density Residential
- (iii) Zone R5 Large Lot Residential

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

(4) This clause does not apply to the strata subdivision of land used, or proposed to be used, for the purpose of a dual occupancy for which development consent was granted on or before 2 June 2003.

## **4.2 Rural subdivision**

(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.

(2) This clause applies to the following rural zones:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (baa) Zone RU3 Forestry,
- (c) Zone RU4 Primary Production Small Lots,
- (d) Zone RU6 Transition.

(3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

(4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

(5) A dwelling cannot be erected on such a lot.

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

## 4.3 Height of buildings

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

- (a) to ensure that buildings are compatible with the desired future character of the locality as identified in relevant Council plans and policies,
- (b) to ensure that where the existing character is to be maintained, buildings are compatible with the prevailing height, scale, and streetscape character of the locality,
- (c) to encourage buildings that respond sensitively to the natural topography,
- (d) to minimise overshadowing of neighbouring properties and public places,
- (e) to allow for reasonable sharing of private views and minimise loss of views from public places,
- (f) to minimise visual impacts on the natural environment, including the scenic quality of coastal and bush environments, and impacts on heritage conservation areas and heritage items,
- (g) to support employment generating development in the Frenchs Forest SP4 Enterprise zone.

(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), development on land at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Hazards Map, and –

- (a) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map, may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.
- (b) that has a maximum building height of 9.3 metres shown for that land on the Height of Buildings Map, may exceed a height of 9.3 metres, but not be more than 8.8 metres above the flood planning level.
- (c) that has a maximum building height of 11 metres shown for that land on the Height of Buildings Map, may exceed a height of 11 metres, but not be more than 10.5 metres above the flood planning level.
- (d) that has a maximum building height of 12.4 metres shown for that land on the Height of Buildings Map, may exceed a height of 12.4 metres, but not be more than 11.9 metres above the flood planning level.

(2B) Despite subclause (2), development on an area of land shown in Column 1 of the table to this subclause and identified as such on the Height of Buildings Map, may exceed the maximum building height shown on the Height of Buildings Map for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.

| Column 1 | Column 2  |
|----------|---|
| Area     | Maximum height above the flood planning level                 |
| Area 1   | 11.5 metres   |
| Area 2   | 8.5 metres on the street frontage and 10.5 metres at the rear |
| Area 3   | 8.5 metres  |
| Area 4   | 7.0 metres  |

(2C) Despite subclause (2), development on land that has a maximum building height of 8.5m shown for that land on the Height of Buildings Map may exceed a height of 8.5m, but not be more than 10m if:

- (a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and
- (b) the objectives of this clause are achieved, and
- (c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and
- (d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.

(2D) Despite subclause (2), development for the purposes of shop top housing on land identified as “Area 5” on the Height of Buildings Map may have a height of up to 10m if the top floor of the building is setback a minimum of 6 metres from the boundary to the primary street frontage.

(2E) Despite subclause (2), development on land identified as “Area 6” on the Height of Buildings Map must not exceed 8.5m at the street frontage.

(2F) Despite subclause (2), development on land identified as “Area 11” on the Height of Buildings Map may exceed the height to a maximum height of 23m where that development is employment generating development.

(2G) If the Height of Buildings Map specifies, in relation to any land shown on that map, a Reduced Level for any building on that land, any such building is not to exceed the specified Reduced Level.

(2H) In this clause:

**Employment generating developments** means office premises, health services facilities, community facilities, educational establishments, light industries, public administration buildings, warehouse or distribution centres.

**Flood planning level** has the same meaning as it has in the Flood Risk Management Manual. It is the combination of the 1% AEP flood event plus a freeboard of 0.5m or as otherwise determined in an adopted Flood Study or Flood Risk Management Study.

**Floodplain risk management plan** has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.

## 4.3A Special height considerations

*Special height provisions to maintain views -*

(1) The objective of this clause is to maintain public views to Sydney Harbour from street level on local roads above steeply sloping sites on certain land.

(2) Despite clause 4.3(2), the height of a building on a lot identified as ‘Area 7’ on the Height of Buildings Map must not exceed the height of the highest point of the road adjoining the centre point of the lot boundary that adjoins the road that is the frontage to that lot.

*Special height provisions for certain developments -*

(3) Despite subclause 4.3(2), the maximum height for a secondary dwelling or a rural worker’s dwelling in Zone C4 Environmental Living or Zone RU2 Rural Landscape is 5.5

metres if the secondary dwelling or rural worker's dwelling is separate from the principal dwelling.

## 4.4 Floor space ratio

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

- (a) to ensure the bulk and scale of development is consistent with the desired character of the locality,
- (b) in zones R2, C3 and C4, to ensure that the bulk and scale of development is compatible with the size of the lot and provide a suitable balance between landscaping and built form,
- (c) to minimise the adverse impact of development on natural environment, heritage conservation areas and heritage items,
- (d) to minimise adverse environmental, visual and amenity impacts on the use of adjoining land, waterways and the public domain, including overshadowing, view sharing and loss of privacy,
- (e) in employment zones, to provide for a diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities,
- (f) to limit the intensity of development and associated traffic generation so that they are commensurate with the capacity of existing and planned infrastructure,
- (g) to maximise solar access and amenity for public areas.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

(2A) Despite subclause (2), the floor space ratio for a building on land identified as "Area 1" on the Floor Space Ratio Map must not exceed the floor space ratio specified in the table to this subclause.

| Site area         | Maximum floor space ratio |
|-------------------|---------------------------|
| Under 500 sqm     | 0.5:1                     |
| 500-699 sqm       | 0.45:1                    |
| 700-899 sqm       | 0.4:1                     |
| 900-1199 sqm      | 0.35:1                    |
| 1200 sqm and over | 0.3:1                     |

(2B) Despite subclause (2), the floor space ratio for a building on land identified as "Area 2" on the Floor Space Ratio Map must not exceed the floor space ratio specified in the table to this subclause.

| Site area         | Maximum floor space ratio |
|-------------------|---------------------------|
| Under 500 sqm     | 0.55:1                    |
| 500-699 sqm       | 0.5:1                     |
| 700-899 sqm       | 0.45:1                    |
| 900-1199 sqm      | 0.4:1                     |
| 1200 sqm and over | 0.35:1                    |



(2C) Despite subclause (2), the floor space ratio for a building on land identified as “Area 3” on the Floor Space Ratio Map must not exceed the floor space ratio specified in the table to this subclause.

| Site area         | Maximum floor space ratio |
|-------------------|---------------------------|
| Under 300sqm      | 0.65:1                    |
| 300-499 sqm       | 0.6:1                     |
| 500-699 sqm       | 0.55:1                    |
| 700-899 sqm       | 0.5:1                     |
| 900-1199 sqm      | 0.45:1                    |
| 1200 sqm and over | 0.4:1                     |

(2D) Despite subclause (2), the floor space ratio for a building on land identified as “Area 4” on the Floor Space Ratio Map must not exceed the floor space ratio specified in the table to this subclause.

| Site area         | Maximum floor space ratio |
|-------------------|---------------------------|
| Under 700 sqm     | 0.38:1                    |
| 700-899 sqm       | 0.33:1                    |
| 900-1199 sqm      | 0.28:1                    |
| 1200 sqm and over | 0.23:1                    |

(2E) Despite subclause (2), the floor space ratio for a building on land identified as “Gross Floor Area for Certain Commercial Premises” on the Key Sites Map may exceed the maximum floor space ratio allowed under that subclause by up to 0.5:1 if the consent authority is satisfied that at least 50% of the gross floor area of the building will be used for the purpose of commercial premises.

## 4.5 Calculation of floor space ratio and site area

### (1) Objectives

The objectives of this clause are as follows:

- (a) to define floor space ratio,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:
  - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
  - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
  - (iii) require community land and public places to be dealt with separately.

### (2) Definition of “floor space ratio”

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

### (3) Site area

In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or

- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

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

(4) Exclusions from site area

The following land must be excluded from the site area:

- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
- (b) community land or a public place (except as provided by subclause (7)).

(5) Strata subdivisions

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) Only significant development to be included

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) Certain public land to be separately considered

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) Existing buildings

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) Covenants to prevent “double dipping”

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

(10) Covenants affect consolidated sites if:

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

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

(11) Definition

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

## 4.6 Exceptions to development standards

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

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

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

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied that the applicant has demonstrated that -

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

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

(4) The consent authority must keep a record of its assessment carries out under subclause (3).

(5) (Repealed)

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if-

- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
- (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

**Note**—When this Plan was made, it did not include land in Zone RU1 Primary Production, Zone RU3 Forestry, or Zone RU6 Transition.

(7) (Repealed)

(8) This clause does not allow development consent to be granted for development that would contravene any of the following-

- (a) a development standard for complying development,
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
- (c) clause 5.4,
- (caa) clause 5.5,

- (ca) clause 6.x 'Tourist and visitor accommodation duration of stay'
- (cb) a development standard on land to which Part 7D applies,
- (cc) clause 4.4, to the extent that it applies to land identified on the Key Sites Map as Site F, Site G, Site H or Site I,
- (cd) clause 4.3, to the extent that it applies to Lot 1, DP 1086858, 6 Mitchell Road, Palm Beach.

(8A) Also, this clause does not allow development consent to be granted for development that would contravene a development standard for the maximum height of a building shown on the Height of Buildings Map on land shown on the Centres Map as the Dee Why Town Centre.

(8B) Despite subclause (8A), development on Site C or Site E shown on the Key Sites Map may exceed the maximum height of building shown on the Height of Buildings Map if the maximum height is allowable under clause 7B.14.

## Part 5 Miscellaneous provisions

### 5.1 Relevant acquisition authority

(1) The objective of this clause is to identify, for the purposes of section 3.15 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).

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

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

| Type of land shown on Map   | Authority of the State   |
|---|--|
| Zone RE1 Public Recreation and marked "Local open space"              | Council  |
| Zone RE1 Public Recreation and marked "Regional open space"           | The corporation constituted under section 2.5 of the Act               |
| Zone SP2 Infrastructure and marked "Classified road"                  | Transport for NSW  |
| Zone SP2 Infrastructure and marked "Local road"                       | Council  |
| Zone C1 National Parks and Nature Reserves and marked "National Park" | Minister administering the <i>National Parks and Wildlife Act 1974</i> |
| Zone C2 Environmental Conservation and marked "Local open space"      | Council  |
| Zone C2 Environmental Conservation and marked "Regional open space"   | The corporation constituted under section 2.5 of the Act               |

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

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

## 5.1A Development on land intended to be acquired for a public purpose

(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-

(a) shown on the Land Reservation Acquisition Map and specified in the table to this clause, and

(b) not acquired by the authority of the State specified for the land in clause 5.1.

(3) Development consent must not be granted to development on land other than development for a purpose specified opposite that land in the table to this clause.

| Land  | Development                  |
|---|------------------------------|
| Zone RE1 Public Recreation and marked "Local open space"            | Earthworks; Recreation areas |
| Zone RE1 Public Recreation and marked "Regional open space"         | Earthworks; Recreation areas |
| Zone SP2 Infrastructure and marked "Classified road"                | Earthworks; Roads            |
| Zone SP2 Infrastructure and marked "Local road"                     | Roads                        |
| Zone C2 Environmental Conservation and marked "Local open space"    | Recreation areas             |
| Zone C2 Environmental Conservation and marked "Regional open space" | Recreation areas             |

## 5.2 Classification and reclassification of public land

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

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

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

- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993.
- (4) The public land described in Part 1 of Schedule 4:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
- (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
  - (b) any reservations that except land out of the Crown grant relating to the land, and
  - (c) reservations of minerals (within the meaning of the Crown Lands Management Act 2016).

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

### 5.3 Development near zone boundaries

[Not adopted]

### 5.4 Controls relating to miscellaneous permissible uses

(1) **Bed and breakfast accommodation** If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 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 50 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 50 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.

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

(6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 55 square metres.

(7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.

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

(8) **Roadside stalls** If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.

(9) **Secondary dwellings on land other than land in a rural zone** If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater -

(a) 60 square metres,

(b) 25% of the total floor area of the principal dwelling.

(10) **Artisan food and drink industry exclusion** If development for the purposes of an artisan food and drink industry is permitted under this Plan in Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Waterfront or a rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—

(a) 40% of the gross floor area of the industry, or

(b) 400 square metres,

whichever is the lesser.

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

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—

(a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

(i) 60 square metres,

(ii) 25% of the total floor area of the principal dwelling.

## 5.6 Architectural roof features

[not adopted]

## 5.7 Development below mean high water mark

(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.

(2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

## 5.8 Conversion of fire alarms

(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

(2) The following development may be carried out, but only with development consent -

- (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
- (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
- (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.

(3) Development to which subclause (2) applies is complying development if it consists only of -

- (a) internal alterations to a building, or
- (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm x 100mm x 100mm.

(4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.

(5) In this clause:

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

## **5.9 Dwelling house or secondary dwelling affected by natural disaster**

(1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwellings that have been damaged or destroyed by a natural disaster.

(2) This clause applies to land in the following zones—

- (a) a rural zone
- (b) a residential zone
- (c) an employment zone
- (d) a mixed use zone
- (e) a special purpose zone
- (f) a recreational zone
- (g) a conservation zone
- (h) a waterways zone

(3) Despite the other provisions of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—

- (a) the dwelling house or secondary dwelling was lawfully erected, and
- (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.



## 5.10 Heritage conservation

### (1) Objectives

The objectives of this clause are as follows:

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

### (2) Requirement for consent

Development consent is required for any of the following:

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

### (3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development -

- (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
  - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development -
  - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
  - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

#### (4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

#### (5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

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

#### (6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

#### (7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

- (a) notify the Heritage Council of its intention to grant consent, and

- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

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

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

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

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

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

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

#### (10) Conservation incentives

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

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

## 5.11 Bush fire hazard reduction

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

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

## **5.12 Infrastructure development and use of existing buildings of the Crown**

(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2.

(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

## **5.13 Eco-tourist facilities**

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

(a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,

(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.

(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.

(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:

(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and

(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and

(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and

(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and

(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and

(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and

(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and

(h) any infrastructure services to the site will be provided without significant modification to the environment, and

(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and

(j) the development will not adversely affect the agricultural productivity of adjoining land, and

(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment -

- (i) measures to remove any threat of serious or irreversible environmental damage,
- (ii) the maintenance (or regeneration where necessary) of habitats,
- (iii) efficient and minimal energy and water use and waste output,
- (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
- (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

#### **5.14 Siding Spring Observatory—maintaining dark sky**

[not applicable]

#### **5.15 Defence communications facility**

[not applicable]

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

(1) The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).

(2) This clause applies to land in the following zones—

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU3 Forestry,
- (d) Zone RU4 Primary Production Small Lots,
- (e) Zone RU6 Transition,
- (f) Zone R5 Large Lot Residential,
- (g) Zone C2 Environmental Conservation,
- (h) Zone C3 Environmental Management,
- (i) Zone C4 Environmental Living.

(3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes—

- (a) subdivision of land proposed to be used for the purposes of a dwelling,
- (b) erection of a dwelling.

(4) The following matters are to be taken into account—

- (a) the existing uses and approved uses of land in the vicinity of the development,
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,

- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

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

[not applicable]

## **5.18 Intensive livestock agriculture**

(1) The objectives of this clause are—

- (a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and
- (b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.

(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.

(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—

- (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,
- (b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,
- (c) the potential for the pollution of surface water and ground water,
- (d) the potential for the degradation of soils,
- (e) the measures proposed to mitigate any potential adverse impacts,
- (f) the suitability of the site in the circumstances,
- (g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,
- (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.

(4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—

- (a) the development is of a type specified in subclause (5), and
- (b) the consent authority is satisfied that the development will not be located—
  - (i) in an environmentally sensitive area, or

- (ii) within 100 metres of a natural watercourse, or
  - (iii) in a drinking water catchment, or
  - (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or
  - (v) for a poultry farm used for breeding poultry—within 5km of another poultry farm, or
  - (vi) for a poultry farm not used for breeding poultry—
    - (A) within 5km of a poultry farm used for breeding poultry, or
    - (B) within 1km of a poultry farm not used for breeding poultry, or
  - (vii) for a pig farm—within 3km of another pig farm.
- (5) The following types of development are specified for the purposes of subclause (4)—
- (a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,
  - (b) a goat feedlot having a capacity to accommodate fewer than 200 goats,
  - (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,
  - (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),
  - (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,
  - (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).
- (6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.
- (7) In this clause—

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

***residential zone*** means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E3 Productivity Support, Zone MU1 Mixed Use, Zone C3 Environmental Management or Zone E4 Environmental Living.

## 5.19 Pond-based, tank-based and oyster aquaculture

### (1) Objectives

The objectives of this clause are as follows—

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

(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent

The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—

(a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,

(b) in the case of—

(i) pond-based aquaculture in Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use that the development is for the purpose of small scale aquarium fish production, and

(ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive aquaculture, and

(iii) tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and

(iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.

(3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.

(4) Extensive pond-based aquaculture permitted without consent in certain zones  
Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—

(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and

(b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.

(5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application

In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—

(a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and

(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.



(6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas  
Development for the purpose of oyster aquaculture may be carried out without development consent—

- (a) on land that is wholly within a priority oyster aquaculture area, or
- (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.

(7) Definitions

In this clause—

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

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

**NSW Oyster Industry Sustainable Aquaculture Strategy** means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).

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

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

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

- (a) the playing or performance of music, including the following—
  - (i) the genre of music played or performed, or
  - (ii) whether the music played or performed is live or amplified, or
  - (iii) whether the music played or performed is original music, or
  - (iv) the number of musicians or live entertainment acts playing or performing, or
  - (v) the type of instruments played,
- (b) whether dancing occurs,
- (c) the presence or use of a dance floor or another area ordinarily used for dancing,
- (d) the direction in which a stage for players or performers faces,
- (e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.

(2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.

(3) In this clause—

**licensed premises** has the same meaning as in the Liquor Act 2007.

## 5.21 Flood planning

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

- (a) to minimise the flood risk to life and property associated with the use of land,
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.

(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

- (a) is compatible with the flood function and behaviour on the land, and
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
- (b) the intended design and scale of buildings resulting from the development,
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.

(5) In this clause—

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

**flood planning area** has the same meaning as it has in the Flood Risk Management Manual.

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

## 5.22 Special flood considerations

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

- (a) to enable the safe occupation and evacuation of people subject to flooding,
- (b) to ensure development on land is compatible with the land's flood behaviour in the event of a flood,
- (c) to avoid adverse or cumulative impacts on flood behaviour,
- (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,
- (e) to avoid adverse effects of hazardous development on the environment during flood events.

(2) This clause applies to—

- (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and
- (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—
  - (i) cause a particular risk to life, and
  - (ii) require the evacuation of people or other safety considerations.

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

- (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and
- (b) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (c) will adversely affect the environment in the event of a flood.

(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.

(5) In this clause—

**Considering Flooding in Land Use Planning Guideline**—see clause 5.21(5).

**flood planning area**—see clause 5.21(5).

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

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

**sensitive and hazardous development** means development for the following purposes—

- (a) boarding houses,
- (b) caravan parks,
- (c) correctional centres,

- (d) early education and care facilities,
- (e) eco-tourist facilities,
- (f) educational establishments,
- (g) emergency services facilities,
- (h) group homes,
- (i) hazardous industries,
- (j) hazardous storage establishments,
- (k) hospitals,
- (l) hostels,
- (m) information and education facilities,
- (n) respite day care centres,
- (o) seniors housing,
- (p) sewerage systems,
- (q) tourist and visitor accommodation,
- (r) water supply systems.

## 5.23 Public bushland

(1) The objective of this clause is to protect and ensure the ecological viability of bushland, including rehabilitated areas in urban areas, by—

- (a) preserving biodiversity, habitat corridors and links between public bushland and other nearby bushland, and
- (b) preserving bushland as a natural stabiliser of the soil surface, and
- (c) preserving existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, and
- (d) preserving the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of the land, and
- (e) mitigating disturbance caused by development.

(2) Development that will disturb, or is reasonably likely to disturb, public bushland is permitted with development consent.

(3) Development consent must not be granted to development that will disturb, or is reasonably likely to disturb, public bushland unless the consent authority is satisfied of the following—

- (a) the disturbance of the bushland is essential for a purpose in the public interest,
  - (b) there is no reasonable alternative to the disturbance,
  - (c) the development minimises the amount of bushland to be disturbed,
  - (d) the development includes measures to remediate the disturbed bushland
- (4) Despite subclause (2), development that will disturb, or is reasonably likely to disturb, public bushland is permitted without development consent if the development is for the following purposes—
- (a) the construction, operation or maintenance of pipelines to carry water, sewerage or gas or pipelines licensed under the *Pipelines Act 1967*,
  - (b) the construction, operation or maintenance of electricity or telecommunication lines,
  - (c) bush fire hazard reduction,

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

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

## **5.24 Farm stay accommodation**

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

- (a) to diversify the uses of agricultural land without adversely impacting the principal use of the land for primary production,
- (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.

(2) Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied all buildings or manufactured homes used to accommodate guests on the landholding will be—

- (a) on the same lot as an existing lawful dwelling house, or
- (b) on a lot of a size not less than the minimum lot size for a dwelling house to be permitted on the lot under an environmental planning instrument applying to the land.

(3) Subclause (2) does not apply if the development is a change of use of an existing dwelling to farm stay accommodation.

(4) Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—

- (a) whether the development will result in noise or pollution that will have a significant adverse impact on the following on or near the land—
  - (i) residential accommodation,
  - (ii) primary production operations,
  - (iii) other land uses, and
- (b) whether the development will have a significant adverse impact on the following on or near the land—
  - (i) the visual amenity or heritage or scenic values,
  - (ii) native or significant flora or fauna,
  - (iii) water quality,
  - (iv) traffic,
  - (v) the safety of persons, and
- (c) whether the development is on bush fire prone land or flood prone land, and
- (d) the suitability of the land for the development, and
- (e) the compatibility of the development with nearby land uses.

## 5.25 Farm gate premises

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

- (a) to allow for tourism and related commercial uses on land used principally for primary production at a scale that does not adversely affect the principal use of the land for primary production,
- (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.

(2) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered—

- (a) whether the development will result in noise or pollution that will have a significant adverse impact on the following on or near the land—
  - (i) residential accommodation,
  - (ii) primary production operations,
  - (iii) other land uses, and
- (b) whether the development will have a significant adverse impact on the following on or near the land—
  - (i) the visual amenity or heritage or scenic values,
  - (ii) native or significant flora or fauna,
  - (iii) water quality,
  - (iv) traffic,
  - (v) the safety of persons, and
- (c) whether the development is on bush fire prone land or flood prone land, and
- (d) the suitability of the land for the proposed development, and
- (e) the compatibility of the development with nearby land uses.

## Part 6 Additional local provisions

### 6.x Active street frontages

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in certain centres.
- (2) This clause applies to land identified as “Active street frontages” on the Active Street Frontages Map.
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.
- (4) Despite subclause (3), an active street frontage is not required for any part of a building where Council is satisfied that the frontage is required to be used for any of the following—
  - (a) entrances and lobbies (including as part of mixed use development),

- (b) access for fire services,
- (c) electrical services,
- (d) vehicular access.

- (5) In this clause, a building has an **active street frontage** if all premises on the ground floor of the building facing the street are used for the purposes of business premises, retail premises or community facilities.

## 6.x Development in local centres

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

- (a) to ensure the scale and function of development in local centres are appropriate for the location,
- (b) to ensure development in local centres is compatible with the desired future character and amenity of surrounding residential areas.

- (2) This clause applies to land identified on the Centres Map as 'Neighbourhood Centre'.

- (3) Development consent must not be granted to development on the land unless the consent authority has considered—

- (a) the impact of the development on—
  - (i) the amenity of surrounding residential areas, and
  - (ii) the desired future character of the local centre, and
- (b) whether the development is consistent with the hierarchy of centres.

## 6.x Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.

- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:

- (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:
  - (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone RE1 Public Recreation or Zone C4 Environmental Living or
  - (ii) used for the purposes of a child care centre, a community facility, a school or a place of public worship,
- (b) the impact of the development and its hours of operation on any place is likely to have on any place regularly frequented by children:
  - (i) that adjoins the development, or
  - (ii) that can be viewed from the proposed development, or
  - (iii) from which a person can view the proposed development.



## **6.x Noise impacts—licensed premises**

- (1) The objective of this clause is to ensure that development applications for licensed premises consider any noise impact on residential accommodation in the vicinity.
- (2) Before granting development consent for development involving the use of land as licensed premises under the Liquor Act 2007, the consent authority must consider the impact of any noise nuisance likely to be generated by the proposed development on residential accommodation in the vicinity of the proposed development.

## **6.x Registered clubs in Recreation zones**

- (1) The objective of this clause is to ensure registered clubs are consistent with the recreational values of the land.
- (2) This clause applies to land in RE1 Public Recreation and RE2 Private Recreation zones.
- (3) Development consent must not be granted for development for the purposes of carrying out a registered club unless it is 'incidental or ancillary' to a recreation facility on the land.

## **6.x Gross floor area in Zone E1 Seaforth, Balgowlah and Manly Local Centres**

- (1) The objective of this clause is to provide for the viability of the land to which this clause applies and encourage the development, expansion and diversity of business activities, that will contribute to economic growth, retention of local services and employment opportunities in local centres.
- (2) This clause applies to land identified as "Gross Floor Area for Certain Commercial Premises" on the Key Sites Map.
- (3) Development consent must not be granted to the erection of a building on the land to which this clause applies unless the consent authority is satisfied that at least 25% of the gross floor area of the building will be used as commercial premises.
- (4) Development consent must not be granted for development on land to which this clause applies if the gross floor area of any retail premises on the land would exceed 1,000 square metres.

## **6.x Requirement for development control plans**

- (1) The objective of this clause is to ensure development on certain land is only considered after a development control plan has been prepared and adopted for the land.
- (2) This clause applies to land identified as a "Key Site" on the Key Sites Map labelled with "Requirement for Development Control Plan".
- (3) Development consent must not be granted to development on land to which this clause applies unless a development control plan that provides for detailed development controls has been prepared for the land.
- (4) Without limiting subclause (3), the development control plan must provide for all of the following:
  - (a) principles drawn from an analysis of the site and its context,
  - (b) building envelopes and built form controls,
  - (c) subdivision pattern,

- (d) distinct public and private spaces,
  - (e) overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists,
  - (f) preferred location of permissible uses,
  - (g) traffic management facilities and necessary parking ratios,
  - (h) staging of development.
- (5) Subclause (3) does not apply to any of the following development:
- (a) subdivision for the purpose of a realignment of boundaries that does not create additional lots,
  - (b) subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,
  - (c) subdivision of land in a zone in which the erection of structures is prohibited,
  - (d) proposed development on land that is of a minor nature only if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated,
  - (e) a change of use of an existing building on land identified as “Manly Hospital site, Manly” or “Dalwood Children’s Home site, Seaforth” on the Key Sites Map from one type of health services facility to another type of health services facility, being development carried out by or on behalf of the NSW Health Service.

## **6.x Land in Belrose including Perentie Road**

- (1) Without limiting clause 4.1(3), the subdivision of Lot 975, DP 752038, Perentie Road, Belrose:
- (a) must not result in the creation of more than 12 lots, and
  - (b) must preserve existing bushland in the southeastern and eastern portions of the lot, and
  - (c) must include adequate stormwater management and sewer infrastructure, and
  - (d) must include asset protection zones in accordance with Planning for Bush Fire Protection that may include a perimeter road located between the bushland referred to in paragraph (b) and the remainder of the lot.
- (2) Without limiting clause 4.1(3), the subdivision of Lot 1, DP 1206498 and Lot 1 DP 1257207, Childs Circuit, Belrose, and Lot 1, DP 1152206, and Lots 22 and 23, DP 1285823, Harstaf Close, Belrose:
- (a) must include asset protection zones (in accordance with Planning for Bush Fire Protection), and
  - (b) must ensure that all lots contain a suitable building area that will allow for the preservation of natural landscape features including rock outcrops.
- (3) Without limiting clause 4.1 (3), the subdivision of land known as Belrose Road Corridor being Lot 52, DP 819308, Lot 12, DP 225340, Lot 5, DP 260080, Lot 3, DP 534463, Lot 13,

DP 587071, Lot 33, DP 222330, Lots 38 and 39, DP 238042, Lot A, DP 347637, Lot 2, DP 526613, Lot 11, DP 244797 and Lots 5 and 6, DP 514039:

- (a) must not result in the creation of more than 54 lots, and
- (b) must include the creation of lots (in addition to those referred to in paragraph (a)) that contain land in Zone RE1 Public Recreation.

(4) In this clause:

Planning for Bush Fire Protection means the document prescribed by the *Environmental Planning and Assessment Regulation 2021*, section 271.

## **6.x Design excellence**

(1) The objective of this clause is to promote design excellence in relation to buildings, open space and public domain areas in key centres and on key sites.

(2) This clause applies to development

- (a) on land identified as “design excellence” on the Design Excellence Map, and
- (b) involves the erection of a new building or external alterations to an existing building.

(3) Development consent must not be granted unless the consent authority considers that the development exhibits design excellence.

(4) In considering whether the development exhibits design excellence, the consent authority must consider the following—

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, sympathetic to its setting, including neighbouring sites (existing and proposed buildings) and promotes vistas for public places to prominent natural and built landmarks
- (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain including minimising of overshadowing of public open spaces
- (c) whether the development detrimentally impacts on view corridors
- (d) the configuration and design of communal access and communal recreational areas within the residential elements of development incorporate exemplary and innovative treatments and will promote a socially effective urban village atmosphere,
- (e) whether the development connects with and provides a clearly articulated and high-quality interface with surrounding streets and public domain areas at the pedestrian level, which protects and enhances the streetscape and quality of the public realm.
- (f) whether the development protects and enhances the natural environment, contributing to the provision of a network of green spaces, natural systems and semi-natural systems, including parks, waterways, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.
- (g) whether satisfactory arrangements have been made to ensure that all elements of design excellence are carried through to the completion of the development concerned and coordinate shared infrastructure to minimise disruptions to the public.

(h) how the development addresses the following matters—

- i. sustainable design principles in terms of sunlight and overshadowing, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security, casual surveillance of public spaces; ease of movement and circulation of pedestrians, cycle, vehicle and service access
- ii. the suitability of the land for development,
- iii. existing and proposed uses and use mix,
- iv. heritage issues and streetscape constraints,
- v. the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
- vi. bulk, massing and modulation of buildings,
- vii. street frontage heights,
- viii. environmental impacts including overshadowing, wind and reflectivity,
- ix. the achievement of the principles of ecologically sustainable development,
- x. pedestrian, cycle, vehicular and service access, circulation and requirements

(5) Development consent must not be granted to development in relation to a building that is, or will, be higher than 12 metres or 3 storeys, or both, unless—

- (a) a design review panel has reviewed the development, and
- (b) the consent authority considers the findings of the panel.

(6) In this clause—

**design review panel** means a panel of 3 or more persons established by the consent authority for the purposes of this clause.

## 6.x Residual lots (Church Point)

(1) The objective of this clause is to ensure undersized and constrained lots are not developed in isolation.

(2) This clause applies to land at:

- (a) 159A McCarrs Creek Road, Church Point, being Lot 17, DP 243387, and
- (b) 171A McCarrs Creek Road, Church Point, being Lot 1, DP 114169, and
- (c) 183 McCarrs Creek Road, Church Point, being Lot 102, DP 839311.

(3) Development consent must not be granted for development on land to which this clause applies, unless:

- (a) the lot is, or has been, consolidated with one or more adjoining lots to form a registered Torrens title lot, and
- (b) the size of any lot resulting from such consolidation is not less than the minimum size shown on the Lot Size Map in relation to that land.

## 6.x Scenic protection

(1) The objective of this clause is to protect the scenic and environmental qualities of ridgelines and escarpments and natural landforms including rock outcrops

(2) This clause applies to the development of land that is permissible with development consent under this plan.

(3) Development consent must not be granted unless the consent authority considers that:

- (a) buildings must integrate with the natural landscape and topography,
- (b) visual impact is minimised,
- (c) in Oxford Falls Valley, that there will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

## **6.x Erection of dwelling houses within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road**

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

- (a) to restrict the density of development and promote consolidation of land holdings on certain land within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road,
- (b) to protect and enhance the ecological values of natural watercourses and natural bushland in the zone,
- (c) to maintain and enhance the scenic quality of the zone including landforms and vegetation,
- (d) to minimise siltation and pollution of Narrabeen Lagoon and its catchment.

(2) Development consent must not be granted to the erection of a dwelling house on a lot zoned RU4 Primary Production Small Lots, C2 Environmental Conservation and C3 Environmental Management on land shown on the Erection of Dwelling Houses Map.

(3) Despite subclause (2):

- (a) development consent may be granted to the erection of 1 dwelling house on an existing lot if the lot has an area of less than 20 hectares but not less than 2 hectares, and
- (b) development consent may be granted to the erection of 1 dwelling house on Lot 33, DP 870625, Pinduro Place, Cromer and on Lot 2, DP 1007617, Lot 3, DP 1007617, Lot 985, DP 752038, Lot 986, DP 752038, Lot 1001, DP 752038, Lot 1002, DP 752038, Lot 1003, DP 752038, Lot 1004, DP 752038, Lot 1018, DP 752038, Lot 1019, DP 752038, Lot 1, DP 793363 and Lot 2, DP 793363, Oxford Falls.

(4) In subclause (3)(a), an existing lot means all adjacent or adjoining land held by the same person or persons on 8 March 1974.

## **6.x Foreshore scenic protection area**

(1) The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.

(2) This clause applies to land that is shown as “Foreshore Scenic Protection Area” on the Foreshore Scenic Protection Area Map.

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

- (a) impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,
- (b) measures to protect and improve scenic qualities of the coastline,

- (c) suitability of development given its type, location and design and its relationship with and impact on the foreshore,
- (d) measures to reduce the potential for conflict between land-based and water-based coastal activities.

## **6.x Bushland and Biodiversity land**

(1) The objective of this clause is to maintain bushland and biodiversity by—

- (a) protecting native fauna and flora and the ecological processes necessary for their continued existence,
- (b) protecting and conserving core habitat areas,
- (c) encouraging the conservation and recovery of threatened species and ecological communities and their habitats, and
- (d) protecting, restoring and enhancing biodiversity corridors.

(2) This clause applies to land on the Terrestrial Biodiversity Map.

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

- (a) whether the development is likely to have—
  - (i) any adverse impact on the condition, ecological value and significance of native vegetation communities and the fauna and flora on the land, and
  - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
  - (iii) any adverse impact on any threatened species, populations or ecological communities, or their habitats, and
  - (iv) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
  - (v) any adverse impact on any biodiversity corridor or the habitat elements including associated habitat providing connectivity on the land;
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

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

- (a) the development is consistent with the objective of this clause, and
- (b) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- (c) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
- (d) if that impact cannot be minimised—the development will be managed to mitigate that impact.

## **6.x Earthworks**

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

- (a) to ensure that earthworks 'and associated groundwater dewatering 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,
- (b) to allow earthworks of a minor nature without requiring separate development consent.

(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 other development that is permitted without consent under this Plan or to development for which development consent has been given.

(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on existing drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the possibility that fill or the soils to be excavated are contaminated,
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any watercourse, drinking water catchment or environmentally sensitive area,

## **6.x Limited development on foreshore area and foreshore building line**

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

- (a) to limit development and maximise landscaped area in the foreshore area
- (b) to ensure that development in the foreshore area will not adversely impact on natural foreshore processes or affect the environmental significance, or visual, scenic and general amenity of the area,
- (c) to maintain and improve public access to the intertidal area and waterways
- (d) to protect and enhance natural features and vegetation, particularly endemic species, by minimising change to the landform, rock outcrops and native trees within the foreshore area,
- (e) to minimise the obstruction of water views from public land, including roads, parks and reserves.

(2) Development consent must not be granted under this clause unless the consent authority is satisfied that:

- (a) 75% of the foreshore area is landscaped area, or where the existing landscaped area is less than 75%, the development will not result in a reduction in the percentage of landscaped area within the foreshore area, and
- (b) the bulk, scale, character and external appearance of the development, when viewed from both the foreshore area and the adjacent waterway, will be compatible with the surrounding area, and
- (c) the development will not have a negative impact on native vegetation within the foreshore area or the amenity or aesthetic appearance of the foreshore, and
- (d) 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 or fauna and flora habitats, or
  - (iii) an adverse effect on drainage patterns, and
- (e) the natural qualities of the foreshore area are retained or restored as far as practicable through the retention or reinstatement of natural levels and endemic vegetation, and
- (f) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
- (g) opportunities to provide continuous public access along the foreshore area intertidal area and to the waterway will not be compromised, and
- (h) any heritage significance of the foreshore area on which the development is to be carried out and of surrounding land will be maintained, and
- (i) it has considered sea level rise or change of flooding patterns because of climate change.

(3) 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 the line shown as the foreshore building line on the Foreshore Building Line Map.

## 6.x Stormwater management and water sensitive urban design

(1) The objectives of this clause are to apply water sensitive urban design as follows:

- (a) avoid or minimise the adverse impacts of urban stormwater and changes to the natural water cycle on the land on which development is to be carried out, adjoining properties, bushland, urban canopy, waterways and groundwater systems,
- (b) protect the ecological and recreational condition of our waterways, bushland, and beaches,
- (c) integrate stormwater management systems into the landscape to protect visual amenity and cultural heritage values of urban landscapes, waterways, bushland, urban canopy, and beaches,



(d) using nature-based stormwater treatment measures to increase resilience to, and reduce the impacts of, climate change and urban heat,

(e) minimise risks to public health and safety due to the adverse impacts of urban stormwater.

(2) This clause applies to any development that is permitted with consent under this Plan.

(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider whether the development is likely to have an adverse impact on the following:

(a) the surface and groundwater hydrology and existing flow regimes to any adjoining properties, bushland, urban canopy, waterways and groundwater systems,

(b) the quality of surface water or groundwater leaving the site,

(c) ecosystems with high environmental value,

(d) recreation values of any public open space or waterway,

(e) landscape character, scenic amenity and cultural heritage values.

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

(a) is consistent with the objectives of this clause, and

(b) is designed to maximise the use of water permeable surfaces on the land having regard to groundwater levels and the soil characteristics affecting on-site infiltration of water,

(c) includes, if practicable, on-site stormwater retention for reuse as an alternative supply to potable water,

(d) does not have significant adverse impacts on the matters listed in clause (3).

## **6.x Landscaped areas in certain residential and conservation zones**

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

(a) to ensure adequate opportunities exist for the retention or provision of vegetation that contributes to biodiversity and enhances the tree canopy of the Northern Beaches,

(b) to ensure that the visual impact of development is minimised by sufficient and appropriately located tree and other planting that complements the scale of buildings and the character of the streetscape,

(c) to provide deep soil areas capable of accommodating canopy tree planting,

(d) to minimise stormwater run-off by maximising deep soil areas on the sites of development,

(e) to provide for landscaped areas and private open space to suit the needs of residents.

(2) This clause applies to land in the following zones –

(a) Zone R1 General Residential

(b) Zone R2 Low Density Residential

- (c) Zone R3 Medium Density Residential
- (d) Zone R5 Large Lot Residential
- (e) Zone C3 Environmental Management
- (f) Zone C4 Environmental Living

(3) The minimum landscaped area of a site to which this clause applies is not to be less than the landscaped area shown for the land on the Landscaped Area Map.

(4) Despite subclause (3), the minimum landscaped area of a site in Area 1 on the Landscaped Area Map is not to be less than the landscaped area shown as follows:

| Site area           | Minimum landscaped area |
|---------------------|-------------------------|
| Under 500sqm        | 66%                     |
| 500-549sqm          | 67%                     |
| 550-599sqm          | 68%                     |
| 600-649sqm          | 69%                     |
| 650-699sqm          | 70%                     |
| 700-749sqm          | 71%                     |
| 750-799sqm          | 72%                     |
| 800-849sqm          | 73%                     |
| 850-899sqm          | 74%                     |
| 900-949sqm          | 75%                     |
| 950-999sqm          | 76%                     |
| 1000-1049sqm        | 77%                     |
| 1050-1099sqm        | 78%                     |
| 1100-1149sqm        | 79%                     |
| 1150-1199sqm        | 80%                     |
| 1200-1249sqm        | 81%                     |
| 1250-1349sqm        | 82%                     |
| 1350-1399sqm        | 83%                     |
| 1400-1499sqm        | 84%                     |
| 1500-1599sqm        | 85%                     |
| 1600-1749sqm        | 86%                     |
| 1750-1849sqm        | 87%                     |
| 1850-1999sqm        | 88%                     |
| 2000-2199sqm        | 89%                     |
| 2200sqm and greater | 90%                     |

(5) Despite subclause (3), the minimum landscaped area of a site in Area 2 on the Landscaped Area Map is not to be less than the landscaped area shown as follows:

- (a) for a sector, buffer area or development site: 50% of the developable area (defined as site areas excluding creekline corridor land), or a lesser percentage where Council is satisfied that water management modelling supports a higher impervious area.
- (b) for individual lots:
  - (i) 25% - for residential flat buildings and multi dwelling housing
  - (ii) 25% - for all other dwellings on lots <9m wide

- (iii) 35% - for all other dwellings on lots 9m to 14m wide
- (iv) 45% - for all other dwellings on lots =>14m wide
- (v) 25% - for all non-residential development

(6) Despite subclause (3), development consent may be granted to the alteration of or addition to an existing dwelling house or any development ancillary to an existing dwelling house on land to which this clause applies, even though the landscaped area is less than the requirement under this clause in relation to the land, if—

- (a) the development will not result in a reduction of the percentage of the site area consisting of landscaped areas, and
- (b) the consent authority is satisfied that—
  - (i) the tree canopy on the site area is maintained or enhanced, and
  - (ii) the landscaped area is protected or enhanced, and
  - (iii) the development does not have an adverse effect on the landscape setting of the site.

## **6.x Watercourses, Wetlands and Riparian land**

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

(a) to protect and improve the environmental values and functioning of waterways, riparian land and wetlands and their resilience to climate change impacts, including:

- (i) water quality within waterways and wetlands and any associated buffer
- (ii) the stability of banks and beds of waterways
- (iii) ecological processes, ecological communities and native vegetation associated with waterways, wetlands and any associated buffer
- (iv) native wildlife, habitat and corridor values, including the movement of fauna within and through waterways, wetlands and any associated buffer
- (v) surface and groundwater hydrological processes within waterways, wetlands and any associated buffer
- (vi) recreation values of waterways, riparian lands and wetlands
- (vii) landscape character, scenic amenity and cultural heritage values of waterways, riparian lands and wetlands

(b) to provide an adequate buffer to waterways and wetlands to maintain or improve the environmental values and functioning of waterways

(c) where practicable, to provide for the rehabilitation of waterways, wetlands and riparian land to a near natural state

(2) This clause applies to land identified on the Riparian Lands, Watercourses and Wetlands Map.

(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—

- (a) whether the development is likely to have an adverse impact on the following—
  - (i) the water quality in any waterway, wetland and associated buffer,

- (ii) the stability of the bed and banks of any waterway or wetland,
- (iii) ecological processes, ecological communities and native vegetation associated with waterways, wetlands and any associated buffer
- (iv) native wildlife, habitat and corridor values, including the free passage of native aquatic and terrestrial organisms within or along any waterway, riparian land or wetland,
- (iv) geomorphology,
- (v) the surface and groundwater hydrology and natural flow regimes, to any waterway or wetland,
- (vi) recreation values including public access to and use of, any public waterway and its foreshores or wetland,
- (vii) landscape character, scenic amenity and cultural heritage values,
- (x) asset protection, and

(b) any opportunities for rehabilitation of a waterway, wetland and riparian land.

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

- (a) is consistent with the objectives of this clause, and
- (b) does not have significant adverse impacts on the matters listed in clause (3)(a).

## 6.x Acid sulfate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

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

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed

works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:

- (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and
- (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):

- (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
- (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
- (c) minor work, being work that costs less than \$20,000 (other than drainage work).

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:

- (a) the works involve the disturbance of less than 1 tonne of soil, and
- (b) the works are not likely to lower the water table.

## **6.x Coastline hazard management**

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

- (a) to avoid significant adverse impacts from coastal hazards and avoid development that increases the severity of coastal hazards to people and property,
- (b) to enable evacuation of coastal and estuarine risk areas in an emergency,
- (c) to ensure uses of land identified as coastal and estuarine risk are compatible with the risks presented by coastal hazards,
- (d) to preserve and protect the coastline as national assets for public recreation and amenity.

(2) This clause applies to the land shown on the Coastline Hazard Map

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

- (a) Will not cause significant increased risk of coastal hazards on that land or other land, and

- (b) Will not significantly alter coastal processes to the detriment of the natural environment or other land, and
- (c) Will not significantly reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and
- (d) incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and
- (e) has regard to appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.

(4) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

- (a) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by coastal hazards.
- (b) The extent to which sensitive and hazardous development will be impacted

***sensitive and hazardous development*** means development for the following purposes—

- (a) boarding houses,
- (b) caravan parks,
- (c) correctional centres,
- (d) early education and care facilities,
- (e) eco-tourist facilities,
- (f) educational establishments,
- (g) emergency services facilities,
- (h) group homes,
- (i) hazardous industries,
- (j) hazardous storage establishments,
- (k) hospitals,
- (l) hostels,
- (m) information and education facilities,
- (n) respite day care centres,
- (o) seniors housing,
- (p) sewerage systems,
- (q) tourist and visitor accommodation,
- (r) water supply systems

(5) If the proposed development comprises the erection of a building or works, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works.

(6) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the foundations of the development have been designed to be constructed having regard to coastal or estuarine risk including flooding, wave action, floatation and potential erosion.

(7) Development consent must not be granted to development on land to which this clause applies unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

(8) In this clause:

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

## 6.x Essential services

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

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

(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.

## 6.x Geotechnical planning

(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards -

- (a) matches the underlying geotechnical conditions of the land, and
- (b) is restricted on unsuitable land, and
- (c) does not endanger life or property.

(2) This clause applies to land shown as G1, G2, G3, G4, G5, G6 and G7 on the Geotechnical Map.

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

- (a) the development will appropriately manage wastewater, stormwater, subsurface flows and drainage across the land so as not to adversely impact the stability of the land or adjoining land,
- (b) the development is designed to ensure that any changes to existing subsurface flow conditions do not adversely impact on the land or adjoining land, and
- (c) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development. If that risk or impact cannot be reasonably avoided the development is designed, sited and will be managed to minimise that risk or impact.

(4) Land shown on the Geotechnical Map as G5 and G7 is identified as *land susceptible to landslide risk* for the purposes of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

## 6.x Affordable housing

(1) This clause applies to development in an affordable housing contribution area that involves—

- (a) the erection of a new building with a gross floor area of more than 200 square metres, or
- (b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area intended to be used for residential purposes, or

- (c) alterations to an existing building and the consequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area.
- (2) Development consent must not be granted unless the consent authority is satisfied that the proportion of the gross floor area of the building used for affordable housing is not less than the amount shown on the Affordable Housing Contributions Scheme Map.
- (3) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable affordable housing levy contribution for the development.
- (4) A condition imposed under this clause must provide for the affordable housing levy contribution to be satisfied—
  - (a) by dedication in favour of the Council of land comprising—
    - (i) 1 or more dwellings, each having a gross floor area of not less than 50 square metres, with any remainder paid as a monetary contribution to the Council, or
    - (ii) other land approved by the Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or
  - (b) if the Council agrees, by monetary contribution paid to the Council.
- (5) The rate at which a dedication of land or monetary contribution is taken to be equivalent to the relevant floor area for the purposes of the affordable housing levy contribution is to be calculated in accordance with the Affordable Housing Contributions Scheme.

(6) In this clause—

**affordable housing contribution area** means land shown as an affordable housing contribution area on the Affordable Housing Contributions Scheme Map.

**Affordable Housing Contributions Scheme** means the Affordable Housing Contributions Scheme adopted by the Council on 28 September 2021.

**affordable housing levy contribution**, in relation to development on a site, means the percentage of the gross floor area of the building used for the purposes of residential accommodation on the relevant site shown in the table to subclause (2).

## 6.x Dual Occupancies

- (1) Development consent must not be granted to development for the purposes of dual occupancies on land in Zone R2 Low Density Residential on a lot that is an existing battle-axe lot.
- (2) Development consent must not be granted to development for the purposes of dual occupancies (detached) on land Zone R2 Low Density Residential unless the land—
  - (a) contains a heritage item, or
  - (b) has 2 street frontages, or
  - (c) is a corner lot within the meaning of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (3) This clause does not apply to land in the *Warriewood Valley Release Area* as shown on the *Urban Release Area Map*.



## 6.x Mix of dwelling sizes in residential flat buildings and mixed use development

- (1) The objectives of this clause are as follows—
  - (a) to ensure the provision of a mix of dwelling types in residential flat buildings and provide housing choice for different demographics, living needs and household budgets,
  - (b) to promote development that accommodates a range of household sizes.
- (2) This clause applies to development for the following purposes that results in at least 10 dwellings—
  - (a) residential flat buildings,
  - (b) mixed use development that includes shop top housing.
- (3) Development consent may be granted to development to which this clause applies if—
  - (a) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will be studio or 1 bedroom dwellings, and
  - (b) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will have at least 3 bedrooms.

## 6.x Secondary dwellings

- (1) The objective of this clause is to ensure that secondary dwellings on land to which this clause applies are of low impact.
- (2) This clause applies to land where secondary dwellings are permitted with consent under this plan.
- (3) Despite clause 5.4(9) and clause 5.5, development consent may be granted for development for the purposes of a secondary dwelling on land to which this clause applies if—
  - (a) the total floor area of the secondary dwelling does not exceed 75 square metres, and
  - (b) the consent authority is satisfied that the secondary dwelling will be attached to a principal dwelling on a site that contains no other secondary dwelling.
- (5) In this clause—

**for the purposes of a secondary dwelling** includes the following—

  - (a) the erection of, or alterations or additions to, a secondary dwelling,
  - (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

## 6.x 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 a residential flat building.
- (2) Development consent must not be granted for the strata subdivision of a building that is or has been used for serviced apartments for use as a residential flat building unless the consent authority has considered the following in relation to the residential flat building—

- (a) the design principles for residential apartment development within the meaning of *State Environmental Planning Policy (Housing) 2021*,
- (b) the Apartment Design Guide within the meaning of that policy.

## **6.x Tourist and visitor accommodation duration of stay**

- (1) The objective of this clause is to maintain the supply and availability of tourist and visitor accommodation to as many different tourists and visitors as possible.
- (2) Development consent must not be granted to development for tourist and visitor accommodation unless the consent authority is satisfied that the development will not provide accommodation to the same person for a period of more than three consecutive months.

## **6.x Environmental sustainability**

- (1) The objective of this clause is to ensure that development to which this clause applies is consistent with principles of best practice for the design and delivery of sustainable buildings.

- (2) This clause applies to development—

- (a) on land in the following zones—
  - (i) Zone R1 General Residential,
  - (ii) Zone R2 Low Density Residential,
  - (iii) Zone R3 Medium Density Residential,
  - (iv) Zone E1 Local Centre,
  - (v) Zone E2 Commercial Centre,
  - (vi) Zone E3 Productivity Support,
  - (vii) Zone E4 General Industrial,
  - (viii) Zone MU1 Mixed Use,
  - (ix) Zone SP4 Enterprise.

- (b) that involves –

- (i) the erection of a new building, or
- (ii) alterations or additions to an existing building that result in an increase of greater than 10% of the gross floor area.

- (3) Development consent must not be granted to development on land to which this clause applies if the building is 1,500 square metres in gross floor area or greater unless adequate consideration has been given to the following in the design of the building—

- (a) water efficiency, water recycling and minimisation of potable water usage,
- (b) generation and storage of renewable energy,
- (c) metering and monitoring of energy and water consumption,
- (d) capability of achieving net zero emissions in operation,
- (e) reduction in peak demand for electricity, including through the use of energy efficient technology,
- (f) the façade, roof and paved surfaces are designed to reduce adverse effects of urban heat on the surrounding land, including private open space and the public domain,

- (g) maximises green infrastructure by accommodating sufficient tree canopy, open space and deep soil zones to achieve urban cooling and ecological benefits,
- (h) electric vehicle and bicycle charging facilities, transport initiatives to reduce car dependence such as providing end of trip facilities and car sharing,
- (i) best practice waste management, including storage and access that promotes the safe and accessible storage and removal of waste and which maximises resource recovery,
- (j) the extent to which building materials and construction techniques are environmentally sustainable and will—
  - i. reduce embodied carbon emissions through materials selection,
  - ii. consider reuse of existing buildings and materials,
  - iii. maximise the useful life of buildings and materials through climate resilient design, materials selection, and design to enable disassembly and reuse,
  - iv. minimise the use of potable water, the generation of emissions and waste during demolition and construction of materials, and
  - v. minimise the impact on nature through sustainable material selection, and selecting products or materials with recycled content.

## Part 7A Frenchs Forest Precinct

### 7A.1 Definitions

In this Part—

*Frenchs Forest Precinct* means the land identified on the Precincts Boundary Map as the Frenchs Forest Precinct.

*Site F* means the land identified on the Key Sites Map as Site F.

*Site G* means the land identified on the Key Sites Map as Site G.

*Site H* means the land identified on the Key Sites Map as Site H.

*Site I* means the land identified on the Key Sites Map as Site I.

### 7A.2 Land to which this Part applies

This Part applies to land in the Frenchs Forest Precinct.

### 7A.3 Objectives for development in Frenchs Forest Precinct

The objectives of this Part are as follows—

- (a) to facilitate development in accordance with the objectives and principles of the *Frenchs Forest 2041 Place Strategy*,
- (b) to ensure a balance between the provision of high quality housing and a mix of retail, business, employment, civic, cultural and recreational facilities,

- (c) to accommodate additional employment opportunities, service functions and space for business,
- (d) to ensure development positively contributes to the visual quality and pedestrian comfort of the public domain and provides a seamless integration between public and private spaces,
- (e) to ensure development is designed with consideration of transport infrastructure,
- (f) to ensure development is sustainable and contributes to reducing greenhouse gas emissions,
- (g) to ensure high quality landscaped open space.

## 7A.4 Development control plans

- (1) The objective of this clause is to ensure that development on land in the Frenchs Forest Precinct is carried out in accordance with a site-specific development control plan.
- (2) Development consent must not be granted to development on land in the Frenchs Forest Precinct unless a development control plan has been prepared for the land that provides for the following—
  - (a) built form controls, including the maximum number of storeys and minimum setbacks for buildings,
  - (b) measures to ensure development does not result in a negative impact on the character of surrounding land,
  - (c) pedestrian access, including through-site links,
  - (d) landscaping of open space,
  - (e) waste management.

## 7A.5 Minimum site areas—Sites G, H and I

Development consent must not be granted to development in a site and zone shown in Columns 1 and 2 of the following table, for a purpose shown in Column 3, unless the site area is equal to or greater than the area shown in Column 4—

| Column 1 | Column 2   | Column 3   | Column 4                       |
|----------|--|--|--------------------------------|
| Site G   | Zone R3 Medium Density Residential<br>Zone MU1 Mixed Use   | Multi dwelling housing, residential flat buildings, shop top housing | 1,400 square metres            |
| Site H   | Zone R2 Low Density Residential                            | Dual occupancies (attached), semi-detached dwellings                 | 450 square metres              |
| Site H   | Zone R2 Low Density Residential                            | Attached dwellings   | 225 square metres per dwelling |
| Site I   | Zone R3 Medium Density Residential<br>Zone E1 Local Centre | Multi dwelling housing, residential flat buildings, shop top housing | 2,000 square metres            |

## 7A.6 Minimum street frontages—Sites G, H and I

Development consent must not be granted to development in a site and zone shown in Columns 1 and 2 of the following table, for a purpose shown in Column 3, unless the street frontage of the site area is equal to or greater than the length shown in Column 4—

| Column 1 | Column 2   | Column 3   | Column 4                |
|----------|--|--|-------------------------|
| Site G   | Zone R3 Medium Density Residential<br>Zone B4 Mixed Use            | Residential flat buildings, shop top housing                         | 30 metres               |
| Site H   | Zone R2 Low Density Residential                                    | Dual occupancies (attached), semi-detached dwellings                 | 15 metres               |
| Site H   | Zone R2 Low Density Residential                                    | Attached dwellings   | 7.5 metres per dwelling |
| Site I   | Zone R3 Medium Density Residential<br>Zone B1 Neighbourhood Centre | Multi dwelling housing, residential flat buildings, shop top housing | 45 metres               |

## 7A.7 Deep soil zone—Site F

(1) Development consent must not be granted to development on Site F unless the consent authority is satisfied the development will not result in less than 5,500 square metres of deep soil zone in Site F.

(2) In this clause—

**deep soil zone** means a landscaped area with no building above or below the ground, but does not include an area used or intended to be used for a driveway or parking.

## 7A.8 Additional floor space for certain BASIX affected buildings—Site F

(1) A BASIX affected building on land in Site F may exceed the maximum floor space ratio shown for the land on the [Floor Space Ratio Map](#) by 0.15:1 if the building—

- (a) exceeds the BASIX commitment for energy for the building by at least 15 points, and
- (b) exceeds the BASIX commitment for water for the building by at least 20 points.

(2) In this clause—

**BASIX affected building** has the same meaning as in the [Environmental Planning and Assessment Regulation 2000](#).

**BASIX commitment** means a commitment set out in a BASIX certificate within the meaning of the [Environmental Planning and Assessment Regulation 2000](#).

## 7A.9 Power lines—Site G

In deciding whether to grant development consent to development on Site G, the consent authority must consider whether the development includes adequate measures to ensure that existing power lines on Site G will be relocated underground.

## 7A.10 Relocation of Frenchs Forest Police Station

(1) This clause applies to the following development—

- (a) development that is or involves the relocation of the Frenchs Forest Police Station to Site F,
- (b) development on Site F subsequent to the relocation of the Frenchs Forest Police Station to Site F.

(2) The gross floor area of the relocated Frenchs Forest Police Station is taken to be zero for the purposes of calculating a gross floor area or floor space ratio under this Plan.

## Part 7B Dee Why Town Centre

### 7B.1 Definitions

In this Part—

**Dee Why Town Centre** means the land shown on the Centres Map as the Dee Why Town Centre.

**Proposed New Road** means the land shown on the Key Sites Map as the Proposed New Road.

**Site A** means the land shown on the Key Sites Map as Site A.

**Site B** means the land shown on the Key Sites Map as Site B.

**Site C** means the land shown on the Key Sites Map as Site C.

**Site D** means the land shown on the Key Sites Map as Site D.

**Site E** means the land shown on the Key Sites Map as Site E.

**Town Square** means the land shown on the Key Sites Map as the Town Square.

### 7B.2 Land to which this Part applies

This Part applies to land within the Dee Why Town Centre.

### 7B.3 Objectives for development within Dee Why Town Centre

The objectives of this Part are as follows—

- (a) to create an attractive living centre that sustains the social, economic and environmental needs of its community and visitors,
- (b) to ensure a balance between the provision of high quality housing with a mix of retail, business, employment, civic, cultural and recreational facilities,
- (c) to ensure that development is consistent with the role of Dee Why as a major centre for the sub-region,
- (d) to create a built environment on Site A and Site B that has unified and consistent building form that includes—

- (i) definition of street edges by the establishment of podiums to create walls of 3 and 4 storeys in height, and
  - (ii) above podium level elements that step back to achieve adequate levels of natural sunlight and high levels of amenity to occupiers of the buildings, surrounding development and the adjacent public domain, and
  - (iii) 2 iconic slimline towers in the western part of the centre (Site B) and one smaller tower in the eastern part of the centre (Site A) that will largely provide for a transition in height from west to east, and
  - (iv) mid-rise elements that reflect the simple clarity of design displayed by the tower and podium elements,
- (e) to ensure that taller buildings that are distributed across the Dee Why Town Centre from west to east provide a coordinated, modulated and varied skyline and that the towers are spatially separated to provide useable public spaces, including a Town Square,
- (f) to achieve a pattern of development that reflects the underlying urban form in Dee Why with predominantly east-west orientated buildings and high levels of visual and physical permeability,
- (g) to achieve good sunlight penetration to public spaces and Oaks Avenue,
- (h) to ensure that development responds to the surrounding natural environment and protects the scenic qualities of Dee Why and its views and vistas,
- (i) to establish ground floor levels that are occupied by retail uses that—
- (i) are highly active, accessible to the street and create a lively ambience, and
  - (ii) provide a mix of retail shops, cafes and restaurants at the edges of street, pedestrian areas and open spaces, and
  - (iii) are at the same level as the footpaths and provide opportunities for a generous promenade and distinctive street tree planting for shade and shelter,
- (j) to accommodate additional employment opportunities, service functions and space for business, consistent with the role of Dee Why as a major centre, by providing at least 2 levels (including the ground floor) of development for non-residential purposes,
- (k) to ensure that signage associated with the new development is of high quality, is innovative, coordinated and minimised to avoid visual clutter and will complement the overall urban design, streetscape and architectural quality and amenity of the Dee Why Town Centre,
- (l) to ensure that development within the Dee Why Town Centre is designed to take account of, and be compatible with, the hydrological conditions associated with the Dee Why Lagoon South Catchment,
- (m) to ensure that development within the Dee Why Town Centre positively contributes to the visual quality and pedestrian comfort of the public domain and provides a seamless integration between public and private spaces,
- (n) to achieve a consistent built form character that features podiums that define street edges, and to reduce the visual scale of built form, except on land on Site A or Site B,

(o) to ensure that development is designed with consideration of transport infrastructure,

(p) to ensure that development within the Dee Why Town Centre is designed to contribute to the provision of a network of green spaces, natural systems and semi-natural systems, including parks, waterways, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.

## **7B.4 Development must be consistent with objectives for development and design excellence**

(1) Development consent must not be granted to development on land in the Dee Why Town Centre unless the consent authority is satisfied that the development—

(a) is consistent with the objectives of this Part that are relevant to that development, and

(b) incorporates—

(i) stormwater management measures, including water sensitive urban design and ecologically sustainable development principles, and

(ii) innovative design solutions that minimise stormwater impacts, including stormwater quantity and quality impacts, on the Dee Why Lagoon system, and

(iii) finished floor levels and basement car park entry levels that include adequate freeboards to protect against the entry of stormwater from the Council's street drainage system, and

(iv) continuous colonnades or pedestrian awnings on those parts of any building that are on the edges of streets or public spaces.

(2) Development consent must not be granted to development on Site B, at the Howard Avenue frontage, unless the consent authority is satisfied that the development will be lined by trees of distinctive coastal indigenous species that provide landscape elements while not obscuring the views into and out of the Town Square from Pittwater Road or Howard Avenue.

(3) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building on land within the Dee Why Town Centre unless the consent authority is satisfied that the development exhibits design excellence.

## **7B.5 Height of buildings**

(1) The objectives of this clause, in addition to the objectives stated in clause 4.3, are to limit overshadowing to—

(a) the front set back areas on the southern side of Oaks Avenue opposite Site A on 22 June in any year, and

(b) the public footpath on the southern side of Oaks Avenue opposite Site B on 22 June in any year, and

(c) the Town Square on 22 June in any year.

(1A) This clause applies to the height of buildings on Site A and Site B.



(2) If the location of the following is varied by not more than 2 metres in any horizontal direction from the location as shown on the Height of Buildings Map, that map is taken to be amended so as to permit that tower in that new location rather than in the location shown on that map—

- (a) the proposed tower on Site A shown on the Height of Buildings Map as having a maximum height of 52.5 metres,
- (b) the proposed tower on Site B shown on the Height of Buildings Map as having a maximum height of 75 metres,
- (c) the proposed tower on Site B shown on the Height of Buildings Map as having a maximum height of 78 metres.

(3) Nothing in subclause (2) permits development that results in any one or more of the following—

- (a) the floor area of any floor of a tower being greater than it would have been had the location of the tower not been moved,
- (b) less than 2 hours of sunlight being provided between 10.00 am and 2.00 pm on 22 June in any year to—
  - (i) the front setback areas on the southern side of Oaks Avenue opposite Site A, or
  - (ii) the public footpath on the southern side of Oaks Avenue opposite Site B at a distance of 6 metres from the property boundary,
- (c) less than 4 hours of sunlight being provided on 22 June in any year to the Town Square.

## **7B.6 Podium heights**

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

- (a) to achieve a consistent built form character that features podiums that define the street edge, and to ensure upper level setbacks reduce the visual prominence of building height,
- (b) to maximise building separation for the purposes of visual appearance, privacy and maintaining solar access to adjoining properties and the public domain.

(2) Development consent may be granted to the erection of buildings on the following land with the following maximum podium heights—

- (a) Site A—3 storeys,
- (b) Site B—4 storeys,
- (c) land fronting Pittwater Road (except land on Site A or Site B)—3 storeys,
- (d) land not fronting Pittwater Road (except land on Site A or Site B)—2 storeys.

(3) This clause does not apply to the following land—

- (a) Part Lot 11, DP 577062 (known as 23 Fisher Road, Dee Why),
- (b) Lot CP, SP 81758 (known as 25 Fisher Road, Dee Why),
- (c) Lot CP, SP 75040 (known as 20-34 Kingsway, Dee Why),

- (d) Lot CP, SP 4066 (known as 18 Kingsway, Dee Why),
- (e) Lot CP, SP 83379 (known as 4–16 Kingsway, Dee Why),
- (f) Lot CP, SP 1902 (known as “Kingsway Court”, 2 Kingsway, Dee Why).

## **7B.7 Site A Oaks Avenue above podium elements**

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

- (a) to allow buildings on land shown as “Area 8” on the Height of Buildings Map and fronting Oaks Avenue to have components above the height permitted by clause 4.3(2) (the podium level),
- (b) to control building bulk above the podium level on that land,
- (c) to limit the depth of buildings and control the gross floor area above the podium level on that land,
- (d) to limit overshadowing to the front setback areas on the southern side of Oaks Avenue opposite Site A on 22 June in any year,
- (e) to allow design flexibility.

(2) This clause applies to buildings on land shown as “Area 8” on the Height of Buildings Map.

(3) Despite clause 4.3, development consent may be granted to the erection of a building on land shown as “Area 8” on the Height of Buildings Map that has a component above the podium level but only if—

- (a) the total gross floor area of the components of the buildings above the podium level does not exceed 2,000 square metres, and
- (b) a minimum of 20% of the east-west length of Site A above the podium level comprises physical breaks or separation between buildings, and
- (c) any component of the building above the podium level does not extend north beyond the Oaks Avenue rear building alignment line of Site A, being the line 32 metres from the Oaks Avenue front building line (which is 2.275 metres from the Oaks Avenue boundary of Site A), and
- (d) the building is sited or located under a plane that projects at an angle of 29 degrees from the height of 28.5 metres above the Oaks Avenue front building line (which is 2.275 metres from the Oaks Avenue boundary of Site A), and
- (e) no less than 2 hours of sunlight is provided between 10.00 am and 2.00 pm to the front setback areas on the southern side of Oaks Avenue opposite Site A on 22 June in any year.

## **7B.8 Site B Oaks Avenue above podium elements**

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

- (a) to allow buildings on land shown as “Area 9” on the Height of Buildings Map to have components above the height permitted by clause 4.3(2) (the podium level),
- (b) to control building bulk above the podium level on that land,
- (c) to limit the depth of buildings and control the gross floor area above the podium level on that land,

(d) to ensure that there is an adequate separation between the above podium level buildings' envelopes shown on the Height of Buildings Map for the towers and surrounding podium of the Howard Avenue side of the site and the buildings south of the rear building alignment of Site B,

(e) to limit overshadowing of the public footpath on the southern side of Oaks Avenue opposite Site B on 22 June in any year,

(f) to allow design flexibility.

(2) This clause applies to buildings on land shown as "Area 9" on the Height of Buildings Map.

(3) Despite clause 4.3, development consent may be granted to the erection of a building on land shown as "Area 9" on the Height of Buildings Map that has a component above the podium level but only if—

(a) the total gross floor area of the components of the buildings above the podium level does not exceed 3,800 square metres, and

(b) a minimum of 20% of the east-west length of Site B above the podium level comprises physical breaks or separation between buildings, and

(c) any component of the building above the podium level does not extend north beyond the Oaks Avenue rear building alignment line of Site B, being the line 27.5 metres from the Oaks Avenue front building line (which is 2.275 metres from the Oaks Avenue boundary of Site A), and

(d) no less than 2 hours of sunlight is provided between 10.00 am and 2.00 pm to the footpath on the southern side of Oaks Avenue opposite Site B at a distance of 6 metres from the property boundary on 22 June in any year.

## **7B.9 Site A Proposed New Road above podium elements**

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

(a) to allow buildings on land shown as "Area 10" on the Height of Buildings Map to have components above the height permitted by clause 4.3(2) (the podium level),

(b) to control building bulk above the podium level on that land,

(c) to limit the depth of buildings and control the gross floor area above the podium level,

(d) to allow design flexibility.

(2) This clause applies to buildings on land shown as "Area 10" on the Height of Buildings Map.

(3) Despite clause 4.3, development consent may be granted to the erection of a building on land shown as "Area 10" on the Height of Buildings Map that has a component above the podium level but only if—

(a) the total gross floor area of the components of the buildings on the land shown as "Area 10" on the Height of Buildings Map above the podium level does not exceed 1,000 square metres, and

(b) any component of the building above the podium level does not extend west beyond the Proposed New Road rear building alignment line, being the line 19.5 metres from the Proposed New Road front building line (which is the western alignment of the Proposed New Road), and

- (c) the building is sited or located under a plane that projects at an angle of 45 degrees from the height of 25 metres above the Proposed New Road from the east to west direction, and
- (d) the height of the building does not exceed 43.5 metres.

## 7B.10 Allowance for external ancillary plant and roof access

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

- (a) to ensure that the height, scale and number of permanent or temporary external ancillary structures located on roofs of buildings do not add to the perceived height of buildings or detract from the roof form of buildings,
- (b) to ensure that roof forms are attractive when viewed from surrounding vantage points, including when viewed, at a short distance, from the public domain and surrounding apartment buildings, and when viewed, from a long distance, from the southern and western hill sides that have northerly and easterly aspects, respectively, over Dee Why,
- (c) to promote low scale vegetative landscaping of podium roofs of buildings and the use of podium roof spaces as areas for passive recreation for residents of the buildings concerned.

(2) Development consent must not be granted to development on land in the Dee Why Town Centre involving the construction of a new building or external alterations to an existing building unless the consent authority is satisfied that—

- (a) the height of any external ancillary plant or access point is minimised and does not exceed 3.0 metres, and
- (b) any external ancillary plant or access point is suitably integrated with landscaping or architectural elements of the building, and
- (c) any external ancillary plant or access point is centrally located within the roof area to minimise or completely avoid being visible from the public domain in close proximity to the building, and
- (d) the total area of such plant and access points does not exceed 10% of the roof area, and
- (e) any balustrade or similar safety restraint (except a building parapet) is set in from the roof edge at least 3 metres, and
- (f) no external ancillary plant is located on the roof of the tall tower located on Site A or the two slimline towers on Site B.

(3) In this clause—

**external ancillary structure** means an access point or ancillary plant or a balustrade or similar safety restraint.

## 7B.11 Town Square and pedestrian connections

(1) The objective of this clause is to ensure that development within the Dee Why Town Centre will include a Town Square that will be the heart of the community and will contain attractive, useable open spaces that are interlinked by a secure network of pedestrian connections.

(2) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building on Site B unless the consent authority is satisfied that the development will—

(a) be consistent with the establishment and maintenance of a Town Square that addresses Howard Avenue and that will—

(i) occupy all of the land shown as “Town Square” on the Key Sites Map, and

(ii) be a flexible, multi-use space that will be suitable to accommodate markets, entertainment and community events and serve as a meeting place for the general public, and

(iii) be surrounded by colonnades at its perimeter that will provide all weather access to the ground floor retail outlets, and

(iv) include landscaping throughout the space that provides an appropriate canopy of indigenous tree species to enhance its amenity, and

(b) include retail uses located at ground level at the perimeter of the Town Square that will provide opportunities for alfresco dining, casual seating and recreation, and

(c) ensure that residential accommodation situated above the Town Square will provide maximum visibility of the Town Square and bring life and vitality to the Town Square throughout the day, and

(d) incorporate and maintain a north-south Pedestrian Connection that will link the Town Square with Oaks Avenue that will—

(i) occupy all of the land shown as “Pedestrian Connection” on the Key Sites Map, and

(ii) in conjunction with the Town Square, provide a strong physical and visual connection between Howard Avenue and Oaks Avenue ensuring a high level of permeability for the Dee Why Town Centre, and

(iii) provide a generous pedestrian and retail precinct, and

(iv) be lined by retail development, with double storey colonnades providing access on a 24 hour, 7 days a week basis, and

(v) be designed to ensure all weather access to ground level retail, food and beverage outlets, and

(vi) have a clear width of not less than 14 metres to ensure high levels of sunlight access and provide view lines through the development.

(3) Despite clause 4.3, development consent may be granted to the construction of a pedestrian footbridge, on the land shown as “Pedestrian Footbridge” on the Key Sites Map that provides a connection between the first floor level of buildings located within Site B, if the consent authority is satisfied that the footbridge—

(a) will not adversely affect the incorporation and maintenance of the north-south Pedestrian Connection, and

(b) will be constructed of light-weight and transparent material, and any visual impact of the footbridge will be minimised.

## **7B.12 Provisions promoting retail activity**

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

- (a) to promote retail activity on the ground and first floors of new buildings in the Dee Why Town Centre,
  - (b) to promote employment generating uses in addition to retail activity.
- (2) Development consent must not be granted to development in the Dee Why Town Centre unless the consent authority is satisfied that—
- (a) the ground floor level of buildings on Site A, Site B, Site C, Site D or Site E will not be used for any of the following (other than the provision of access to any of the following)—
    - (i) residential accommodation,
    - (ii) medical centres,
    - (iii) office premises, and
  - (b) the first floor level of buildings on Sites A and B will not be used for residential accommodation (other than the provision of access to such accommodation), and
  - (c) buildings will have at least two floor levels (including the ground floor level) of employment generating space, and
  - (d) development on the ground floor level of buildings in the Dee Why Town Centre will contribute to an active street life in accordance with the document titled Our Greater Sydney 2056 North District Plan published by the Greater Sydney Commission in March 2018.
- (3) This clause does not apply to the following land—
- (a) Part Lot 11, DP 577062 (known as 23 Fisher Road, Dee Why),
  - (b) Lot CP, SP 81758 (known as 25 Fisher Road, Dee Why),
  - (c) Lot CP, SP 75040 (known as 20-34 Kingsway, Dee Why),
  - (d) Lot CP, SP 4066 (known as 18 Kingsway, Dee Why),
  - (e) Lot CP, SP 83379 (known as 4–16 Kingsway, Dee Why),
  - (f) Lot CP, SP 1902 (known as “Kingsway Court”, 2 Kingsway, Dee Why).

## **7B.13 Mobility, traffic management and parking**

- (1) The objectives of this clause are as follows—
- (a) to ensure improved vehicle access and circulation in the Dee Why Town Centre through good design and the management of traffic flows within the existing and new roads servicing the centre,
  - (b) to ensure increased road network capacity and improved vehicle circulation through the Dee Why Town Centre,
  - (c) to encourage alternative forms of transport from private vehicle use,
  - (d) to minimise the disruption of pedestrian movement and safety,
  - (e) to reduce the visual scale of parking, loading and waste collection facilities.
- (2) Development consent must not be granted to the construction of new buildings in the Dee Why Town Centre unless the consent authority is satisfied that—

- (a) any development on Site A will be consistent with the establishment of a new north-south street, between Howard and Oaks Avenue, along the eastern side of Site A, shown on the Key Sites Map as the Proposed New Road, and
- (b) any development on Site A for the purposes of the Proposed New Road will have a minimum width of 18 metres where it adjoins Lot 1, DP 526306 (St Kevin's Church) and 20 metres where it adjoins Strata Plan 1493, and
- (c) the development will improve vehicle access and circulation within the Dee Why Town Centre and will reinforce the priority of pedestrian movements and networks to make the Dee Why Town Centre safe, enjoyable and attractive, and
- (d) car parking will be provided principally underground and will accommodate the demand generated by the additional residential, retail and commercial uses, and
- (e) if car parking adjoins a street frontage, the amenity of the adjoining and nearby uses is protected, and
- (f) loading facilities and waste collection facilities are accommodated in a way that does not adversely impact on the visual amenity of the public domain, the amenity of adjoining or nearby residential properties or conflict with pedestrian access, and
  - (i) there will be minimal disruption to retail and commercial activity at street level because the proposed development—
  - (i) minimises the width of footpath crossings and vehicle entrances, and
  - (ii) ensures that loading facilities are substantially enclosed by occupied floor space, and
  - (iii) demonstrates high standards of civic design to portions of loading dock and car park entrances that are visible from the street.

## **7B.14 Community infrastructure floor space in Dee Why Town Centre**

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

- (a) to ensure that the development of particular sites within the Dee Why Town Centre delivers certain public improvement works,
- (b) to encourage additional development within the Dee Why Town Centre that incorporates adequate access networks,
- (c) to provide a range of development that supports community and visitor needs.

(2) This clause applies to land on Site C, Site D or Site E.

(3) The consent authority may consent to development that results in additional floor space or exceeds the maximum floor space ratio, or exceeds the maximum building height, in accordance with subclause (4) if the consent authority is satisfied that the development meets the following community infrastructure objectives—

- (a) for land on Site C—the development includes pedestrian and vehicular access that provides a suitable level of connectivity between Oaks Avenue and Pacific Parade,
- (b) for land on Site D—the development makes sufficient provision for articulated vehicles to access Pacific Parade from Pittwater Road,
- (c) for land on Site E—

- (i) the development includes a pedestrian and vehicular access network with a suitable level of connectivity throughout Site E, and
  - (ii) vehicular access to the land will not compromise the function and flow of the surrounding arterial roads, and
  - (iii) pedestrian access is prioritised at ground level.
- (4) The consent authority must not consent to the erection of a building on land to which this clause applies if—
  - (a) for a building on land on Site C—
    - (i) the floor space ratio exceeds 3.6:1, and
    - (ii) the building height exceeds 46 metres, or
  - (b) for a building on land on Site D—the floor space exceeds the floor space achieved by applying the maximum floor space ratio plus a gross floor area of 240 square metres, or
  - (c) for a building on land on Site E—
    - (i) for land fronting Pittwater Road—the building height exceeds 49 metres, or
    - (ii) for land fronting Fisher Road or St David Avenue—the building height exceeds 20 metres.
- (5) In deciding whether to grant development consent, the consent authority—
  - (a) must be satisfied that the development is consistent with the objectives of this clause, and
  - (b) must be satisfied that the community infrastructure is reasonably necessary at Dee Why, and
  - (c) must take into account the nature of the community infrastructure and its value to the Dee Why community.

## Part 7C Warriewood Valley Release Area

### 7C.1 Definitions

In this Part –

**buffer area** means land identified as “buffer area” on the Urban Release Area Map.

**creek line corridor** means land identified as “creek line corridor” on the Urban Release Area Map.

**sector** means land identified as “sector” on the Urban Release Area Map.

**Warriewood Valley Release Area** means the land identified as Warriewood Valley Release Area on the Urban Release Area Map.



## 7C.2 Land to which this Part applies

This Part applies to the land in the Warriewood Valley Release Area.

## 7C.3 Objectives for development within Warriewood Valley Release Area

The objectives of this Part are as follows:

- (a) to permit development in the Warriewood Valley Release Area in accordance with the *Warriewood Valley Strategic Review Report* and the *Warriewood Valley Strategic Review Addendum Report*, and
- (b) to ensure that development in that area does not adversely impact on waterways and creek line corridors, protects existing native riparian vegetation and rehabilitates the creek line corridors.

## 7C.4 Number of dwellings to be erected

Development consent must not be granted for development on land in a buffer area or sector or at an address mentioned in Column 1 of the table to this clause unless the consent authority is satisfied that the total number of dwellings shown opposite that buffer area, sector or address in Column 2 of that table will be erected.

| Column 1<br>Buffer area, sector or address | Column 2<br>Number of dwellings to be erected          |
|--|--|
| Sector 1                                   | Not more than 209 dwellings or less than 195 dwellings |
| Sector 101                                 | Not more than 4 dwellings                              |
| Sector 2                                   | Not more than 54 dwellings or less than 49 dwellings   |
| Sector 301                                 | Not more than 53 dwellings or less than 42 dwellings   |
| Sector 302                                 | Not more than 84 dwellings or less than 66 dwellings   |
| Sector 303                                 | Not more than 29 dwellings or less than 23 dwellings   |
| Sector 5A                                  | Not more than 81 dwellings                             |
| Section 5B                                 | Not more than 13 dwellings                             |
| Sector 8                                   | Not more than 140 dwellings                            |
| Sector 801                                 | Not more than 46 dwellings                             |
| Sector 9A                                  | Not more than 33 dwellings or less than 27 dwellings   |
| Sector 9B                                  | Not more than 48 dwellings or less than 39 dwellings   |
| Sector 9C                                  | Not more than 22 dwellings                             |
| Sector 9D                                  | Not more than 33 dwellings                             |
| Sector 901A                                | Not more than 50 dwellings                             |
| Sector 901B                                | Not more than 36 dwellings or less than 12 dwellings   |
| Sector 901CG                               | Not more than 12 dwellings                             |
| Sector 901GC                               | Not more than 19 dwellings                             |
| Sectors 901D and 901E                      | Not more than 16 dwellings                             |
| Sector 901F                                | Not more than 14 dwellings                             |
| Sector 901H                                | Not more than 3 dwellings                              |
| Sector 10                                  | Not more than 134 dwellings                            |
| Sector 10B                                 | Not more than 45 dwellings or less than 28 dwellings   |
| Sector 10C                                 | Not more than 17 dwellings                             |
| Sector 11                                  | Not more than 163 dwellings or less than 147 dwellings |

|                |  |
|----------------|--|
| Sector 12      | Not more than 180 dwellings or less than 163 dwellings |
| Sector 12A     | Not more than 19 dwellings                             |
| Sector 20      | Not more than 64 dwellings                             |
| Sector 202     | Not more than 1 dwelling                               |
| Sector 203     | Not more than 4 dwellings                              |
| Buffer area 1a | Not more than 17 dwellings or less than 15 dwellings   |
| Buffer area 1b | Not more than 24 dwellings or less than 17 dwellings   |
| Buffer area 1c | Not more than 18 dwellings or less than 13 dwellings   |
| Buffer area 1d | Not more than 1 dwelling                               |
| Buffer area 1e | Not more than 15 dwellings or less than 11 dwellings   |
| Buffer area 1f | Not more than 21 dwellings or less than 14 dwellings   |
| Buffer area 1g | Not more than 23 dwellings or less than 17 dwellings   |
| Buffer area 1h | Not more than 1 dwelling                               |
| Buffer area 1i | Not more than 39 dwellings or less than 27 dwellings   |
| Buffer area 1j | Not more than 40 dwellings or less than 26 dwellings   |
| Buffer area 1k | Not more than 21 dwellings or less than 14 dwellings   |
| Buffer area 1l | Not more than 67 dwellings or less than 43 dwellings   |
| Buffer area 1m | Not more than 22 dwellings                             |
| Buffer area 2  | Not more than 147 dwellings                            |
| Buffer area 2a | Not more than 29 dwellings or less than 20 dwellings   |
| Buffer area 3a | Not more than 186 dwellings                            |
| Buffer area 3b | Not more than 9 dwellings or less than 7 dwellings     |

## 7C.5 Environmental impact of development

Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the proposed development will not have any significant adverse impact on any of the following:

- (a) opportunities for rehabilitation of aquatic and riparian vegetation, habitats and ecosystems within creek line corridors,
- (b) the water quality and flows within creek line corridors,
- (c) the stability of the bed, shore, and banks of any watercourse within creek line corridors.

## 7C.6 Development requiring the preparation of a development control plan

- (1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan.
- (2) Development consent must not be granted for development on land identified as “Clause 7C.6” on the Urban Release Area Map unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.
- (3) The development control plan must provide for the following:
  - (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing, including the final design and construction of the required road access,

- (b) an overall landscaping strategy for the protection and enhancement of visually prominent locations and for other matters, and detailed landscaping requirements for both the public and private domain,
- (c) stormwater and water quality management controls,
- (d) amelioration of natural and environmental hazards, including bush-fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of and the evacuation from any land so affected,
- (e) assessment of the biodiversity values on the site and likely impacts and mitigation measures,
- (f) preparation of an Aboriginal Cultural Heritage Assessment (being a written report detailing the results of the assessment and recommendations for actions to be taken before, during and after an activity to manage and protect Aboriginal objects and declared Aboriginal places identified by the investigation and assessment),
- (g) detailed urban design controls.

## Part 7D Development in St Patrick's Estate

### 7D.1 Definitions

In this clause:

**St Patrick's Estate** means the land identified as "St Patrick's Estate" on the Key Sites Map.

### 7D.2 Land to which this Part applies

This clause applies to land in St Patrick's Estate.

### 7D.3 Objectives for development within St Patrick's Estate

The objectives of this clause are as follows:

- (a) to protect the heritage significance, including the archaeological, natural and cultural heritage values, of St Patrick's Estate,
- (b) to ensure that development does not detract from the heritage significance of Moran House, Cerretti Chapel, St Therese's Convent and the Archbishop's Residence,
- (c) to ensure that any new buildings or structures in St Patrick's Estate are sympathetic in scale and built form to the heritage items that are situated in St Patrick's Estate,
- (d) to conserve, enhance and restore elements of built and natural heritage items of State and local significance and permit development that is compatible with the preservation, restoration and maintenance of items of environmental heritage within the zone,
- (e) to protect vistas to and from heritage items of local and State significance and preserve and protect the setting, consistent with the pre-eminence of principal heritage buildings when viewed from within the setting, and surrounding areas and vantage points.

## 7D.4 Access, view and location of buildings

Development consent must not be granted to development on land in:

- (a) “Precinct 1”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will provide access to College Street, and
  - (ii) will not result in vehicular access being provided directly to Bower Street,
- (b) “Precinct 2”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will provide access to College Street, and
  - (ii) will retain the view to and from Moran House, if the development is on land identified as “View Corridor” on the Key Sites Map,
- (c) “Precinct 3”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development will not involve the erection of a building within 10 metres of land in Zone C1 National Parks and Nature Reserves,
- (d) “Precinct 4”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development,
  - (i) will not involve the erection of a building within 10 metres of Darley Road or land in Zone E1 National Parks and Nature Reserves, and
  - (ii) will not involve the erection of a building within 5 metres of the centre of the pathway that extends from the Archbishop’s Residence to Spring Cove and is identified on the Key Sites Map, and
  - (iii) will retain the view to and from the Archbishop’s Residence and Spring Cove, if the development is on land identified as “View Cone” on the Key Sites Map,
- (e) “Precinct 5”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will not involve the erection of a building within 10 metres of land in Zone C1 National Parks and Nature Reserves, and
  - (ii) will not involve the erection of a building within 5 metres of the western boundary of that Precinct, and
  - (iii) will not involve the erection of a building within 5 metres of the centre of the pathway that extends from the Archbishop’s Residence to Spring Cove and is identified on the Key Sites Map, and
  - (iv) will retain the view to and from the Archbishop’s Residence and Spring Cove if the development is on land identified as “View Cone” on the Key Sites Map,
- (f) “Precinct 6”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will not involve the erection of a building within 5 metres of the nearest boundary of St Patrick’s Estate, and

- (ii) will not involve the erection of a building within 5 metres of the centre of the pathway that extends from the Archbishop's Residence to Spring Cove and is identified on the Key Sites Map, and
  - (iii) will retain the view to and from the Archbishop's Residence and Spring Cove, if the development is on land identified as "View Cone" on the Key Sites Map,
- (g) "Precinct 7", as identified on the Key Sites Map, unless the consent authority is satisfied that the development will be wholly located within the area marked "Buildable Area" on the Key Sites Map,
- (h) "Precinct 10", as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will not involve the erection of a building within 5 metres of the western boundary of the Precinct or land in Zone RE1 Public Recreation, and
  - (ii) will not involve the erection of a building within 10 metres of land in Zone C1 National Parks and Nature Reserves, and
  - (iii) will not involve the erection of a building within 5 metres of the centre of the pathway that extends from the Archbishop's Residence to Spring Cove and is identified on the Key Sites Map, and
  - (iv) will retain the view to and from the Archbishop's Residence and Spring Cove, if the development is on land identified as "View Cone" on the Key Sites Map,
- (i) "Precinct 11", as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will not involve the erection of a building within 10 metres of Darley Road, and
  - (ii) will not involve the erection of a building within 5 metres of the western boundary of the Precinct, and
  - (iii) will not involve the erection of a building within 5 metres of the centre of the pathway that extends from the Archbishop's Residence to Spring Cove and is identified on the Key Sites Map, and
  - (iv) will retain the view to and from the Archbishop's Residence and Spring Cove if the development is on land identified as "View Cone" on the Key Sites Map,
- (j) "Precinct 12", as identified on the Key Sites Map, unless the consent authority is satisfied that the development will not involve the erection of a building within 10 metres of land in Zone C1 National Parks and Nature Reserves,
- (k) "Precinct 13", as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
  - (i) will not involve the erection of a building within 5 metres of the northern boundary of the Precinct, and
  - (ii) will not involve the erection of a building within 10 metres of a boundary with land in Precinct 14 identified on the Key Sites Map, and
  - (iii) will provide access to College Street, but will not provide access directly to Bower Street,

- (l) “Precinct 14”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
- (i) will not involve the erection of a building within 10 metres of land in Zone C1 National Parks and Nature Reserves, and
  - (ii) will not involve the erection of a building within 5 metres of the northern boundary of the Precinct, and
  - (iii) will be wholly located within the area marked “Buildable Area” on the Key Sites Map,
- (m) “Precinct 15”, as identified on the Key Sites Map, unless the consent authority is satisfied that the development:
- (i) will not minimise the view to and from St Patrick’s Estate, and
  - (ii) will provide access to Fairy Bower Road.

## **7D.5 Number of dwellings to be erected**

(1) Development consent must not be granted to development for the purpose of residential accommodation on land described in column 1 of the Table to this subclause and identified on the Key Sites Map if the development will result in the number of dwellings on that land exceeding the number specified in column 2 of that table for that land.

| <b>Land</b> | <b>Number of dwellings</b> |
|-------------|----------------------------|
| Precinct 1  | 13                         |
| Precinct 2  | 21                         |
| Precinct 3  | 44                         |
| Precinct 10 | 24                         |
| Precinct 12 | 24                         |
| Precinct 13 | 13                         |

(2) Without limiting clause 7D.5(1), development consent must not be granted to development on land in Precinct 5, Precinct 6 or Precinct 10 if the development will result in the total number of dwellings on all that land exceeding 38.

# Schedule 1 Additional permitted uses

## **1 Use of certain land at 94 George Street, Avalon Beach**

(1) This clause applies to land—

- (a) at 94 George Street, Avalon Beach, being Lot 254, DP 752046, identified as “Area 1” on the Additional Permitted Uses Map, and
- (b) that is subject to PO 1963/97.

(2) Development for the purposes of boat building and repair facilities is permitted with development consent.

## **2 Use of certain land in the vicinity of Avalon, Newport, North Narrabeen, Freshwater and Belrose centres**

(1) This clause applies to R2 Low Density Residential zoned within 400m walking distance from land zoned E1 in the following Local Centres:

- (a) Avalon Beach Village Centre excluding land identified as “Neighbourhood Centre” on the Centres Map
- (b) Newport Village Commercial Centre excluding land identified as “Neighbourhood Centre” on the Centres Map
- (c) Land between Berry Avenue and Walsh Street in North Narrabeen identified as “Neighbourhood Centre” on the Centres Map
- (d) Freshwater Village excluding land identified as “Neighbourhood Centre” on the Centres Map
- (e) Glenrose Village in Belrose excluding land identified as “Neighbourhood Centre” on the Centres Map

(2) Development for the purposes of boarding houses or hostels is permitted with development consent on land with an area greater than 1,000sqm.

## **3 Use of certain land in Zone E3 Productivity Support in Balgowlah**

(1) This clause applies to land identified as “Area 3” on the Additional Permitted Uses Map.

(2) Development for the purpose of shops is permitted with development consent.

## **4 Use of certain land in Zone R2 Low Density Residential in Balgowlah, Balgowlah Heights, Clontarf, Seaforth and Manly**

(1) This clause applies to land identified as “Area 4” on the Additional Permitted Uses Map.

(2) Development for the purpose of attached dwellings, hostels, multi-dwelling housing, semi-detached dwellings, shop-top housing and recreational facilities (indoor) is permitted with development consent.

## **5 Use of certain land in Zone C4 Environmental Living in Balgowlah, Fairlight and Manly**

(1) This clause applies to land identified as “Area 5” on the Additional Permitted Uses Map.

(2) Development for the purpose of attached dwellings, dual occupancies (attached), multi-dwelling housing, residential flat buildings and semi-detached dwellings is permitted with development consent.

(3) The provisions of clause 4.2A of the plan in relation to the application of the minimum Lot Size Map is not applicable to the strata subdivision of residential flat buildings.

**6 Use of certain land at 1714 Pittwater Road, Bayview**

(1) This clause applies to land at 1714 Pittwater Road, Bayview, being Lot 6A and 8A, DP 11186, Part Lot 1, DP 173780 and Part Lot 1, DP 1142750, identified as “Area 6” on the Additional Permitted Uses Map.

(2) Development of the land for the purposes of office premises, restaurants or cafes or shops is permitted with development consent.

**7 Use of certain land at 8 Aperta Place, Beacon Hill**

(1) This clause applies to land at 8 Aperta Place, Beacon Hill, being Lot 7, DP 236335, identified as “Area 7” on the Additional Permitted Uses Map.

(2) Development for the purposes of 1 dwelling house is permitted with development consent (provided that the design and construction of the development has regard to the topography, potential slip and sensitive visual character of the land as well as potential loss of views to adjoining or nearby properties).

**8 Use of certain land in the vicinity of Ashworth and Haigh Avenues, Belrose**

(1) This clause applies to land in the vicinity of Ashworth and Haigh Avenues, Belrose identified as “Area 8” on the Additional Permitted Uses Map.

(2) Development for the purposes of 1 dwelling house on each lot is permitted with development consent (provided that each dwelling is constructed having regard to the constraints, potential instability and visual sensitivity of the land and any impact on the water quality of Middle Harbour).

**9 Use of certain land at Bundaleer Street, Belrose**

(1) This clause applies to land at Bundaleer Street, Belrose, being Lot 2, DP 1273674, identified as “Area 9” on the Additional Permitted Uses Map.

(2) Development for the purposes of recreation facilities (outdoor) is permitted with development consent.

**10 Use of certain land in the vicinity of Challenger Drive, Belrose**

(1) This clause applies to land in the vicinity of Challenger Drive, Belrose, identified as “Area 10” on the Additional Permitted Uses Map.

(2) Development for the purposes of extractive industries, recreation facilities (indoor), recreation facilities (outdoor), processing and recycling facility (for construction and demolition waste) and heavy industry (for concrete batch plant) is permitted with development consent.

**11 Use of certain land in the vicinity of Forest Way, Belrose (western side)**

(1) This clause applies to land in the vicinity of Forest Way, Belrose (western side) identified as “Area 11” on the Additional Permitted Uses Map.

(2) Development for the purposes of garden centres, hotel or motel accommodation, places of public worship, recreation facilities (indoor), recreation facilities (outdoor), registered clubs, and restaurants or cafes is permitted with development consent.



**12 Use of certain land at 5 Hews Parade, Belrose**

- (1) This clause applies to land at 5 Hews Parade, Belrose, being Lot 6, DP 834036, identified as “Area 12” on the Additional Permitted Uses Map.
- (2) Development for the purposes of pubs is permitted with development consent.

**13 Use of certain land at corner of Mona Vale Road and Forest Way, Belrose**

- (1) This clause applies to land at the corner of Mona Vale Road and Forest Way, Belrose, identified as “Area 13” on the Additional Permitted Uses Map.
- (2) Development for the purposes of pubs and shops (with a gross floor area not exceeding 2,500m<sup>2</sup>) is permitted with development consent.
- (3) Pubs referred to in subclause (2) must include at least one room for the holding of conferences, functions and similar events.

**14 Use of certain land at corner of Mona Vale Road and Forest Way, Belrose**

- (1) This clause applies to land at the corner of Mona Vale Road and Forest Way, Belrose, identified as “Area 14” on the Additional Permitted Uses Map.
- (2) Development for the purposes of business premises (with a gross floor area not exceeding 2,500m<sup>2</sup>), hotel or motel accommodation, function centres, pubs and specialised retail premises is permitted with development consent.
- (3) Hotel or motel accommodation and pubs referred to in subclause (2) must include at least one room for the holding of conferences, functions and similar events.

**15 Use of certain land in Zone SP2 Infrastructure intended to be acquired for public purposes**

- (1) This clause applies to land in Zone SP2 Infrastructure and marked “Classified road” and identified as “Area 15” on the Additional Permitted Uses Map.
- (2) Development for the purposes of enabling access to a dwelling house is permitted with development consent, but only if the consent authority has considered the following—
  - (a) the effect of the proposed development on the costs of acquisition of the land,
  - (b) the imminence of the acquisition,
  - (c) the costs associated with the reinstatement of the land for the purposes for which it is to be acquired.

**16 Use of certain land in the vicinity of Pittwater Road and Roger Street, Brookvale**

- (1) This clause applies to land in the vicinity of Pittwater Road and Roger Street, Brookvale, identified as “Area 16” on the Additional Permitted Uses Map.
- (2) Development for the purposes of retail premises and shop top housing is permitted with development consent.
- (3) Consent must not be granted under this clause to development for the purposes of shop top housing unless the consent authority is satisfied that the development will not have a significant adverse impact on any adjoining land in Zone E4 General Industrial.

**17 Use of certain land at 82 Hudson Parade, Clareville**

(1) This clause applies to land—

(a) at 82 Hudson Parade, Clareville, being Lot 67, DP 7794, identified as “Area 17” on the Additional Permitted Uses Map, and

(b) that is subject to PO 1966/156.

(2) Development for the purpose of boat building and repair facilities is permitted with development consent.

**18 Use of certain land at 2 Anderson Place, Cottage Point**

(1) This clause applies to land at 2 Anderson Place, Cottage Point, being Lot 23, DP 819003, identified as “Area 18” on the Additional Permitted Uses Map.

(2) Development for the purposes of restaurants or cafes is permitted with development consent.

**19 Use of certain land at Cottage Point**

(1) This clause applies to land at Cottage Point, being Lot 1, DP 930591, Lot 1, DP 922754, Lot 3, DP 929708 and Lot 4, DP 929708, identified as “Area 19” on the Additional Permitted Uses Map.

(2) Development for the purposes of kiosks, marinas, neighbourhood shops and registered clubs is permitted with development consent.

**20 Use of certain land at 30 Campbell Avenue, Cromer**

(1) This clause applies to land at 30 Campbell Avenue, Cromer, being Lot 1, DP 227969, identified as “Area 20” on the Additional Permitted Uses Map.

(2) Development for the purposes of pubs is permitted with development consent.

**21 Use of certain land in the vicinity of McBrien Place, Davidson**

(1) This clause applies to land in the vicinity of McBrien Place, Davidson, identified as “Area 21” on the Additional Permitted Uses Map.

(2) Development for the purposes of 1 dwelling house on each lot is permitted with development consent (provided that each dwelling is constructed having regard to the constraints, potential instability and visual sensitivity of the land and any impact on the water quality of Middle Harbour).

**22 Use of certain land in Fisher Road and Kingsway, Dee Why**

(1) This clause applies to the following land at Dee Why, identified as “Area 22” on the Additional Permitted Uses Map—

(a) Part Lot 11, DP 577062, 23 Fisher Road,

(b) Lot CP, SP 81758, 25 Fisher Road,

(c) Lot CP, SP 1902, 2 Kingsway,

(d) Lot CP, SP 88379, 4–16 Kingsway,

(e) Lot CP, SP 4066, 18 Kingsway,

(f) Lot CP, SP 75040, 20–34 Kingsway.

(2) Development for the purposes of residential flat buildings is permitted with development consent.

**23 Use of certain land at 729–731 Pittwater Road, Dee Why**

(1) This clause applies to land at 729–731 Pittwater Road, Dee Why, being Lot CP, SP 13436, identified as “Area 23” on the Additional Permitted Uses Map.

(2) Development for the purposes of medical centres and office premises is permitted with development consent.

**24 Use of certain land at 932 Pittwater Road, Dee Why**

(1) This clause applies to land at 932 Pittwater Road, Dee Why, being Lot 1, DP 706230, identified as “Area 24” on the Additional Permitted Uses Map.

(2) Development for the purposes of recreation facilities (indoor) (provided that the facility operates in conjunction with a registered club) and registered clubs is permitted with development consent.

**25 Use of certain land at 49A Wesley Street, Elanora Heights**

(1) This clause applies to land at 49A Wesley Street, Elanora Heights, being Lot 3, DP 1163689, identified as “Area 25” on the Additional Permitted Uses Map.

(2) Development for the following purposes is permitted with development consent—

(a) recreation areas, but only if the consent authority is satisfied that—

(i) the activities proposed will only have a minimal environmental impact, and

(ii) the activities proposed are ancillary to and associated with the adjacent Elanora Conference Centre,

(b) places of public worship, but only if the consent authority is satisfied that—

(i) the use is completely outdoors and does not involve the construction of a building, and

(ii) the activities proposed will only have a minimal environmental impact, and

(iii) the activities proposed are ancillary to and associated with the adjacent Elanora Conference Centre.

**26 Use of certain land at 14 Warringulla Avenue, Elvina Bay**

(1) This clause applies to land—

(a) at 14 Warringulla Avenue, Elvina Bay, being Lot 1, DP 1023404, identified as “Area 26” on the Additional Permitted Uses Map, and

(b) that is subject to PO 1963/227.

(2) Development for the purposes of boat building and repair facilities is permitted with development consent

**27 Use of certain land at 3 Thornton Street, Fairlight**

(1) This clause applies to land at 3 Thornton Street, Fairlight, being Lots 1, 2, 5 and 6, SP 33847, identified as “Area 27” on the Additional Permitted Uses Map.

(2) Development for the purposes of office premises is permitted with development consent, only on Lots 1, 2, 5 and 6 in SP 33847.

**28 Use of certain land at Melwood Avenue, Forestville**

(1) This clause applies to land at Melwood Avenue, Forestville, being Lot 2589, DP 752038 and Lot 31, DP 366454, identified as “Area 28” on the Additional Permitted Uses Map.

(2) Development for the purposes of registered clubs is permitted with development consent.

**29 Use of certain land at 632 and 634 Warringah Road, Forestville**

(1) This clause applies to land at 632 and 634 Warringah Road, Forestville, being Lot 100, DP 1215813, identified as “Area 29” on the Additional Permitted Uses Map.

(2) Development for the purposes of—

(a) a service station, and

(b) a neighbourhood shop (with a retail floor area not exceeding 240m<sup>2</sup>),

is permitted with development consent if the land is used for both purposes, concurrently.

**30 Use of certain land at 39 Frenchs Forest Road East, Frenchs Forest**

(1) This clause applies to land at 39 Frenchs Forest Road East, Frenchs Forest, being Lot X, DP 405206, identified as “Area 30” on the Additional Permitted Uses Map.

(2) Development for the purposes of pubs is permitted with development consent.

**31 Use of certain land at Frenchs Forest Road West, Frenchs Forest**

(1) This clause applies to certain land at Frenchs Forest Road West, Frenchs Forest, identified as “Area 31” on the Additional Permitted Uses Map.

(2) Development for the following purposes is permitted with development consent—

(a) business premises,

(b) health services facilities that are community health services facilities,

(c) medical centres,

(d) office premises,

(e) shop top housing.

**32 Use of certain land in the vicinity of John Oxley Drive, Frenchs Forest**

(1) This clause applies to land in the vicinity of John Oxley Drive, Frenchs Forest, identified as “Area 32” on the Additional Permitted Uses Map.

(2) Development for the purposes of 1 dwelling house on each lot is permitted with development consent (provided that each dwelling is constructed having regard to the constraints, potential instability and visual sensitivity of the land and any impact on the water quality of Middle Harbour).

**33 Use of certain land at Karingal Crescent, Frenchs Forest**

(1) This clause applies to certain land at Karingal Crescent, Frenchs Forest, identified as “Area 33” on the Additional Permitted Uses Map.

(2) Development for the purposes of attached dwellings, dual occupancies (attached) and semi-detached dwellings is permitted with development consent.

(3) The subdivision of land may result in a lot with a size of not less than 225 square metres if—

- (a) the development involving the subdivision is for the purposes of semi-detached dwellings or attached dwellings, and
- (b) a single development application is submitted for the proposed subdivision and proposed land use.

**34 Use of certain land at Oxford Falls Road, Frenchs Forest**

(1) This clause applies to land at Oxford Falls Road, Frenchs Forest, being Lot 1110, DP 752038, identified as “Area 34” on the Additional Permitted Uses Map.

(2) Development for the purposes of recreation facilities is permitted with development consent.

**35 Use of certain land at Lumsdaine Drive, Freshwater**

(1) This clause applies to land at Lumsdaine Drive, Freshwater, being Lots 2 and 3, DP 1262597, identified as “Area 35” on the Additional Permitted Uses Map.

(2) Development for the purposes of recreation facilities (indoor), recreation facilities (outdoor) (but only if the facility, whether indoor or outdoor, operates in conjunction with a registered club) and registered clubs is permitted with development consent.

**36 Use of certain land at 12A-12L McDonald Street and 25-27 Coles Road, Freshwater**

(1) This clause applies to land at 12A-12L McDonald Street and 25-27 Coles Road, Freshwater, being Lots 1-14, DP 1226906, identified as “Area 36” on the Additional Permitted Uses Map.

(2) Subdivision of the land and development for the purposes of attached dwellings is permitted with development consent.

(3) Development consent may only be granted under this clause to a single development application that provides for—

- (a) the subdivision of the land to create not more than 14 lots, and
- (b) the erection of not more than 14 attached dwellings.

(4) Consent must not be granted under this clause to development for the purposes of an attached dwelling unless the consent authority is satisfied that the proposed development includes a single basement car park providing parking spaces for each of the dwellings erected on the land to which this clause applies.

**37 Use of certain land at 29 Moore Road, Freshwater**

(1) This clause applies to land at 29 Moore Road, Freshwater, being Lots 1–5, Section 1, DP 7022 and Lot 13, Section 1, DP 7022, identified as “Area 37” on the Additional Permitted Uses Map.

(2) Development for the purposes of pubs is permitted with development consent.

**38 Use of certain land at 80 Undercliff Road, Freshwater**

(1) This clause applies to land at 80 Undercliff Road, Freshwater, being Lot B, DP 329073, identified as “Area 38” on the Additional Permitted Uses Map.

(2) Development for the purposes of restaurants or cafes is permitted with development consent.

**39 Use of certain land at 30 Ingleside Road, Ingleside**

(1) This clause applies to land at 30 Ingleside Road, Ingleside, being Lot B, DP 366659, identified as “Area 39” on the Additional Permitted Uses Map.

(2) Development for the purposes of eco-tourist facilities is permitted with development consent.

**40 Use of certain land at 6 Portions, Lovett Bay**

(1) This clause applies to land—

(a) at 6 Portions, Lovett Bay, being Lot 6, DP 545717, identified as “Area 40” on the Additional Permitted Uses Map, and

(b) that is subject to PO 1964/165.

(2) Development for the purposes of boat building and repair facilities is permitted with development consent.

**41 Use of certain land at Collins Beach Road, Manly**

(1) This clause applies to land at Collins Beach Road, Manly, being Lot 2766, DP 752038, identified as “Area 41” on the Additional Permitted Uses Map.

(2) Development for the purpose of an educational establishment is permitted with development consent.

**42 Use of certain land at 93–95 North Steyne, Manly**

(1) This clause applies to land at 93–95 North Steyne, Manly, being SP 40022, identified as “Area 42” on the Additional Permitted Uses Map.

(2) Development for the purpose of a shop is permitted with development consent.

(3) Development for the purpose permitted in subclause (2) must be located on the ground floor and must be for the purposes of the hire and sale of goods associated with recreational activities on Manly Beach and the beach front reserve.

**43 Use of certain land in Zone R3 Medium Density Residential in Manly**

(1) This clause applies to land identified as “Area 43” on the Additional Permitted Uses Map.

(2) Development for the purpose of backpacker’s accommodation, hotel or motel accommodation, restaurants or cafes, service station, serviced apartments, shop top housing, take away food and drink premises, recreational facilities (indoor) and boatsheds is permitted with development consent.

**44 Use of certain land at 24 and 38 Barrenjoey Road, Mona Vale and 1509 Pittwater Road, North Narrabeen**

(1) This clause applies to the following land identified as “Area 44” on the Additional Permitted Uses Map—

(a) 24 Barrenjoey Road, Mona Vale, being Lot 11, DP 619503,

(b) 38 Barrenjoey Road, Mona Vale, being Lot 7, DP 29305,

(c) 1509 Pittwater Road, North Narrabeen, being Lot 567, DP 813147.

(2) Development for the purpose of a service station is permitted with development consent on each lot.

- 45 Use of certain land at Kitchener Park, Pittwater Road, Mona Vale**  
(1) This clause applies to land at Kitchener Park, Pittwater Road, Mona Vale, identified as “Area 45” on the Additional Permitted Uses Map.  
(2) Development for purposes of shops is permitted with development consent if the shops are associated with a skate park facility and if the total gross floor area of all shops does not exceed 200 square metres.
- 46 Use of certain land at 2 Mona Street, Mona Vale**  
(1) This clause applies to land at 2 Mona Street, Mona Vale, identified as “Area 46” on the Additional Permitted Uses Map.  
(2) Development for purposes of community facilities and depots is permitted with development consent.
- 47 Use of certain land in Zone E4 General Industrial in Mona Vale**  
(1) This clause applies to land identified as “Area 47” on the Additional Permitted Uses Map.  
(2) Development for purpose of a shop, being specifically for the sale, hire or storage of goods associated with the use of, or used in the construction, repair and maintenance of watercraft, used or capable of being used as a means of transportation on water is permitted with development consent.
- 48 Use of certain land at 80-84 Mona Vale Road, Mona Vale, and 22 Jubilee Avenue, Warriewood**  
(1) This clause applies to the following land identified as “Area 48” on the Additional Permitted Uses Map—  
(a) 80-84 Mona Vale Road, Mona Vale, being Lots 51 and 52, DP 1237461,  
(b) 22 Jubilee Avenue, Warriewood, being Lot 27, DP 5055.  
(2) Development for the purpose of a registered club is permitted with development consent.
- 49 Use of certain land at 9 The Esplanade, Mona Vale**  
(1) This clause applies to land at 9 The Esplanade, Mona Vale, being Lot 10, DP 730056, identified as “Area 49” on the Additional Permitted Uses Map.  
(2) Development for the purpose of a marina is permitted with development consent.
- 50 Use of certain land at 1260 Pittwater Road, Narrabeen**  
(1) This clause applies to land at 1260 Pittwater Road, Narrabeen, being Lots 1 and 2, DP 1094308, identified as “Area 50” on the Additional Permitted Uses Map.  
(2) Development for the purposes of hotel or motel accommodation is permitted with development consent.
- 51 Use of certain land at 1298 and 1300 Pittwater Road, Narrabeen**  
(1) This clause applies to the following land identified as “Area 51” on the Additional Permitted Uses Map —  
(a) Lot 100, DP 773884, 1298 Pittwater Road, Narrabeen,  
(b) Lot 1, DP 615179, 1300 Pittwater Road, Narrabeen.

(2) Development for the purposes of commercial premises, medical centres and shop top housing is permitted with development consent.

(3) Development consent must not be granted under subclause (2)(a) or (b) if the development would result in more than 1,150m<sup>2</sup> of the gross floor area of all buildings on the land to which this clause applies being used for the purposes specified in subclause (2)(a) and (b).

**52 Use of certain land at 122 and 124 Crescent Road, Newport**

(1) This clause applies to land at 122 and 124 Crescent Road, Newport, being Lots 111 and 112, DP 556902, identified as “Area 52” on the Additional Permitted Uses Map.

(2) Development for the purposes of a boat building and repair facility, a charter and tourism boating facility and a marina is permitted with development consent.

**53 Use of certain land at 4 and 6 Crystal Street, and 7 Mitala Street, Newport**

(1) This clause applies to the following land identified as “Area 53” on the Additional Permitted Uses Map—

(a) 4 and 6 Crystal Street, Newport, being Lot 331, DP 532276, Lots 1 and 2, DP 1004425 and Lot B, DP 401973,

(b) 7 Mitala Street, Newport, being Lot 332, DP 532276.

(2) Development for the purpose of a marina is permitted with development consent.

**54 Use of certain land in Zone E1 Local Centre in Foamcrest and Seaview Avenues, Newport**

(1) This clause applies to land in Newport, identified as “Area 54” on the Additional Permitted Uses Map.

(2) Development for the purposes of attached dwellings, multi dwelling housing, residential flat buildings, semi-detached dwellings or seniors housing is permitted with development consent.

**55 Use of certain land at 2 Dreadnought Road, Oxford Falls**

(1) This clause applies to land at 2 Dreadnought Road, Oxford Falls, being Lot 1, DP 863123 and Lot 101, DP 719870, identified as “Area 55” on the Additional Permitted Uses Map.

(2) Development for the purposes of places of public worship is permitted with development consent.

**56 Use of certain land at 50 Meatworks Ave, Oxford Falls**

(1) This clause applies to land at 50 Meatworks Ave, Oxford Falls, being SP 104335, identified as “Area 56” on the Additional Permitted Uses Map.

(2) Development for the purposes of industries is permitted with development consent.

**57 Use of certain land at 1017 Barrenjoey Road, Palm Beach**

(1) This clause applies to land—

(a) at 1017 Barrenjoey Road, Palm Beach, identified as “Area 57” on the Additional Permitted Uses Map, and



(b) that is subject to PO 1963/130.

(2) Development for the purposes of boat building and repair facilities or business premises (but only those associated with use of the waterway), is permitted with development consent.

**58 Use of certain land at 1151 Barrenjoey Road, Palm Beach**

(1) This clause applies to land—

(a) at 1151 Barrenjoey Road, Palm Beach, being Lot 100, DP 1238255, identified as “Area 58” on the Additional Permitted Uses Map, and

(b) that is subject to PO 1957/170.

(2) Development for the purpose of boat building and repair facilities is permitted with development consent.

**59 Use of certain land at 1191 Barrenjoey Road, Palm Beach**

(1) This clause applies to 1191 and 1193 Barrenjoey Road, Palm Beach, being Lot 298, DP 721522 and Lot 7005, DP 1117451, identified as “Area 59” on the Additional Permitted Uses Map.

(2) Development for the purposes of business premises (but only those associated with use of the waterway), charter and tourism boating facilities, kiosks or restaurants or cafes is permitted with development consent.

**60 Development on land at 6 Mitchell Road, Palm Beach**

(1) This clause applies to land—

(a) being Lot 1, DP 1086858, identified as “Area 60” on the Additional Permitted Uses Map, and

(b) in Zone RE1.

(2) Development for the purposes of dwelling houses is permitted with development consent.

**61 Use of certain land in Zone W1 Natural Waterways**

(1) This clause applies to land identified as “Area 61” on the Additional Permitted Uses Map.

(2) Development for the purposes of boat sheds, jetties or water recreation structures is permitted with development consent.

**62 Use of certain land at 2 Aumuna Road, Terrey Hills**

(1) This clause applies to land at 2 Aumuna Road, Terrey Hills, being Lot 1, DP 1243318, identified as “Area 62” on the Additional Permitted Uses Map.

(2) Development for the purposes of educational establishments, garden centres, hospitals, hotel or motel accommodation, places of public worship, pubs, recreation facilities (indoor), recreation facilities (outdoor), registered clubs and restaurants or cafes is permitted with development consent.

**63 Use of certain land in the vicinity of Mona Vale and Myoora Roads, Terrey Hills**

(1) This clause applies to land in the vicinity of Mona Vale and Myoora Roads, Terrey Hills, identified as “Area 63” on the Additional Permitted Uses Map.

(2) Development for the purposes of educational establishments, garden centres, hospitals, hotel or motel accommodation, places of public worship, recreation facilities (indoor), recreation facilities (outdoor), registered clubs and restaurants or cafes is permitted with development consent.

**64 Use of certain land at 270 Garden Street, Warriewood**

(1) This clause applies to land at 270 Garden Street, Warriewood, Lot 2 DP 270822 identified as “Area 64” on the Additional Permitted Uses Map.

(2) Development for purposes of restaurants or cafes is permitted with development consent.

(3) Development for purposes of neighbourhood shops is permitted with development consent notwithstanding the provisions of cl.5.4 of the plan.

**65 Use of certain land at 4 Vuko Place, Warriewood**

(1) This clause applies to land at 4 Vuko Place, Warriewood, being Lot 2, DP 737137, identified as “Area 65” on the Additional Permitted Uses Map.

(2) Development for the purpose of entertainment facilities is permitted with development consent.

## Schedule 2 Exempt development

### 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.

## Advertising Signage on Council Land

Must be signage that –

- (a) is located on a bus shelter, seat, bin, or freestanding display panel less than 4sqm in area, and
- (b) does not contain flashing or neon signage, and
- (c) is not located on land that comprises a heritage item, and
- (d) is erected by, or on behalf of, Council.

## Minor alterations to existing lawful jetties, water recreation structures and wharf or boating facilities

- (1) The following works to existing lawful jetties, water recreation structures and wharf or boating facilities, if the works are not carried out on or in a heritage item or a draft heritage item, and if the works comply with the standards specified in this clause—
  - (a) the repair or replacement of the following—
    - (i) decking on a boardwalk, gangway, ramp, jetty, landing or landing steps, pontoon, stairs, steps, skids or wharf,
    - (ii) a handrail or ladder,
    - (iii) the rails of a slipway,
    - (iv) a winch,
    - (v) non-load bearing members,
  - (b) the installation of emergency items such as lifebuoys and any associated signage,
  - (c) painting or other similarly applied surface treatment that is intended to protect a structure from corrosion or weathering,
  - (d) demolition of a structure.
- (2) The standards specified for that development are that the development—
  - (a) in the case of development for the repair or replacement of non-load bearing members—
    - (i) must use members of like dimension to the members being repaired or replaced, and
    - (ii) must not modify the footprint for the structure concerned, and
    - (iii) must use materials that are equivalent to or better than the quality of the materials being repaired or replaced, and

- (b) in the case of demolition, must be carried out in accordance with AS 2601—2001, *The demolition of structures*, and
- (c) must not reduce the amount of light penetration to any water below, and
- (d) must not increase the footprint of any building or structure or change its classification under the *Building Code of Australia*, and
- (e) must not involve disturbance of or injury to any waterway or any sea grass, and
- (f) must not include a change to the fire resisting components of, or interfere with the entry to or exit from, or the fire safety measures contained within, any building, and
- (g) must be consistent with the terms of any applicable development consent.

**Note—**

Despite the above development being exempt development, any requirement for an approval, licence, permit or authority under the *Fisheries Management Act 1994* or the *Protection of the Environment Operations Act 1997* in relation to the above development is still required.

## **Moorings**

Maintenance of legally approved moorings.

## **Outdoor areas of community land used for commercial purposes**

Must be authorised under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993*.

# Schedule 3 Complying Development

## 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

Nil

## Part 2 Complying development certificate conditions

### Note—

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

### General conditions

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

## Schedule 4 Classification and reclassification of public land

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

| Column 1 | Column 2    |
|----------|-------------|
| Locality | Description |
| Nil      |             |

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

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

### Part 3 Land classified, or reclassified, as community land

| Column 1 | Column 2    |
|----------|-------------|
| Locality | Description |
| Nil      |             |

# Schedule 5 Environmental heritage

## Part 1 Heritage items

| Suburb       | Item name   | Address  | Property description                          | Significance | Item no |
|--------------|---|--|---|--------------|---------|
| Avalon Beach | Avalon Beach Rock Pool  | Avalon Beach (southern end)  | As shown on Heritage Map                      | Local        | I1      |
| Avalon Beach | Commercial and residential building, excluding interiors                                | 25, 29 and 33 Avalon Parade  | Lots T, U and V, DP 29617                     | Local        | I2      |
| Avalon Beach | House, "Avalon"   | 40 Bellevue Avenue   | Lot 88, DP 9151                               | Local        | I3      |
| Avalon Beach | House, "Finisterre", including pool enclosure   | 2 Cabarita Road  | Lot A, DP 319644                              | Local        | I4      |
| Avalon Beach | House, "Hy Brasil"  | 60 and 62 Chisholm Avenue  | Lots 1 and 2, DP 1104192                      | State        | I5      |
| Avalon Beach | House, "Adnam House"  | 2 Elouera Road   | Lot 107, DP 9151                              | Local        | I6      |
| Avalon Beach | House   | 16 Elouera Road  | Lot 114, DP 9151                              | Local        | I7      |
| Avalon Beach | House, "Gunjulla" and stone gatepost  | 7 Gunjulla Place and 125 Avalon Parade   | Lot 8, DP 209780 and Part of Lot 1, DP 212992 | Local        | I8      |
| Avalon Beach | House   | 30 Hilltop Road  | Lot 2, DP 546182                              | Local        | I9      |
| Avalon Beach | House, "Ashlar", including garage   | 32 Hilltop Road  | Lot 37, DP 7794; Lot 2, DP 341460             | Local        | I10     |
| Avalon Beach | House, "The Log Cabin"  | 43 Hilltop Road  | Lot 2, DP 212320                              | Local        | I11     |
| Avalon Beach | Avalon Golf Clubhouse, Former Kiosk and Greenkeepers Cottage                            | 32 Old Barrenjoey Road   | Lot 1, DP 511908                              | Local        | I12     |
| Avalon Beach | Café building and exterior only of corner shop  | 47 Old Barrenjoey Road   | Lot 2, DP 220803                              | Local        | I13     |
| Avalon Beach | Sandstone kerb and gutter   | Palmgrove Road from Plateau Road (adjacent to Betsy Wallis Reserve) to 61 Palmgrove Road | Road reserve, as shown on Heritage Map        | Local        | I14     |
| Avalon Beach | House, "Walter Burley Griffin Lodge", (also known as "Stella James House"), and reserve | 3 and 5–9 Palmgrove Road   | Lots 341–345, DP 16902                        | State        | I15     |

| Suburb  | Item name  | Address  | Property description  | Significance | Item no |
|---|--|--|---|--------------|---------|
| Avalon Beach  | Angophora Reserve                                | 93 Palmgrove Road (Angophora Reserve)                            | Lot 100, DP 1114815   | Local        | I16     |
| Avalon Beach  | Paradise Beach Tidal swimming pool               | 40C Paradise Avenue (Paradise Beach, below mean high water mark) | Lot 7310, DP 1131808  | Local        | I17     |
| Avalon Beach  | House, "Little House", (also known as "Yoorami") | 3 Riverview Road   | Lot 6, DP 3632  | Local        | I18     |
| Avalon Beach  | House, "Lochhead House"                          | 99 Riverview Road  | Lot 1, DP 207313  | Local        | I19     |
| Avalon Beach  | House, "Careel House"                            | 105A Whale Beach Road  | Lot 31, DP 747256   | Local        | I20     |
| Avalon Beach  | House, "Loggan Rock"                             | 111 Whale Beach Road   | Lot 43, DP 732641   | State        | I21     |
| Avalon Beach, Ingleside, Kuring-gai National Park, Newport and Palm Beach | Pittwater trigonometrical stations               | Various  | Addison: Lat: S33° 41' 12", Long: E151° 15' 31"; Arden: Lat: S33° 38' 02", Long: E151° 15' 03"; Bairne: Lat: S33° 36' 51", Long: E151° 17' 10"; Barrenjoey: Lat: S33° 34' 46", Long: E151° 19' 43"; Bushranger: Lat: S33° 39' 49", Long: E151° 19' 04"; Euro: Lat: S33° 36' 00", Long: E151° 17' 17"; McCarr: Lat: S33° 39' 08", Long: E151° 15' 41"; South Head (Bangalley): Lat: S33° 37' 25", Long: E151° 20' 28"; Topham: Lat: S33° 36' 30", Long: E151° 15' 49"; Wallaroo: Lat: S33° 36' 42", Long: E151° 14' 34"; Waratah: Lat: S33° 37' 46", Long: E151° 13' 48"; Willunga: Lat: S33° 37' 05", Long: E151° 15' 31" | Local        | I22     |
| Balgowlah   | Street trees                                     | Balgowlah Road (from Condamine Street to Manly Golf Club)        | Road reserve as shown on Heritage Map   | Local        | I23     |
| Balgowlah   | Street trees                                     | Bellevue Street (from Sydney                                     | Road reserve as shown on Heritage Map   | Local        | I24     |



| Suburb                                  | Item name   | Address   | Property description   | Significance | Item no |
|---|---|---|--|--------------|---------|
|   |   | Road to Griffiths Street)   |  |              |         |
| Balgowlah                               | House, "Camden"                                   | 2 Boyle Street  | Lot 1, DP 663551   | Local        | I25     |
| Balgowlah                               | Group of Houses                                   | 33–45 Boyle Street  | Lot 1, DP 166668; Lot 1, DP 955439; Lot 1, DP 961856; Lot 1, DP 165269; Lot 1, DP 962787; Lot 1, DP 956830; Lot 1, DP 175524 | Local        | I26     |
| Balgowlah                               | Street trees                                      | Condamine Street (from Griffiths Street to Sydney Road)                       | Road reserve as shown on Heritage Map  | Local        | I27     |
| Balgowlah                               | Moreton Bay Fig tree ( <i>Ficus Macrophylla</i> ) | Condamine Street, within North Harbour Reserve (near playground)              | As shown on Heritage Map   | Local        | I28     |
| Balgowlah                               | Electricity Substation No 15151                   | Condamine Street (corner of Lower Beach Street), within North Harbour Reserve | As shown on Heritage Map   | Local        | I29     |
| Balgowlah                               | House   | 155 Condamine Street  | Lot 12, 8303   | Local        | I30     |
| Balgowlah                               | House   | 169 Condamine Street  | Lot 30, DP 9891  | Local        | I31     |
| Balgowlah                               | Residential flat building, "Wongalee"             | 217 Condamine Street  | SP 44055   | Local        | I32     |
| Balgowlah                               | Wellings Reserve                                  | Gourlay Avenue and New Street, adjoining North Harbour                        | Lot 7347 DP 1148450 and unmade section of Gourlay Avenue   | Local        | I33     |
| Balgowlah                               | Street trees                                      | Griffiths Street (from Condamine Street to Boyle Street)                      | Road reserve as shown on Heritage Map  | Local        | I34     |
| Balgowlah                               | Former electricity substation                     | 81 Griffiths Street (corner Boyle and Griffiths Streets)                      | Part of Lot 172 DP 1270066   | State        | I35     |
| Balgowlah, Balgowlah Heights, Clontarf, | Harbour foreshores                                | Harbour foreshores of Balgowlah, Balgowlah Heights, Clontarf,                 | As shown on Heritage Map   | Local        | I36     |

| Suburb                        | Item name   | Address  | Property description  | Significance | Item no |
|-------------------------------|---|--|---|--------------|---------|
| Fairlight, Manly and Seaforth |   | Fairlight, Manly and Seaforth                          |   |              |         |
| Balgowlah                     | House   | 17 Jackson Street                                      | Lot 35, DP 7357   | Local        | I37     |
| Balgowlah                     | Semi detached houses  | 19–21 Jackson Street                                   | Lots 1 and 2, DP 537557                                       | Local        | I38     |
| Balgowlah                     | House, “North Water”  | 13 King Avenue   | Lot 19, DP 10627  | Local        | I39     |
| Balgowlah                     | Street trees  | Lodge Street (from Woodland Street to Boyle Street)    | Road reserve as shown on Heritage Map                         | Local        | I40     |
| Balgowlah                     | Street trees  | Lombard Street   | Road reserve as shown on Heritage Map                         | Local        | I41     |
| Balgowlah                     | Natural waterfall, cliff face, beach and footbridge           | North Harbour (near Clarence Street)                   | As shown on Heritage Map                                      | Local        | I42     |
| Balgowlah                     | Street trees  | Seaview Street (from New Street to Upper Beach Street) | Road reserve as shown on Heritage Map                         | Local        | I43     |
| Balgowlah                     | House, “Edinboro”   | 297 Sydney Road  | Lot 4, DP 666702  | Local        | I44     |
| Balgowlah                     | Group of houses, including front fence of No 303              | 303–307 Sydney Road                                    | Lot A, DP 335027; SP 5090; Lot D, DP 335027; Lot X, DP 396599 | Local        | I45     |
| Balgowlah                     | Commercial building   | 463 Sydney Road  | Lots 1, 2 and 3, DP 346059                                    | Local        | I46     |
| Balgowlah                     | House   | 78 Wanganella Street                                   | SP 63974  | Local        | I47     |
| Balgowlah                     | Street trees - Canary Island date palms (Phoenix Canariensis) | Waratah Street   | Road reserve as shown on Heritage Map                         | Local        | I48     |
| Balgowlah                     | Retaining wall  | West Street, near New Street                           | Road reserve as shown on Heritage Map                         | Local        | I49     |
| Balgowlah                     | Street trees  | West Street (from Lombard Street to Griffiths Street)  | Road reserve as shown on Heritage Map                         | Local        | I50     |
| Balgowlah                     | St Cecilia’s Catholic Church                                  | White Street (corner of Wanganella Street)             | Part of Lot 1, DP 1137830                                     | Local        | I51     |
| Balgowlah                     | House   | 28 White Street (corner of Jackson Street)             | Lot B, DP 305541  | Local        | I52     |

| Suburb                         | Item name  | Address   | Property description   | Significance | Item no |
|--------------------------------|--|---|--|--------------|---------|
| Balgowlah                      | House and Garden, "Whitehall"  | 37 White Street (corner of Woodland Street)                                 | Lot 1, DP 656477   | Local        | I53     |
| Balgowlah                      | House, "Fleurbaix"   | 1 Whittle Avenue  | Lot 19, DP 331151  | Local        | I54     |
| Balgowlah                      | Row of palm trees ( <i>Washingtonia robusta</i> )  | 135 Woodland Street and 2A Nield Avenue                                     | SP 58261 and SP 9100   | Local        | I55     |
| Balgowlah, Fairlight and Manly | Stone kerbs  | Various locations - Balgowlah, Fairlight and Manly                          | As shown on Heritage Map   | Local        | I56     |
| Balgowlah Heights              | Stone house and garden   | 2A Beatty Street  | Lot 22, DP 1124834   | Local        | I57     |
| Balgowlah Heights              | Crater Huts  | Dobroyd Head, Sydney Harbour National Park, above Washaway Beach            | As shown on Heritage Map   | Local        | I58     |
| Balgowlah Heights              | Natural landscape  | Dobroyd Headland and Grotto Point, Sydney Harbour National Park             | As shown on Heritage Map   | Local        | I59     |
| Balgowlah Heights              | Trees  | Forty Baskets Beach Reserve (off Beatty Street)                             | Lots 17B, 18B, 19B, 20B and 21B, DP 350345 and Lot 1 DP 925570 (Forty Baskets Beach) | Local        | I60     |
| Balgowlah Heights              | House, and front fence   | 1 Woodland Street   | Lot 3, DP 12177  | Local        | I61     |
| Bayview                        | House, "Little Mountain", including garden   | 2 Binnowee Place  | Lots 5 and 6, DP 247717; Lots 37 and 38, DP 248062                                   | Local        | I62     |
| Bayview                        | House, "Waterfall Cottage" and garden  | 90 Cabbage Tree Road  | Lot 22, DP 602041  | Local        | I63     |
| Bayview                        | Street trees - 1 Bunya Pine ( <i>Araucaria bidwillii</i> ) and 1 Norfolk Island Pine ( <i>Araucaria heterophylla</i> ) | Fermoy Ave (adjacent to Pittwater Road and 1 Fermoy Avenue)                 | Road Reserve, as shown on Heritage Map   | Local        | I64     |
| Bayview                        | House, "Curry House 2  | 5 Pindari Place   | Lot 59, DP 30648   | Local        | I65     |
| Bayview                        | Sandstone retaining wall   | Pittwater Road and Fermoy Avenue (within road reserve at junction of roads) | Road reserve, as shown on Heritage Map   | Local        | I66     |

| Suburb        | Item name   | Address  | Property description   | Significance | Item no |
|---------------|---|--|--|--------------|---------|
| Bayview       | Sea scout hall  | 1672 and 1678 Pittwater Road (grounds of Bayview Park) | Lot 23, DP 4010; Lot 7047, DP 93802  | Local        | 167     |
| Bayview       | Street trees - 1 Bunya Pine ( <i>Araucaria bidwillii</i> ) and 1 Norfolk Island Pines ( <i>Araucaria heterophylla</i> )         | Adjacent to 1682 and 1684 Pittwater Road               | Road Reserve, as shown on Heritage Map   | Local        | 168     |
| Bayview       | Concrete statues at Bayview Golf Course   | 1825 Pittwater Road                                    | Part of Lot 300, DP 1139238, as shown on Heritage Map  | Local        | 169     |
| Bayview       | Bayview Yacht Racing Association boatshed   | 1836 and 1852 Pittwater Road                           | Lots 8A, 9A and 10A, DP 9606   | Local        | 170     |
| Bayview       | House, "Maybanke House" (formerly "Stoneleigh"), and plaque   | 1945 Pittwater Road                                    | Lot 2, DP 562280   | Local        | 171     |
| Beacon Hill   | Warringah Reservoir (WS 0131) and attached valve house  | 42–46 Government Road                                  | Lot 54, DP 1175875   | Local        | 172     |
| Beacon Hill   | Governor Philip Lookout   | Governor Philip Reserve                                | Lot 7093, DP 1069199 and Lot 7094 DP 1069199   | Local        | 173     |
| Belrose       | House, "Douglas L Murcutt House"  | 22 Yarrabin Street                                     | Lot 23, DP 224801  | Local        | 174     |
| Bilgola Beach | Bilgola Beach Rock Pool   | Bilgola Beach, southern end                            | As shown on Heritage Map   | Local        | 175     |
| Bilgola Beach | Street trees—Norfolk Island Pines ( <i>Araucaria heterophylla</i> ) and Canary Island Date Palms ( <i>Phoenix canariensis</i> ) | Bilgola Avenue and Allen Avenue                        | Road Reserve, as shown on Heritage Map   | Local        | 176     |
| Bilgola Beach | House, "The Palms", and garden  | 3 Bilgola Avenue                                       | Lot 53, DP 517038; Lot 133, DP 752046  | Local        | 177     |
| Bilgola Beach | Drainage and bridge structures  | 15–21 Bilgola Avenue                                   | Lots 8 and 9, DP 19497; Lots 10A and 11A, DP 401408  | Local        | 178     |
| Bilgola Beach | Grove of Cabbage Tree Palms ( <i>Livistona australis</i> )  | The Serpentine and Barrenjoey Road (Bilgola Valley)    | Lots 139–144, 336–338, 547–557, 566 and 569, DP 16902; Lots 1–4, DP 232164; Lot 2, DP 395158; Lot 3, DP 511677; Lot 4C, DP 413781; Lot 300, DP 1035587; Lot 7328 and | Local        | 179     |

| Suburb          | Item name   | Address   | Property description   | Significance | Item no |
|-----------------|---|---|--|--------------|---------|
|                 |   |   | part of Lot 7327, DP 1164236   |              |         |
| Bilgola Beach   | Sandstone retaining wall                                      | The Serpentine (western side near Barrenjoey Road)  | As shown on Heritage Map   | Local        | 180     |
| Bilgola Beach   | House, "Palm House" and garden                                | 4 The Serpentine  | Lot 52, DP 517038  | Local        | 181     |
| Bilgola Plateau | House, "Trees"  | 36 Plateau Road   | Lot 1, DP 1214257  | Local        | 182     |
| Brookvale       | Former premises relating to Austral Brickworks                | 48A Consul Road   | SP 77600   | Local        | 183     |
| Brookvale       | House, "Milroy", and garden                                   | 9 Elizabeth Place   | Lots 9 and 10, DP 5876   | Local        | 184     |
| Brookvale       | Brookvale Public School                                       | 2–8 Old Pittwater Road  | Lot 1, DP 918786; Lot 1, DP 365898; Lots 13–15, DP 5876; Lot B, DP 311452; Lot 2, DP 209019; Lot 1, DP 947905; Lot 17, DP 3674; Lot 1, DP 229795; Lot 2, DP 208793 | Local        | 185     |
| Brookvale       | Brush Box and Camphor Laurel trees surrounding Brookvale Park | Pine Avenue, Alfred Street, unmade section of Federal Parade and Pittwater Road (near Pine Street intersection) | As shown on Heritage Map   | Local        | 186     |
| Brookvale       | Tramway Staff War Memorial                                    | Pittwater Road (bus depot)  | Part of Lot A, DP 435910   | Local        | 187     |
| Brookvale       | Palm trees and plaque   | Corner Pittwater Road and Cross Street  | Road reserve adjacent to Lot 1 DP 609433   | Local        | 188     |
| Church Point    | Memorial Obelisk  | 2B McCarrs Creek Road (Rostrevor Reserve)   | Lot 7055, DP 93800, as shown on Heritage Map   | Local        | 189     |
| Church Point    | House, "Homesdale", and garden                                | 19 McCarrs Creek Road   | Lot 1, DP 1181629  | Local        | 190     |
| Church Point    | House, "Rostrevor"  | 27 McCarrs Creek Road   | Lot 7, DP 573492   | Local        | 191     |
| Church Point    | Church Point Post Office and store                            | 1860 Pittwater Road   | Lot 318, DP 824048   | Local        | 192     |

| Suburb                | Item name  | Address  | Property description   | Significance | Item no |
|-----------------------|--|--|--|--------------|---------|
| Church Point          | Church Point Wharf   | 1860B Pittwater Road   | Lot 2, DP 1148738  | Local        | I93     |
| Church Point          | Boatshed   | Opposite 2143 Pittwater Road   | As shown on Heritage Map   | Local        | I94     |
| Clareville            | House "The Lodge"  | 53 Hudson Parade   | Lot B, DP 417677   | Local        | I95     |
| Clontarf              | Fortifications - Dobroyd Point   | Dobroyd Head, Sydney Harbour National Park, adjacent to Cutler Road    | As shown on Heritage Map   | Local        | I96     |
| Clontarf and Seaforth | Fisher Bay Bushland Reserve  | Fisher Bay between Spit Bridge, Seaforth, and Sandy Bay Road, Clontarf | As shown on Heritage Map   | Local        | I97     |
| Clontarf              | Grotto Point Lighthouse and timber picket fence                                      | Grotto Point, Sydney Harbour National Park                             | Lot 1, DP 1154756 and part of foreshore (National Park)              | Local        | I98     |
| Clontarf              | Clontarf Reserve   | Holmes Avenue and Sandy Bay Road                                       | As shown on Heritage Map   | Local        | I99     |
| Clontarf              | Norfolk Island Pine commemorative tree ( <i>Araucaria heterophylla</i> ), and plaque | Holmes Avenue, adjacent to 38 Monash Crescent                          | Road reserve, near corner of Holmes Avenue and Monash Crescent       | Local        | I100    |
| Clontarf              | Middle Harbour Submarine Syphon (NSOOS), including outlet chamber                    | Monash Crescent (The Spit) East side                                   | Lot B DP 434649 and part of Clontarf Beach, as shown on Heritage Map | State        | I101    |
| Coasters Retreat      | "Bonnie Doon" Wharf  | 56A Coasters Retreat   | Lot 7022, DP 1110389   | Local        | I102    |
| Collaroy              | Remnant native street trees  | Anzac Avenue and Hendy Avenue  | Road Reserve, as shown on Heritage Map                               | Local        | I103    |
| Collaroy              | House  | 18 Beach Road  | Lot 4, Section 5, DP 6777  | Local        | I104    |
| Collaroy              | House  | 3 Bedford Crescent   | Lot 12, Section 9, DP 11899  | Local        | I105    |
| Collaroy              | Collaroy Rock Pool   | Collaroy Beach   | As shown on Heritage Map   | Local        | I106    |
| Collaroy              | Fisherman's Hut including winches and remnant vegetation                             | Fisherman's Beach  | Lot 1, DP 64163 and as shown on Heritage Map                         | Local        | I107    |
| Collaroy              | House, "Chez Nous"   | 19 Frazer Street   | Lot 64, DP 746823  | Local        | I108    |

| Suburb           | Item name   | Address   | Property description                            | Significance | Item no |
|------------------|---|---|---|--------------|---------|
| Collaroy         | House   | 2 Hadleigh Avenue   | Lot A, DP 368373                                | Local        | I109    |
| Collaroy         | House, "Clissold Cottage"   | 13 Ocean Grove (also known as 16 Beach Road)                        | Lot 3, Section 5, DP 6777                       | Local        | I110    |
| Collaroy         | Street trees - Norfolk Island Pine trees (Araucaria heterophylla) and plaque" | Adjacent to Pittwater Road (eastern side), north of Birdwood Avenue | As shown on Heritage Map                        | Local        | I111    |
| Collaroy         | Washington Palms ( <i>Washingtonia robusta</i> )                              | 861 Pittwater Road  | Lot 5, Section 5, DP 12985                      | Local        | I112    |
| Collaroy         | House   | 971 Pittwater Road  | Lot 12, DP 10519                                | Local        | I113    |
| Collaroy         | House, "Silver Mist"  | 1035 Pittwater Road   | Lot 200, DP 1005008                             | Local        | I114    |
| Collaroy         | House, "Rosecrea"   | 1048 Pittwater Road   | Lot 13, Section 6, DP 6777                      | Local        | I115    |
| Collaroy         | Former Arlington Amusement Hall   | 1056–1066 Pittwater Road  | Lots 20-23 DP 218990 and Lot 245 DP1178957      | Local        | I116    |
| Collaroy         | House   | 1071 Pittwater Road   | Lot 23, DP 660056; Lot 24, Section 31, DP 13919 | Local        | I117    |
| Collaroy         | Collaroy Cinema (facades and interiors)                                       | 1097 Pittwater Road   | Lot 4, DP 6984; Lot B, DP 379308                | Local        | I118    |
| Collaroy         | Former Westpac Bank   | 1121 Pittwater Road   | Lot 1, DP 528546                                | Local        | I119    |
| Collaroy         | Four Mature Norfolk Island Pine trees, (Araucaria heterophylla)               | 1155–1157 Pittwater Road  | SP 72696, as shown on Heritage Map              | Local        | I120    |
| Collaroy         | House   | 1184–1186 Pittwater Road  | Lot 6, DP 659074                                | Local        | I121    |
| Collaroy         | House, "Eight Bells"  | 8 Seaview Parade  | Lot 2, DP 306047                                | Local        | I122    |
| Collaroy         | House - "Mt Caeburn", including garage and front fence                        | 30 Suffolk Avenue   | Lot 2, DP 203869                                | Local        | I123    |
| Collaroy Plateau | Former "Blue Water" store   | 62 Hilma Street   | Lot 42, Section L, DP 33000                     | Local        | I124    |
| Cottage Point    | House, "Sunrise"  | 3 Cottage Point Road  | Lot 11, DP 841943                               | Local        | I125    |
| Cottage Point    | House   | 20 Cowan Drive  | Part of Lot 10, DP 5204                         | Local        | I126    |
| Cromer           | Former Roche buildings and landscaped setting                                 | 4-10 Inman Road   | Lots 1 and 3, DP1282038                         | Local        | I127    |

| Suburb          | Item name  | Address  | Property description   | Significance | Item no |
|-----------------|--|--|--|--------------|---------|
| Cromer          | Trees  | 100 South Creek Road (corner of Campbell Avenue)       | Lot 2 DP 1282038   | Local        | I128    |
| Cromer          | Former Givaudan-Roure Office                               | 100 South Creek Road                                   | Part of Lot 2 DP 1282038, as shown on Heritage Map   | Local        | I129    |
| Curl Curl       | Port Jackson Fig tree                                      | Bennett Street Reserve (overhanging 15 Bennett Street) | Lot 5, DP 238792; Lot 2, DP 558033   | Local        | I130    |
| Curl Curl       | Building, "Stewart House"                                  | 45 Carrington Parade                                   | Part Lot 1496, DP 752038   | Local        | I131    |
| Curl Curl       | South Curl Curl Rock Pool                                  | South Curl Curl Beach, southern end                    | As shown on Heritage Map   | Local        | I132    |
| Currawong Beach | Currawong Workers' Holiday Camp, including wharf and jetty | Currawong Beach  | Lot 10, DP 1092275; Lot 1, DP 166328; Lot 1, DP 337208; Lot 4, DP 978424 and Lot 7316, DP1169919 | State        | I133    |
| Currawong Beach | House, "Midholme"  | 1A Currawong Beach                                     | Part of Lot 10, DP 752017, as shown on Heritage Map  | Local        | I134    |
| Dee Why         | Dee Why Rock Pool  | Dee Why Beach, southern end                            | As shown on Heritage Map   | Local        | I135    |
| Dee Why         | "Pacific Lodge" (former Salvation Army)                    | 23 Fisher Road   | Part Lot 11, DP 577062   | Local        | I136    |
| Dee Why         | Dee Why Fire Station                                       | 38 Fisher Road   | Lot 23, DP 7413  | Local        | I137    |
| Dee Why         | Uniting Church   | 60 Howard Avenue (corner of Avon Road)                 | Lot 20, Section 6, DP 6953   | Local        | I138    |
| Dee Why         | St Kevin's Catholic Church                                 | 46–50 Oaks Avenue                                      | Lot 1, DP 526306   | Local        | I139    |
| Dee Why         | "Ebenezer Flats"   | 74 Oaks Avenue   | Lots 19 and 20, Section 9, DP 6953   | Local        | I140    |
| Dee Why         | House  | 45 Pacific Parade (corner of Sturdee Parade)           | Lot A, DP 350541   | Local        | I141    |
| Dee Why         | Civic Centre landscaping                                   | 725 Pittwater Road                                     | Part of Lot 100, DP 1041823, as shown on Heritage Map  | Local        | I142    |
| Dee Why         | Dee Why Public Library                                     | 725 Pittwater Road                                     | Lot 100, DP 1041823  | Local        | I143    |



| Suburb        | Item name  | Address   | Property description   | Significance | Item no |
|---------------|--|---|--|--------------|---------|
| Dee Why       | Former Commonwealth Bank (façade only)   | 691 Pittwater Road  | Lot 1, DP 166322   | Local        | I144    |
| Dee Why       | Bus shelter  | Adjacent to 800 Pittwater Road                                | Road reserve adjacent to Lot 6, DP 523299                                  | Local        | I145    |
| Dee Why       | Former Wormald Building (front entrance, tower and curved former canteen only) | 800 Pittwater Road  | Lot 6, DP 523299   | Local        | I146    |
| Dee Why       | House, "Elouera"   | 41 Redman Road  | Lot 69, DP 7413  | Local        | I147    |
| Dee Why       | Norfolk Island Pine tree (Araucaria heterophylla)                              | Corner of St David Avenue and Pittwater Road                  | Part of Lot 100, DP 1041823, as shown on Heritage Map                      | Local        | I148    |
| Dee Why       | Coronation Wishing Well  | The Strand, Dee Why Beach Reserve                             | Part of Lot 1, DP 947971, as shown on Heritage Map                         | Local        | I149    |
| Dee Why       | World War I Roll of Honour   | The Strand, Dee Why Beach Reserve                             | Part of Lot 1, DP 947971, as shown on Heritage Map                         | Local        | I150    |
| Dee Why       | Stone steps  | Drainage reserve between Tasman Street and Undercliffe Street | Part of Lot 56, DP 1005518   | Local        | I151    |
| Duffys Forest | Waratah Park and Rangers Headquarters  | 13 Namba Road   | Lot 445, DP 824043   | State        | I152    |
| Elvina Bay    | House, "Trincomalee", including stone pool and jetty                           | 1 Sturdee Lane  | Lot 2, DP 614614, and part of adjacent waterway, as shown on Heritage Map  | Local        | I153    |
| Elvina Bay    | House, "Hove Cottage"  | 29 Sturdee Lane   | Lot 28, DP 8013, and adjacent waterway, as shown on Heritage Map           | Local        | I154    |
| Elvina Bay    | House  | 31 Sturdee Lane   | Lot 2, DP 1180405, and adjacent waterway, as shown on Heritage Map         | Local        | I155    |
| Elvina Bay    | House  | 33 Sturdee Lane   | Part of Lot 1, DP 1180405, and adjacent waterway, as shown on Heritage Map | Local        | I156    |
| Fairlight     | Former Manly Reservoir, including brick fence                                  | 2 and 4 Ashley Parade (corner of Fairlight Street)            | Lot 1 DP 1207550 and SP 99327  | Local        | I157    |
| Fairlight     | Manly Golf Clubhouse and fence   | 38-40 Balgowlah Road  | Part of Lot 1, DP1063317, as shown on the Heritage Map                     | Local        | I158    |

| Suburb    | Item name  | Address  | Property description   | Significance | Item no |
|-----------|--|--|--|--------------|---------|
| Fairlight | Semi-detached houses   | 16 and 18 Crescent Street                              | Lot 1, DP 996347; Lot 1, DP 541807   | Local        | I159    |
| Fairlight | Street trees   | Edwin Street   | Road reserve, as shown on Heritage Map   | Local        | I160    |
| Fairlight | Esplanade Park and Fairlight Pool  | Fairlight Foreshore, North Harbour                     | As shown on Heritage Map   | Local        | I161    |
| Fairlight | Group of 3 houses  | 21, 23 and 25 Fairlight Street                         | Lots A, B and C, DP 308751   | Local        | I162    |
| Fairlight | Group of 6 houses  | 12–22 Francis Street                                   | Lot 7, Section B, DP 78391; Lot 8, DP 72577; Lot 9, Section B, DP 86253; Lot 10, DP 87274; Lots M and N, DP 441368 | Local        | I163    |
| Fairlight | Street trees   | Griffiths Street (from Hill Street to Bellevue Street) | Road reserve, as shown on Heritage Map   | Local        | I164    |
| Fairlight | Trees, Manly West Public School  | Griffiths Street, bounded by Hill and Boyle Streets    | Lot 1, DP 66282  | Local        | I165    |
| Fairlight | Group of 4 houses  | 1, 3, 5 and 11 Griffiths Street                        | Lots 7, 12 and 13, DP 978699; Lots 10 and 11, DP 82577   | Local        | I166    |
| Fairlight | Group of 3 houses  | 15A, 17 and 19 Griffiths Street                        | Lot 1, DP 744025; Lot 20, DP 812113; Lot B, DP 107081  | Local        | I167    |
| Fairlight | Manly General Cemetery and vegetation (including corner Moreton Bay Fig ( <i>Ficus macrophylla</i> ), row of Camphor Laurel trees ( <i>Cinnamomum camphora</i> ) along Harland Street and a row of Monterey Pine trees ( <i>Pinus radiata</i> ) along Hill Street) | Hill Street, bounded by Griffiths and Harland Streets  | Lot 1, DP 34468; Lot 1, DP 117863; Lots 7322, 7323 and 7324, DP 1154744; Lot 7006, DP 1023270; Lot 1, DP 1121171   | Local        | I168    |
| Fairlight | House, “Unara”   | 1 Hill Street  | Lot 2, DP 207050   | Local        | I169    |
| Fairlight | Electricity substation No 16453  | Hilltop Crescent Reserve (adjoining Krui Street)       | Part of Lot 1278 DP 752038   | Local        | I170    |

| Suburb      | Item name  | Address  | Property description   | Significance | Item no |
|-------------|--|--|--|--------------|---------|
| Fairlight   | Street trees   | Margaret Street (from Lauderdale Avenue to Fairlight Street) | Road reserve, as shown on Heritage Map   | Local        | I171    |
| Fairlight   | Group of dwellings   | 2A–25, 27, 29 Margaret Street and 38 The Crescent            | Lot 1, DP 303937; Lot 1, DP 953749 Lot A, DP 334524; Lot B, DP 337521; Lot 1 DP 1297012; Lot 14, DP 667162; Lot 23, Section C, DP 978480; Lot 1, DP 932323; Lot 1, DP 932324; Lot 1, DP 983924; Lot 10, DP 658317; Lot 8, DP 665278; Lot 1, DP 917764; Lot 3, Section C, DP 3408; Lot 1, DP 965733; Lot 5, DP 658319; Lots 11 and 12, DP 584420; Lot 2, DP 303937; Lot 15, Section C, DP 3408; Lot 19, Section C, DP 3408; SP 51377; SP 1398; SP 1843; SP 2454; SP 3463; SP 41659; SP 5437 | Local        | I172    |
| Fairlight   | Group of 5 houses  | 4, 5, 6, 7 and 8 Mossgiel Street                             | Lots 4, 6 and 7, DP 445941; Lot 1, DP 782535; Lot 8, DP 516266   | Local        | I173    |
| Fairlight   | Manly Fire Station   | 128 Sydney Road (corner of Thornton Street)                  | Lot 2, DP 448277   | Local        | I174    |
| Fairlight   | Commercial and residential building, "Rose Building", including shopfronts | 154 Sydney Road (corner William Street)                      | Lot 1, DP 329155   | Local        | I175    |
| Fairlight   | House  | 6 Thornton Street  | Lot 11, DP 1464  | Local        | I176    |
| Forestville | Former Chadwick House and garden   | 82 Arthur Street   | Lot 24, DP 605792  | Local        | I177    |
| Forestville | Forestville Park   | Currie Road  | Lot 1615, DP 752038 and Lot 7306, DP 1146155   | Local        | I178    |
| Forestville | Soldiers settlement dwelling   | 8 Duke Street  | Lot A, DP 386755   | Local        | I179    |
| Forestville | Presbyterian Church of St Columbia   | 685 Warringah Road   | Lot 1514, DP 752038  | Local        | I180    |

| Suburb         | Item name   | Address   | Property description  | Significance | Item no |
|----------------|---|---|---|--------------|---------|
| Frenchs Forest | House   | 15 Adams Street   | Lot 6, DP 215216  | Local        | I181    |
| Frenchs Forest | House   | 100 Bantry Bay Road   | Lot 2, DP 582446  | Local        | I182    |
| Frenchs Forest | Former Methodist Church   | 21A Forest Way (corner of Naree Road)                         | Lot 7, DP 1209569   | Local        | I183    |
| Frenchs Forest | Dental Surgery, including front fence (former house)                    | 45 Grace Avenue   | Lot 1, DP 20461   | Local        | I184    |
| Frenchs Forest | Betty Moloney Garden  | 18 Hurdis Avenue  | Lot 27, DP 25964  | Local        | I185    |
| Frenchs Forest | Trees, Davidson High School and Mimosa Public School                    | Bounded by Pound Avenue, Mimosa Street and Blackbutts Road    | Lots 1229 and 1230, DP 752038; Lot 1, DP 513489; Lot 14 DP 226698               | Local        | I186    |
| Frenchs Forest | Frenchs Bullock Track   | Adjacent to Wakehurst Parkway (western side)                  | As shown on Heritage Map  | Local        | I187    |
| Frenchs Forest | House   | 2 Wareham Crescent  | Lot 10, DP 215216   | Local        | I188    |
| Frenchs Forest | Commemorative grove of pear trees grafted from former Holland's Orchard | Adjacent to Warringah Road, within Forest High School grounds | Part of Lot 99 DP 1241021, as shown on Heritage Map                             | Local        | I189    |
| Freshwater     | Former Harbord Uniting Church   | 65 Albert Street (corner of Oceanview Road)                   | Lot 1, DP 948058  | Local        | I190    |
| Freshwater     | Freshwater Rock Pool  | Freshwater Beach (northern end)                               | As shown on Heritage Map  | Local        | I191    |
| Freshwater     | Freshwater Surf Life Saving Club  | Freshwater Beach  | Part of Lot 1 DP 909023 and part of Lot 2797 DP820312, as shown on Heritage Map | Local        | I192    |
| Freshwater     | House, "Melrose"  | 56 Harbord Road   | Lot 2, DP 635354  | Local        | I193    |
| Freshwater     | Street trees  | Kooloora Avenue   | Road reserve, as shown on Heritage Map  | Local        | I194    |
| Freshwater     | House, "Felicitia"  | 46 Kooloora Avenue  | Lot 1, DP 1099362   | Local        | I195    |
| Freshwater     | Building known as "Harbord Literary Institute"                          | Corner Lawrence Street and Oliver Street                      | Lot 374, DP 752038  | Local        | I196    |

| Suburb            | Item name  | Address                                    | Property description   | Significance | Item no |
|-------------------|--|--|--|--------------|---------|
| Freshwater        | Building known as “Early Childhood Health Centre”  | 29 Lawrence Street                         | Lot 2, DP 864459   | Local        | I197    |
| Freshwater        | House  | 35 Marlborough Avenue                      | Lot 10, DP 18880   | Local        | I198    |
| Freshwater        | Duke Kahanamoku Statue and Memorial Park   | McKillop Park, Lumsdaine Drive             | Part of Lot 7108, DP 1074767, as shown on Heritage Map                                     | Local        | I199    |
| Freshwater        | Harbord Beach Hotel  | 29 Moore Road (corner Charles Street)      | Lots 1–5, Section 1, DP 7022   | Local        | I200    |
| Freshwater        | Street trees, plaques and memorials  | Soldiers Avenue                            | Road reserve, as shown on Heritage Map   | Local        | I201    |
| Freshwater        | Restaurant, "Pilu"   | 80 Undercliff Road                         | Lot B, DP 329073   | Local        | I202    |
| Freshwater        | Harbord Public School  | Corner of Wyadra Avenue and Oliver Street  | Lot 100 DP 1190199   | Local        | I203    |
| Freshwater        | Jacka Park Memorial Garden   | Corner of Wyndora Avenue and Oliver Street | Lot 403, DP 752038   | Local        | I204    |
| Freshwater        | Street trees   | Wyuna Avenue                               | Road reserve, as shown on Heritage Map   | Local        | I205    |
| Ingleside         | Cicada Glen Nursery, former "Klerks Garden"  | 1 Chiltern Road                            | Lot A, DP 325195   | Local        | I206    |
| Ingleside         | Smoky Dawson’s Ranch gates   | 5 Chiltern Road                            | Part of Lot 1, DP 808703, as shown on Heritage Map   | Local        | I207    |
| Ingleside         | Katandra Bushland Sanctuary  | 84 Lane Cove Road                          | Lots 1 and 2, DP 520130; Lot 1, DP 594488; Lots 216 and 288, DP 752046; Lot 7083, DP 93803 | Local        | I208    |
| Ingleside         | House, “Ingleside House” and curtilage, including front fence, stone gate posts and garden plantings | 1 Manor Road and 12 King Road              | Lots 1 and 2, DP 554536  | Local        | I209    |
| Ingleside         | Group of Monterey Pines ( <i>Pinus radiata</i> )   | 169 and 169A Mona Vale Road                | Lots 201 and 202, DP 1054875   | Local        | I210    |
| Ingleside         | Baha’i House of Worship  | 173 Mona Vale Road                         | Lot 52, DP 1152609   | Local        | I211    |
| Killarney Heights | Bantry Bay Public Powder Magazine, including archaeological  | Foreshores of Bantry Bay,                  | As shown on Heritage Map   | State        | I212    |

| Suburb            | Item name   | Address   | Property description   | Significance | Item no |
|-------------------|---|---|--|--------------|---------|
|                   | remnants (also known as Bantry Bay Explosives Depot)            | within Garigal National Park  |  |              |         |
| Killarney Heights | "Soldiers Rock" Landing Place                                   | Foreshore near Downpatrick Road                                     | As shown on Heritage Map   | Local        | I213    |
| Killarney Heights | Flat Rock Landing Place   | Garigal National Park, adjacent to foreshore of Middle Harbour      | As shown on Heritage Map   | Local        | I214    |
| Killarney Heights | Former "Killarney Picnic Grounds"                               | 107 Killarney Drive and adjoining foreshore (Garigal National Park) | As shown on Heritage Map   | Local        | I215    |
| Lovett Bay        | House, "Tarrangaua"   | 8 Portions Lovett Bay   | Lot 2, DP 228812   | Local        | I216    |
| Lovett Bay        | Stone retaining wall  | Site of former causeway (northern side)                             | Adjacent to Lots 2 and 3, DP 584315; Lots 4 and 5, DP 590990; Lot 6, DP 545717 | Local        | I217    |
| Lovett Bay        | House, "Myuna"  | 38 Sturdee Lane   | Lot 6, DP 552628   | Local        | I218    |
| Manly             | Street trees  | Addison Road (from Bruce Avenue to Reddall Street)                  | Road reserve, as shown on Heritage Map   | Local        | I219    |
| Manly             | Residential flat building, "Kilburn Towers"                     | 1 Addison Road  | SP 7671  | Local        | I220    |
| Manly             | Residential flat building, "Mandalay" (former private hospital) | 2 Addison Road  | SP 76398   | Local        | I221    |
| Manly             | House   | 44 Addison Road   | Lot B, DP 333018   | Local        | I222    |
| Manly             | Terrace houses, including front fences                          | 59 and 61 Addison Road  | Lot 59, DP 1107646; Lot 1, DP 995175   | Local        | I223    |
| Manly             | Residential Flat Building, "Binna Burra"                        | 78 Addison Road   | SP 15319   | Local        | I224    |
| Manly             | Group of dwellings, including front fence of 95 Addison Road    | 95, 97–99 and 101 Addison Road                                      | SP 45344; Lot 151, DP 607941; Lot 1, DP 986631; Lot 1, DP 78131                | Local        | I225    |
| Manly             | House, "Wonga Binda"  | 116 Addison Road, corner of High Street                             | Lot 1, DP 84968  | Local        | I226    |
| Manly             | Residential flat buildings                                      | 124–130 Addison Road  | SP 11626; SP 14880; SP 11567; Lot 1, DP 17650                                  | Local        | I227    |

| Suburb                | Item name  | Address  | Property description   | Significance | Item no |
|-----------------------|--|--|--|--------------|---------|
| Manly                 | Group of dwellings   | 57, 63, 86, 86A and 88–106 Addison Road and 16 Osborne Road      | Lot 1, DP 1038920; Lots 2–10, DP 258309; Lots A and B, DP 440067; Lot 1, DP 65875; Lot 1, DP 738781; Lot 1, DP 996593  | Local        | I228    |
| Manly                 | Street trees   | Alexander Street (from Collingwood Street to Balgowlah Road)     | Road reserve, as shown on Heritage Map   | Local        | I229    |
| Manly                 | House, "New Killarney"   | 30 Alexander Street  | Lot 17, Sec 1, DP 5756   | Local        | I230    |
| Manly                 | Street trees, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )                         | Ashburner Street   | Road reserve, as shown on Heritage Map   | Local        | I231    |
| Manly                 | Residential flat building, "Fairlands" (former house)  | 2 Ashburner Street   | SP 49373   | Local        | I232    |
| Manly                 | Group of 2 residential flat buildings  | 37-39 and 41 Ashburner Street                                    | SP 10741 and SP 10740  | Local        | I233    |
| Manly                 | Sewage Pumping Station No 36, including brick fence  | 3 Balgowlah Road (corner of Golf Parade)                         | Lot 1, DP 1217918  | Local        | I234    |
| Manly                 | Civic buildings—Council Town Hall<br>Administration building, police station and court house | 1–3 Belgrave Street  | Lots 1–5, DP 126718; Lots 1–2, DP 68569  | Local        | I235    |
| Manly                 | Commercial building, "Chancery Chambers"   | 7 Belgrave Street, (also known as 8 Belgrave Street)             | Lot 1, DP 77385  | Local        | I236    |
| Manly                 | Commercial and residential building, "Belgrave Flats"  | 12-15 Belgrave Street  | Lot 1, DP 510996   | Local        | I237    |
| Manly                 | Group of dwellings   | 1–25 Birkley Road, (west side from Sydney Road to Raglan Street) | Lots B and C, DP 326054; Lot 9, Sec 16, DP 2428; Lot B, DP 440550; Lots 1–3, DP 349249; Lot 4, DP 656273; SP 10276; SP 10928; SP 13819; Lots 14 and 15, DP 1012867 | Local        | I238    |
| Manly and Queenscliff | Ocean foreshores   | Boundary adjacent to the ocean, Manly and Queenscliff            | As shown on Heritage Map   | Local        | I239    |

| Suburb | Item name  | Address  | Property description  | Significance | Item no |
|--------|--|--|---|--------------|---------|
| Manly  | 2 Moreton Bay Fig trees ( <i>Ficus macrophylla</i> )   | Bower Reserve, adjacent to Bower Street                  | As shown on Heritage Map  | Local        | I240    |
| Manly  | Street tress, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )                               | Bower Street (from Cliff Street to College Street)       | Road reserve, as shown on Heritage Map                                    | Local        | I241    |
| Manly  | House  | 50 Bower Street  | Lots 19 and 20, DP 8075   | Local        | I242    |
| Manly  | House, "Bower Hall"  | 101 Bower Street   | SP 85069  | Local        | I243    |
| Manly  | House, including front fence   | 105 Bower Street   | Lot 12, DP 3806   | Local        | I244    |
| Manly  | Residential flat building, "Borambil", including brick boundary fence and sandstone retaining wall | 129 Bower Street   | SP 6692   | Local        | I245    |
| Manly  | House, including front fence   | 14 Camera Street (corner of James Street)                | Lot 1, DP 78519   | Local        | I246    |
| Manly  | Group of residential flat buildings  | 1–6 Cameron Avenue                                       | Lots 83, 85 and 86, DP 14521; SP 84558; SP 11317; SP 11029                | Local        | I247    |
| Manly  | Residential flat building, "Kylemore"  | 5A Carlton Street  | SP 16614  | Local        | I248    |
| Manly  | St Patrick's Estate - Cerretti Crescent and College Green areas                                    | 1-3 Cerretti Crescent and 6 College Street               | SP 67855; SP 78900  | Local        | I249    |
| Manly  | Port Jackson Fig ( <i>Ficus rubignosa</i> )  | Cliff Street, adjacent to 19 Cliff Street                | Road reserve, as shown on Heritage Map                                    | Local        | I250    |
| Manly  | Group of 6 semi-detached houses  | 2–12 Cliff Street  | Lots A and B, DP 318364; Lots C and D, DP 438914; Lots 1 and 2, DP 578235 | Local        | I251    |
| Manly  | House, "Strathmore"  | 14 Cliff Street  | Lot 18, Section 2, DP 192496  | Local        | I252    |
| Manly  | Street trees   | Collingwood Street (from Iluka Avenue to Eurobin Avenue) | Road reserve, as shown on Heritage Map                                    | Local        | I253    |
| Manly  | House  | 40 Collingwood Street                                    | Lot 37, DP 5824   | Local        | I254    |
| Manly  | Collins Beach  | Collins Beach Road, Spring Cove, North Head              | As shown on Heritage Map  | Local        | I255    |



| Suburb | Item name   | Address  | Property description                      | Significance | Item no |
|--------|---|--|---|--------------|---------|
| Manly  | 2 cast iron pedestals (former street lights)  | The Corso (central reservation, between The Esplanade and Darley Road) | Road reserve as shown on Heritage Map     | Local        | I256    |
| Manly  | Manly War Memorial  | The Corso  | As shown on Heritage Map                  | Local        | I257    |
| Manly  | Street trees  | The Corso (from Whistler Street to Sydney Road)                        | Road reserve as shown on Heritage Map     | Local        | I258    |
| Manly  | Unnamed triangular park   | The Corso and Belgrave Street (in front of former Council Chambers)    | As shown on Heritage Map                  | Local        | I259    |
| Manly  | Group of commercial buildings   | All numbers, The Corso   | As shown on Heritage Map                  | Local        | I260    |
| Manly  | Commercial building   | 36 The Corso   | Lot 36, DP 854439                         | Local        | I261    |
| Manly  | Group of commercial buildings   | 41–45 The Corso  | Lots 7–9, DP 26171                        | Local        | I262    |
| Manly  | Group of commercial buildings   | 46–64 The Corso  | Lot Y, DP 162102; Lots A and B, DP 304309 | Local        | I263    |
| Manly  | New Brighton Hotel  | 69–71 The Corso  | Lot 1, DP 63249; Lot 1, DP 86449          | Local        | I264    |
| Manly  | Hotel Steyne  | 75 The Corso   | Lots 100, 101 and 102, DP 1069144         | Local        | I265    |
| Manly  | Group of commercial buildings   | 102–112 The Corso  | Lots 1–4, DP 39426                        | Local        | I266    |
| Manly  | Cast iron letter box  | The Corso, near Whistler Street  | As shown on Heritage Map                  | Local        | I267    |
| Manly  | Residential flat building, "Hilder Lea Flat" (formerly "Montreaux Flats")                         | 7 The Crescent, (also known as 7 Commonwealth Parade)                  | SP 70727                                  | Local        | I268    |
| Manly  | House   | 10 The Crescent  | Lot 1, DP 1036589                         | Local        | I269    |
| Manly  | Residential flat building, "Cumberland"   | 32 The Crescent, (also known as 2 Laurence Street)                     | SP 16991                                  | Local        | I270    |
| Manly  | Manly Village Public School, including sandstone monument (corner Darley Rd and Wentworth Street) | Darley Road (frontage also to Wentworth Street and Victoria Parade)    | Lot 1, DP 999133                          | Local        | I271    |

| Suburb | Item name   | Address   | Property description  | Significance | Item no |
|--------|---|---|---|--------------|---------|
| Manly  | Cast iron letter box  | Corner Darley Road and Victoria Parade (footpath)       | Road reserve, as shown on Heritage Map  | Local        | I272    |
| Manly  | St. Matthew's Church and church hall  | 1 Darley Road, corner of The Corso                      | Lots X and Z, DP 162102   | Local        | I273    |
| Manly  | St. Matthew's Anglican Rectory  | 3 Darley Road   | Lots Z, DP 162102   | Local        | I274    |
| Manly  | Commercial and residential building   | 2D Darley Road  | Lot A, DP 405608  | Local        | I275    |
| Manly  | Semi-detached house   | 11 Darley Road  | Lot 109, DP 1232519   | Local        | I276    |
| Manly  | Semi-detached house   | 13 Darley Road  | Lot 108, DP 1232519   | Local        | I277    |
| Manly  | House   | 15 Darley Road  | Lots 6 and 7, DP 3340   | Local        | I278    |
| Manly  | Residential flat building   | 17 Darley Road  | SP 49   | Local        | I279    |
| Manly  | Group of commercial buildings   | 24A, 26, 26A and 28 Darley Road                         | Lots 2, 3, 4 and 5 DP 222572  | Local        | I280    |
| Manly  | Semi-detached house   | 40 Darley Road  | Lot 11, DP 631517   | Local        | I281    |
| Manly  | Semi-detached house   | 42 Darley Road  | Lot 12, DP 631517   | Local        | I282    |
| Manly  | House, "Katrine"  | 62 Darley Road  | Lot 4, DP 74690   | Local        | I283    |
| Manly  | Former Manly Hospital Complex (including Building 1 Façade, Main Ward Block Building 2, Kiosk Building 5, Kitchen Building 15, Nurses Home Building 22, Sandstone boundary walls and alignment, and bushland areas) | 150 Darley Road   | Lot 2619, DP 752038; Lot 2727, DP 752038  | Local        | I284    |
| Manly  | Parkhill Cottage (Building 20) and associated stables   | 150 Darley Road   | Lot 2728, DP 752038   | Local        | I285    |
| Manly  | St Patrick's Estate   | 151 Darley Road and 106 Darley Road (primary addresses) | Lot 2, DP 1032990; Lot 2, DP 1109497; Lots 2 and 3, DP 1180263; Lot 1556 DP 752038; Lots 3–20, DP 1189590; SP 68046; SP 91322; SP 90989 | State        | I286    |
| Manly  | House   | 26 Denison Street                                       | Lots 9 and 16, DP 233249  | Local        | I287    |
| Manly  | House   | 28 Denison Street                                       | Lot 10, DP 233249   | Local        | I288    |
| Manly  | House   | 30 Denison Street                                       | Lot 11, DP 233249   | Local        | I289    |

| Suburb | Item name   | Address   | Property description  | Significance | Item no |
|--------|---|---|---|--------------|---------|
| Manly  | House   | 32 Denison Street   | Lot 12, DP 233249   | Local        | I290    |
| Manly  | House   | 34 Denison Street   | Lot 13, DP 233249   | Local        | I291    |
| Manly  | House   | 36 Denison Street   | Lot 14, DP 233249   | Local        | I292    |
| Manly  | House   | 38 Denison Street   | Lot 15, DP 233249   | Local        | I293    |
| Manly  | Electricity Substation No 16124   | Dungowan Lane (off Ashburner Street)                                      | Lot 2 DP, 235803  | Local        | I294    |
| Manly  | Group of buildings, including Manly Rowing, Sailing, Yacht and Launch Clubs | East Esplanade  | Part of Lot 7011, DP 1074608; Lot 1 DP 1232767 and land below high water mark, as shown on the Heritage Map   | Local        | I295    |
| Manly  | Monument - broken column memorial (former fountain)                         | East Esplanade (East Esplanade Park)                                      | As shown on Heritage Map  | Local        | I296    |
| Manly  | East Esplanade Park   | East Esplanade, from Manly Wharf to Wood Street                           | As shown on Heritage Map  | Local        | I297    |
| Manly  | House, formally "Heathcote"   | 5 East Esplanade  | Lot C, DP 928909  | Local        | I298    |
| Manly  | House   | 7 East Esplanade  | Lot 2, DP 584617  | Local        | I299    |
| Manly  | Terrace houses  | 41–42 East Esplanade  | SP 74685  | Local        | I300    |
| Manly  | Terrace building, "Ilchester"   | 46, 47 and 48 East Esplanade  | Lot 10, DP 1207797  | Local        | I301    |
| Manly  | Commercial and residential building   | 50 East Esplanade   | Lot 1, DP 80202   | Local        | I302    |
| Manly  | Commercial and residential building   | 53 East Esplanade (corner of The Corso)                                   | SP 12435  | Local        | I303    |
| Manly  | Manly Wharf   | East and West Esplanades (opposite The Corso, Harbour side)               | Lots 1, 2 and 3, DP 1170245   | State        | I304    |
| Manly  | Group of 2 storey residential flat buildings                                | Eurobin Avenue, northern side (from Pittwater Road to Collingwood Street) | Lots 53, 54, 59, 61–63, 70, 71, 72, 75, 80 and 81, DP 14521; Lots A, C, D and E, DP 17744; Lots A, B and C, DP 329376; Lot 1, DP 328983; Lot 1, DP 1033816; Lot B, DP 184940; Lot B, DP | Local        | I305    |

| Suburb | Item name  | Address   | Property description   | Significance | Item no |
|--------|--|---|--|--------------|---------|
|        |  |   | 382088; Lot 10, DP 14521; SP 10663; SP 16862; SP 56288; SP 52019; SP 513; SP 42119; SP 36272; SP 10063; SP 14914; SP 69959; SP 6307; SP 15126; SP 69332; SP 9643 |              |         |
| Manly  | Stella Maris College, including Convent of the Good Samaritan, Chapel and Iluka Avenue fence | 52 Eurobin Avenue (between Eurobin and Iluka Avenues)                                     | Part of Lot 3 DP 129582, as shown on Heritage Map  | Local        | I306    |
| Manly  | 2 Moreton Bay Fig trees (Ficus macrophylla)  | 52 Eurobin Avenue (within courtyard of Stella Maris College)                              | Part of Lot 3 DP 129582, as shown on Heritage Map  | Local        | I307    |
| Manly  | Fairy Bower Pool   | Fairy Bower, adjacent to Marine Parade, opposite 76-80 Bower Street                       | As shown on Heritage Map   | Local        | I308    |
| Manly  | Street trees   | Francis Street (near corner of Arthur Street)   | Road reserve, as shown on Heritage Map   | Local        | I309    |
| Manly  | Group of 3 houses  | 17 and 19–21 George St  | Lot 1, DP 516728; Lots 1 and 2, DP 224261  | Local        | I310    |
| Manly  | Gilbert Park   | Gilbert Park (bounded by Gilbert Street, Sydney Road, Belgrave Street and West Promenade) | Lot 7143, DP 1023242   | Local        | I311    |
| Manly  | Tower Hill Park  | Between Gilbert Street and Tower Street   | Lot 7079, DP 1074761; Lot 1, DP 60402; Lot 2809 DP 752038  | Local        | I312    |
| Manly  | Ivanhoe Park (including Manly Oval) cultural landscape)                                      | Ivanhoe Park (bounded by Sydney Road, Belgrave Street, Raglan Street and Park Avenue)     | Lot 2502, DP 1143032; Lots 2424, 2661 and 2726, DP 752038; Lot 7379, DP 1164856  | State        | I313    |
| Manly  | Natural escarpment   | Kangaroo Park, from Kangaroo Lane to Carlton Street                                       | Within Kangaroo Park, as shown on Heritage Map   | Local        | I314    |

| Suburb | Item name  | Address  | Property description   | Significance | Item no |
|--------|--|--|--|--------------|---------|
| Manly  | Kangaroo sculpture   | Kangaroo Park, opposite 31 Kangaroo Street                   | Within Kangaroo Park, as shown on Heritage Map                   | Local        | I315    |
| Manly  | Group of houses  | 45–49, 51B, 53 and 61–67 Kangaroo Street                     | Lots 1–3 and 9–11, DP 4814; Lot B, DP 417276; SP 54200; SP 32541 | Local        | I316    |
| Manly  | Row of Norfolk Island Pine trees ( <i>Araucaria heterophylla</i> )   | Lagoon Park  | Lot 1 DP 178410 and Lot 7325 DP 1155671                          | Local        | I317    |
| Manly  | Street trees   | Malvern Avenue (between Wood Street and Osborne Road)        | Road reserve, as shown on Heritage Map                           | Local        | I318    |
| Manly  | Street trees—1 Norfolk Island Pine tree ( <i>Araucaria heterophylla</i> ), 1 Port Jackson Fig tree ( <i>Ficus rubiginosa</i> ) | Marshall Street, (near corner of Wood Street)                | Road reserve, as shown on Heritage Map                           | Local        | I319    |
| Manly  | North Head fortifications  | North Head   | As shown on Heritage Map   | Local        | I320    |
| Manly  | Australian Institute of Police Management (former Seaman's Isolation Hospital complex)   | North Head, Collins Beach Road                               | Lot 2766, DP 752038  | Local        | I321    |
| Manly  | The School of Artillery, group of institutional buildings  | North Head, Commonwealth Military Reserve                    | Lot 2764, DP 752038  | Local        | I322    |
| Manly  | Northern Suburbs Ocean Outfall Sewer (NSOOS)   | North Head, Ocean Outfall                                    | As shown on Heritage Map   | State        | I323    |
| Manly  | Roadway, North Head Scenic Drive   | North Head, Park Hill Reserve, Sydney Harbour National Park  | As shown on Heritage Map   | Local        | I324    |
| Manly  | Quarantine Station stone walls   | North Head, Quarantine Station, Sydney Harbour National Park | As shown on Heritage Map   | Local        | I325    |
| Manly  | Quarantine Station stone cairn   | North Head, Quarantine Station, Sydney Harbour National Park | Part of Lot 100, DP 1075571, as shown on Heritage Map            | Local        | I326    |

| Suburb | Item name   | Address  | Property description  | Significance | Item no |
|--------|---|--|---|--------------|---------|
| Manly  | North Head Quarantine Station and Reserve   | 1 North Head Scenic Drive (Sydney Harbour National Park)                 | Lot 100, DP 1075571 and adjoining land in North Harbour                           | State        | I327    |
| Manly  | Park Hill Reserve stone gateway   | North Head, Sydney Harbour National Park, entrance at end of Darley Road | As shown on Heritage Map  | Local        | I328    |
| Manly  | North Head  | North Head, Sydney Harbour National Park                                 | As shown on Heritage Map  | Local        | I329    |
| Manly  | Obelisk—North Head  | North Head, Sydney Harbour National Park                                 | As shown on Heritage Map  | Local        | I330    |
| Manly  | Stone walls   | North Head, Sydney Harbour National Park                                 | As shown on Heritage Map  | Local        | I331    |
| Manly  | Beach Reserve—Merrett Park North Steyne and South Steyne, including Norfolk Island Pine trees ( <i>Araucaria heterophylla</i> ) | North Steyne and South Steyne  | Adjacent to Manly, North Steyne and Queenscliff Beaches, as shown on Heritage Map | Local        | I332    |
| Manly  | Queenscliff Surf Club   | North Steyne, opposite Collingwood Street                                | Part of Lot 1 DP 909018; Part of Lot 1 DP 178410, as shown on Heritage Map        | Local        | I333    |
| Manly  | North Steyne Surf Club  | North Steyne, opposite Pine Street                                       | Part of Lot 100, DP 1153827, as shown on Heritage Map                             | Local        | I334    |
| Manly  | House, "Brise de Mer"   | 118 North Steyne   | Lot 1, DP 1141595   | Local        | I335    |
| Manly  | House, "Scarborough"  | 19 Ocean Road  | Lot 11, Section 14, DP 2428   | Local        | I336    |
| Manly  | House   | 9 Osborne Road   | Lot 11, DP 589893   | Local        | I337    |
| Manly  | House, "Trevitt House"  | 12 Oyama Avenue  | Lot 4, DP 308519  | Local        | I338    |
| Manly  | Street trees  | Pacific Parade (from Collingwood Street to Balgowlah Road)               | Road reserve, as shown on Heritage Map  | Local        | I339    |
| Manly  | Street trees  | Pacific Street (from Collingwood Street to Malvern Avenue)               | Road reserve, as shown on Heritage Map  | Local        | I340    |

| Suburb | Item name  | Address  | Property description   | Significance | Item no |
|--------|--|--|--|--------------|---------|
| Manly  | Street trees   | Pine Street (from Collingwood Street to Smith Street)        | Road reserve, as shown on Heritage Map                             | Local        | I341    |
| Manly  | House  | 7 Pine Street (corner of Whistler Street)                    | SP 72334   | Local        | I342    |
| Manly  | Group of 5 houses  | 15–23 Pine Street  | Lots A and B, DP 188242; Lot 1, DP 958770; Lots 1 and 2, DP 936960 | Local        | I343    |
| Manly  | Former tram depot complex and associated buildings         | Pittwater Road (corner of Pittwater Road and Balgowlah Road) | Lot 1, DP 923887; Lot 1, DP 923368; Lot 1, DP 924434               | Local        | I344    |
| Manly  | Building, Former baby health care centre                   | 1 Pittwater Road   | Lot 1, DP 933364   | Local        | I345    |
| Manly  | House  | 15–17 Pittwater Road   | SP 64980   | Local        | I346    |
| Manly  | Group of houses  | 25–27 Pittwater Road   | Lot 21, DP 1289120 and Lot 2, DP 1252275                           | Local        | I347    |
| Manly  | Group of commercial and residential buildings              | 35–49 Pittwater Road   | Lots 1–8, DP 233249  | Local        | I348    |
| Manly  | Former Salvation Army private hostel, "The Peoples Palace" | 61–63 Pittwater Road   | Lot A, DP 328185; Lot 1, DP 932896                                 | Local        | I349    |
| Manly  | House, including fence                                     | 77 Pittwater Road  | Lot 1, DP 503181   | Local        | I350    |
| Manly  | House  | 80 Pittwater Road  | Lot 8, DP 1038255  | Local        | I351    |
| Manly  | House  | 82 Pittwater Road  | Lot 1, DP 798774   | Local        | I352    |
| Manly  | House  | 105 Pittwater Road   | Lot 9, Section 4, DP 2427  | Local        | I353    |
| Manly  | House  | 107 Pittwater Road   | Lot 1, DP 1030198  | Local        | I354    |
| Manly  | House  | 108 Pittwater Road   | Lot 2, DP 576052   | Local        | I355    |
| Manly  | House  | 110 Pittwater Road   | Lot 1, DP 576052   | Local        | I356    |
| Manly  | Building, Former service station                           | 167 Pittwater Road (corner Alexander Street)                 | Lot 1, DP 1085908 and Lot 2, DP 656268                             | Local        | I357    |
| Manly  | House  | 184 Pittwater Road   | Lot 30, Sec 2, DP 2427   | Local        | I358    |

| Suburb | Item name                       | Address   | Property description  | Significance | Item no |
|--------|---------------------------------|---|---|--------------|---------|
| Manly  | Commercial building             | 210–214 Pittwater Road                          | Lot 1, DP 1164502; Lot 3, DP 107720   | Local        | I359    |
| Manly  | Group of commercial buildings   | 216–218 Pittwater Road                          | Lots 1 and 2, DP 107720   | Local        | I360    |
| Manly  | House                           | 226 Pittwater Road                              | Lot 1, DP 798037  | Local        | I361    |
| Manly  | Sewage pumping station No 37    | 252 Pittwater Road                              | Lot 1, DP 1217919   | Local        | I362    |
| Manly  | Group of dwellings              | 1-27 and 2-22 Quinton Road and 1-7 Augusta Road | SP 2242; SP 11384; SP 115; SP 44408; Lots 5 and 6, Section 13, DP 2428; Lot 29, Section 14, DP 2428; Lot 1, DP 937492; Lot 7, DP 660962; Lots 1 and 2, DP 134680; SP 64880; Lot 2, DP 212595; Lots 9 and 10, Section 13, DP 2428; Lot 1, DP 212595; Lot 2, DP 543485; SP 14437; Lot 1, DP 543485; SP 12069; Lot A, DP 157863; Lots 1 and 2, DP 833319; Lot 1, DP 103913; SP 13773; Lots X and Y, DP 442867; Lots X and Y, DP 441080; Lot 1, DP 925171; Lot 1, DP 612737 | Local        | I363    |
| Manly  | Building, Former Memorial Club  | 52 Raglan Street                                | Lot 2077, DP 752038; Lot 2810, DP 726668  | Local        | I364    |
| Manly  | St Andrew's Hall and manse      | 54 Raglan Street                                | Delete section "Lot 5, Section 13, DP 2428; Lot 29, Section 14, DP 937492; SP 12950" and replace with "Lot 5 and 6, Section 13, DP 2428; Lot 29, Section 14, DP 2428"   | Local        | I365    |
| Manly  | St Andrew's Presbyterian Church | 56 Raglan Street                                | Lot 1, DP 1045408   | Local        | I366    |
| Manly  | Group of dwellings              | 60–72 and 76–84 Raglan Street                   | SP 6428; Lots A and C, DP 102891; Lots 1 and 2, DP 225675; Lots B and C, DP 445356; Lot A, DP 334088; SP 10753; SP  | Local        | I367    |



| Suburb | Item name  | Address   | Property description   | Significance | Item no |
|--------|--|---|--|--------------|---------|
|        |  |   | 11324; SP 14600; SP 7805   |              |         |
| Manly  | House, "Logan Brae", including front fence                                       | 32 Reddall Street (corner of College Street)  | Lot 87, DP 70416   | Local        | I368    |
| Manly  | Grass Island and 2 Canary Island palm trees ( <i>Phoenix canariensis</i> )       | Rolfe Street, between Pittwater Road and Collingwood Street   | Road reserve, as shown on Heritage Map   | Local        | I369    |
| Manly  | Building, Formerly "The Kiosk"   | Shelly Beach, (southern end)  | As shown on Heritage Map   | Local        | I370    |
| Manly  | Street trees   | Smith Street (from Pine Street to Carlton Street, and around the intersection with Alexander Street)            | Road reserve, as shown on Heritage Map   | Local        | I371    |
| Manly  | Public shelters  | South Steyne opposite Victoria Parade (1) and Wentworth Street (2) and North Steyne opposite Denison Street (1) | Part of Lots 100 and 101, DP 1153828, as shown on Heritage Map   | Local        | I372    |
| Manly  | Residential flat building, "Dungowan"  | 7 South Steyne  | SP 81784   | Local        | I373    |
| Manly  | Commercial building  | 14 South Steyne   | Lot 501, DP 736679   | Local        | I374    |
| Manly  | "Building, (former houses, "Tranby" and "Latrobe")                               | 15–16 South Steyne, (corner of Victoria Parade)   | Part Lot C, DP 369972; Lot 1, DP 1091717   | Local        | I375    |
| Manly  | House, "Warrawee"  | 8 Stuart Street   | Lot 1, DP 668632   | Local        | I376    |
| Manly  | House  | 34 Stuart Street  | Lots 8, DP 1108368   | Local        | I377    |
| Manly  | Group of houses  | 87–97 Stuart Street   | Lot 1, DP 952875; Lot 1, DP 72989; Lot 1, DP 72982; Lot 1, DP 871585; Lot 1, DP 715045; Lot 2, DP 871585 | Local        | I378    |
| Manly  | Public reserve and 2 Norfolk Island Pine trees ( <i>Araucaria heterophylla</i> ) | 103 Stuart Street (adjacent to Spring Cove adjoining St Patrick's Estate)                                       | Lot 1, DP 544297   | Local        | I379    |

| Suburb | Item name  | Address  | Property description                                  | Significance | Item no |
|--------|--|--|---|--------------|---------|
| Manly  | Dalley's Castle stone wall remnants                              | Sydney Road, (part of 3 and 7 Tower Street and 69 Sydney Road) | Part of SP 5798; Part of SP 2604; Part of SP 6833     | Local        | I380    |
| Manly  | Congregational Church  | Sydney Road (corner of Whistler Street)                        | Lot 2, DP 570336                                      | Local        | I381    |
| Manly  | Commercial and residential building (street facade only)         | 4–10 Sydney Road   | Part of SP103324, as shown on Heritage Map            | Local        | I382    |
| Manly  | Commercial and residential building                              | 12 Sydney Road   | SP 20699  | Local        | I383    |
| Manly  | Group of commercial and residential buildings                    | 39–47 Sydney Road  | Lots 1–4, DP 445942; Lot 5, DP 554506                 | Local        | I384    |
| Manly  | House, "Loldis"  | 83 Sydney Road   | Lot 7, DP 85606                                       | Local        | I385    |
| Manly  | Street trees, Norfolk Island Pine trees (Araucaria heterophylla) | Victoria Parade  | Road reserve, as shown on Heritage Map                | Local        | I386    |
| Manly  | Residential building, "Abbylax"                                  | 2 Victoria Parade, corner of East Esplanade                    | Lot 1, DP 88142                                       | Local        | I387    |
| Manly  | Residential flat building, façade only                           | 11 Victoria Parade   | Part of Lot 1 DP 1298672, as shown on Heritage Map    | Local        | I388    |
| Manly  | Commercial and residential building                              | 13 Victoria Parade   | SP 13941  | Local        | I389    |
| Manly  | Residential flat building  | 29 Victoria Parade   | SP 87727, as shown on Heritage Map                    | Local        | I390    |
| Manly  | Residential flat building, "Newstead Flats"                      | 31 Victoria Parade, (also known as 22A Darley Road)            | SP 101675   | Local        | I391    |
| Manly  | Street trees   | Wentworth Street   | Road reserve, as shown on Heritage Map                | Local        | I392    |
| Manly  | Building - Former 1920's school                                  | 10 Wentworth Street  | Lot 1, DP 999134                                      | Local        | I393    |
| Manly  | Building - Former School of Arts                                 | 12 Wentworth Street  | Lot 1, DP 999137                                      | Local        | I394    |
| Manly  | Building, "Drummond House" - Royal Far West                      | 22 Wentworth Street  | Part of Lot 101, DP 1247422, as shown on Heritage Map | Local        | I395    |

| Suburb | Item name  | Address  | Property description  | Significance | Item no |
|--------|--|--|---|--------------|---------|
| Manly  | Manly Cove Pavilion  | West Esplanade   | Lots 1 and 2, DP 1019352 and part of West Esplanade Reserve                           | State        | I396    |
| Manly  | Manly Cove amenities block   | West Esplanade Reserve   | As shown on Heritage Map  | Local        | I397    |
| Manly  | Governor Phillip Monument  | West Esplanade Reserve   | As shown on Heritage Map  | Local        | I398    |
| Manly  | West Esplanade Reserve   | West Esplanade, adjoining foreshore from Manly Wharf to adjacent to 51 The Crescent, Manly | As shown on Heritage Map  | Local        | I399    |
| Manly  | "Auckland Garage", (former service station)                              | 1 West Promenade   | Part of Lot 51, DP 1237990  | Local        | I400    |
| Manly  | Group of residential flat buildings                                      | 3, 5, 6, 7 and 8 West Promenade  | SP 17992; SP 88888; SP 11916; SP 3641; SP 19128                                       | Local        | I401    |
| Manly  | Uniting Church   | 4 West Promenade   | Lot 55, DP 192310; Lot 54, DP 67627   | Local        | I402    |
| Manly  | St Mary's Church, presbytery, and school, including brick boundary fence | Whistler Street (corner Raglan Street)   | Lot 118, DP 65387; Lot A, DP 72628; Lot 1, DP 88267; Lot A, DP 88176; Lot 1, DP 64528 | Local        | I403    |
| Manly  | Electricity substation No 15009, (Manly Zone Substation)                 | 34 Whistler Street   | Lot 2 DP803273  | State        | I404    |
| Manly  | House, (former Masonic Hall)   | 51 Whistler Street   | Lot 1, DP 70385   | Local        | I405    |
| Manly  | House  | 53 Whistler Street   | Lot 1, DP 742272  | Local        | I406    |
| Manly  | House  | 55 Whistler Street   | Lot 1, DP 1103720   | Local        | I407    |
| Manly  | House  | 65 Whistler Street   | Lot 1, DP 1074874   | Local        | I408    |
| Manly  | House, "Merriwa"   | 10 Wood Street, (corner Addison Road)  | SP 14816  | Local        | I409    |
| Manly  | Group of houses  | 42, 46 and 48 Wood Street  | Lot 1, DP 901067; Lot 1, DP 798317; Lot 1, DP 998291                                  | Local        | I410    |
| Manly  | Residential flat building  | 49 Wood Street   | SP 10526  | Local        | I411    |

| Suburb     | Item name   | Address   | Property description                   | Significance | Item no |
|------------|---|---|--|--------------|---------|
| Manly      | Residential flat building "Ashbourne" (former house), including front fence | 51 Wood Street, (corner Marshall Street)          | SP 87278                               | Local        | I412    |
| Manly Vale | Manly Creek Bridge  | Condamine Street                                  | As shown on Heritage Map               | Local        | I413    |
| Manly Vale | Manly Dam   | King Street                                       | Lot 10, DP 840821                      | State        | I414    |
| Manly Vale | St Peters Church Hall   | 1 King Street                                     | Lot 52, DP 7568                        | Local        | I415    |
| Manly Vale | House, including front fence and boundary walls                             | 27 King Street                                    | Lot 2, DP 26558                        | Local        | I416    |
| Manly Vale | Manly Hydraulics Laboratory   | 110b King Street                                  | Lot 11, DP 840821                      | Local        | I417    |
| Manly Vale | Former Ridley House   | 43 Lovett Street                                  | Lot 104, DP 840237                     | Local        | I418    |
| Manly Vale | Timber jetty remnants and marine bollards                                   | Within Manly Lagoon, adjacent to Passmore Reserve | Part of Lot 2743, DP 752038            | Local        | I419    |
| Manly Vale | Bridge  | Sloane Crescent                                   | Road reserve, as shown on Heritage Map | Local        | I420    |
| Mona Vale  | House   | 22 Darley Street East                             | Lot 2, DP 520433                       | Local        | I421    |
| Mona Vale  | House   | 66 Elimatta Road                                  | Lot 2, DP 733655                       | Local        | I422    |
| Mona Vale  | House   | 26 Grandview Parade                               | Lot 17, Section C, DP 6195             | Local        | I423    |
| Mona Vale  | Mona Vale ocean rock pool   | Mona Vale Beach (northern section)                | As shown on Heritage Map               | Local        | I424    |
| Mona Vale  | Mona Vale General Cemetery (formerly Turimetta General Cemetery)            | 107 Mona Vale Road                                | Lot 2, DP 1124862                      | Local        | I425    |
| Mona Vale  | House   | 16 Orana Road                                     | Lot 46, DP 1002603                     | Local        | I426    |
| Mona Vale  | House   | 26 Park Street                                    | Lot 147, DP 616318                     | Local        | I427    |
| Mona Vale  | House, "Dungarvon"  | 28 Park Street                                    | Lot 48, DP 562225                      | Local        | I428    |
| Mona Vale  | Mona Vale Bowling Club  | 1598 Pittwater Road                               | Lot 1, DP 251053                       | Local        | I429    |
| Mona Vale  | St John's Anglican Church and gravestones                                   | 1624 Pittwater Road                               | Lot 2, DP 709457                       | Local        | I430    |
| Mona Vale  | Former house, "Glenroy"   | 1789 Pittwater Road                               | Land No 56951                          | Local        | I431    |

| Suburb      | Item name  | Address  | Property description  | Significance | Item no |
|-------------|--|--|---|--------------|---------|
| Mona Vale   | Street trees, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )   | Seabeach Avenue  | Road reserve, as shown on Heritage Map                      | Local        | I432    |
| Mona Vale   | Street trees, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )   | Surfview Road, Mona Vale Beach Reserve                             | As shown on Heritage Map                                    | Local        | I433    |
| Mona Vale   | Great War Memorial   | Village Park, corner of Barrenjoey Road and Pittwater Road         | As shown on Heritage Map                                    | Local        | I434    |
| Mona Vale   | Part of the facade of the Rock Lily Restaurant, being the faceted bay windows and area in between on the Pittwater Road frontage and the return wall in Vineyard Street extending for approximately 11 metres from the southeastern corner of the building | 2–6 Vineyard Street  | SP 61206  | Local        | I435    |
| Mona Vale   | House, "Andriesse House"   | 25 Waterview Street  | Lot 2, DP 831267  | Local        | I436    |
| Morning Bay | Youth hostel   | 37 Bona Crescent   | Lot 3, DP 520115  | Local        | I437    |
| Morning Bay | Morning Bay jetty, store and shed  | 60A Bona Crescent  | Lot 7317, DP 1187840  | Local        | I438    |
| Narrabeen   | House  | 2 Albert Street  | Lot 1, DP 613541  | Local        | I439    |
| Narrabeen   | House, "Lemville"  | 14 Goodwin Street  | Lot 1, DP 170765  | Local        | I440    |
| Narrabeen   | Group of Washington Palms ( <i>Washingtonia robusta</i> )  | Between Lagoon Street and Ocean Street, adjoining Narrabeen Lagoon | As shown on Heritage Map                                    | Local        | I441    |
| Narrabeen   | Memorial known as "SS Collaroy Memorial"   | Narrabeen Public School, 1299 Pittwater Road                       | Lots 1–4 and 12–15, Section 25, DP 111254; Lot D, DP 167261 | Local        | I442    |
| Narrabeen   | School administration building   | Narrabeen Public School, 1299 Pittwater Road                       | Lots 1–4 and 12–15, Section 25, DP 111254; Lot D, DP 167261 | Local        | I443    |
| Narrabeen   | Main school building   | Narrabeen Public School, 1299 Pittwater Road                       | Lots 1–4 and 12–15, Section 25, DP 111254; Lot D, DP 167261 | Local        | I444    |

| Suburb     | Item name  | Address  | Property description   | Significance | Item no |
|------------|--|--|--|--------------|---------|
| Narrabeen  | Sandstone memorial   | Narrabeen Public School, 1299 Pittwater Road                     | Lots 1–4 and 12–15, Section 25, DP 111254; Lot D, DP 167261                      | Local        | I445    |
| Narrabeen  | Stone wall   | Ocean Street (western side), north of Malcolm Street             | As shown on Heritage Map   | Local        | I446    |
| Narrabeen  | Narrabeen Fire Station   | 9 Ocean Street (corner Pittwater Road)                           | Lot A, DP 325925   | Local        | I447    |
| Narrabeen  | Vegetation group, Norfolk Island Pines ( <i>Araucaria heterophylla</i> ) | 58–62 Ocean Street (corner of King Street)                       | Part of Lot 3, DP 818955; Part of Lot 1, DP 718699, as shown on the Heritage Map | Local        | I448    |
| Narrabeen  | Buildings, “Furlough House”  | 72–90 Ocean Street   | Lot 2, DP 701695; Lots 12–19 and 21, Section 36, DP 111254; Lot 20, DP 77256     | Local        | I449    |
| Narrabeen  | Narrabeen Lake Bridge (RTA Bridge No 56)                                 | Pittwater Road, over Narrabeen Lagoon                            | As shown on Heritage Map   | Local        | I450    |
| Narrabeen  | Bus shelter (former tram shelter)  | 1417 Pittwater Road  | Lot A, DP 445551   | Local        | I451    |
| Narrabeen  | ANZAC War Memorial   | Veterans Parade, opposite Edgecliffe Boulevarde                  | Lot 1, DP 774980   | Local        | I452    |
| Narrabeen  | Building, “Legacy Park”  | Veterans Parade, (within RSL ANZAC Village)                      | Lot 2026, DP 752038  | Local        | I453    |
| Narrabeen  | Bridge No 3 over Middle Creek  | Wakehurst Parkway  | As shown on Heritage Map   | Local        | I454    |
| Narrabeen  | Shops and residences   | 65 and 67 Waterloo Street  | Lots 1 and 2, DP 1015218   | Local        | I455    |
| Narraweena | Narraweena Public School   | McIntosh Road  | Lot 741, DP 752038   | Local        | I456    |
| Newport    | House, "Currie House"  | 3 The Avenue   | Lot 18, DP 14176   | Local        | I457    |
| Newport    | Newport Surf Life Saving Club  | 394 Barrenjoey Road  | As shown on Heritage Map   | Local        | I458    |
| Newport    | Stone wall   | Bungan Head Road (south side) adjacent to Betty Morrison Reserve | Road reserve, adjacent to Lot 2 DP 230883, as shown on Heritage Map              | Local        | I459    |
| Newport    | House, "Bungan Castle"   | 78 Bungan Head Road  | Lot 172, DP 629573   | Local        | I460    |

| Suburb          | Item name   | Address  | Property description                               | Significance | Item no |
|-----------------|---|--|--|--------------|---------|
| Newport         | "Anglican Church, formerly "St Michael's  | 33 Foamcrest Avenue                            | Lots 20–22, Section 5, DP 6248                     | Local        | I461    |
| Newport         | Newport Arms Hotel  | 1 Kalinya Street                               | Lot 1, DP 72587; Lot 1, DP 527172                  | Local        | I462    |
| Newport         | 2 Palms ( <i>Washingtonia filifera</i> and <i>Washingtonia robusta</i> ); 1 Port Jackson Fig ( <i>Ficus rubiginosa</i> ) and part of castellated stone wall | 52 Myola Road                                  | Lot 1, DP 28652                                    | Local        | I463    |
| Newport         | House, "Bungania"   | 77 Myola Road                                  | Lot 1, DP 538888                                   | Local        | I464    |
| Newport         | Newport rock pool   | Newport Beach, southern end                    | As shown on Heritage Map                           | Local        | I465    |
| Newport         | Newport Bowling Club  | 6 Palm Road                                    | Lots 1 and 2, DP 1066239                           | Local        | I466    |
| Newport         | Newport War Memorial in Trafalgar Park  | 16 Queens Parade, within Trafalgar Park        | Part of Lot 1 DP 1031155, as shown on Heritage Map | Local        | I467    |
| Newport         | Newport Public School, bell and foundation stone  | 25 Queens Parade                               | Lots 1 and 2, DP 794943                            | Local        | I468    |
| Newport         | Hoop Pine ( <i>Araucaria cunninghamii</i> )   | 25 Queens Parade, within Newport Public School | Lots 1 and 2, DP 794943                            | Local        | I469    |
| Newport         | Port Jackson Fig ( <i>Ficus rubiginosa</i> )  | 25 Queens Parade, within Newport Public School | Lots 1 and 2, DP 794943                            | Local        | I470    |
| Newport         | House, "Fink House"   | 153 Queens Parade East                         | Lot 5, DP 20319                                    | Local        | I471    |
| North Balgowlah | House - "Grandview"   | 20 Daisy Street                                | Lot A, DP 402710                                   | Local        | I472    |
| North Balgowlah | Bantry Bay Reservoir (WS 0008)  | Lot 1 Kirkwood Street                          | Lot 1, DP 835123                                   | Local        | I473    |
| North Balgowlah | Bantry Bay Water Pumping Station (WPS 122)  | Lot 1 Kirkwood Street                          | Lot 1, DP 835123                                   | Local        | I474    |
| North Balgowlah | House   | 66 Serpentine Crescent                         | Lot 11, DP 1034707                                 | Local        | I475    |
| North Balgowlah | House   | 23 Warringah Street                            | Lot 35, DP 13871                                   | Local        | I476    |
| North Curl Curl | Memorial gateway, John Fisher Park  | Abbott Road                                    | Lot 219, DP 752038                                 | Local        | I477    |

| Suburb                      | Item name   | Address   | Property description  | Significance | Item no |
|-----------------------------|---|---|---|--------------|---------|
| North Curl Curl             | Street trees, (Paperbark trees)                         | Burilla Avenue  | Road reserve, as shown on Heritage Map  | Local        | I478    |
| North Curl Curl             | "House, (formally known as "Windy Dropdown")            | 1 Molong Street   | Lot 10, DP 881696   | Local        | I479    |
| North Curl Curl             | North Curl Curl Rock Pool                               | North Curl Curl Beach   | As shown on Heritage Map  | Local        | I480    |
| North Curl Curl             | WWI Obelisk   | Cliff behind North Curl Curl Beach  | As shown on Heritage Map  | Local        | I481    |
| North Manly                 | Quarrie Reserve   | Amourin Street, corner of Quilpie Street  | Lot 7145, DP 102347   | Local        | I482    |
| North Manly                 | Bus shelter   | Pittwater Road (corner with Riverview Parade)                                     | Road reserve, as shown on Heritage Map  | Local        | I483    |
| North Manly                 | Industrial building                                     | 396 Pittwater Road  | Part Lot 16, DP 5342  | Local        | I484    |
| North Manly                 | House   | 401 Pittwater Road  | Lot 16, DP 12578  | Local        | I485    |
| North Manly                 | House   | 403 Pittwater Road  | Lot 17, DP 12578  | Local        | I486    |
| North Manly                 | House   | 405 Pittwater Road  | Lot 18, DP 12578  | Local        | I487    |
| North Manly                 | Street trees  | Riverview Parade  | As shown on Heritage Map  | Local        | I488    |
| North Narrabeen             | Concrete geodesic domes (Narrabeen North Public School) | 6 Namona Street   | Lot 3, DP 1018621   | Local        | I489    |
| North Narrabeen             | Narrabeen rock pool                                     | Narrabeen Beach, northern end   | As shown on Heritage Map  | Local        | I490    |
| North Narrabeen, Warriewood | "Alma's Tree", Moreton Bay Fig Tree (Ficus macrophylla) | 1468 - 1470 Pittwater Road, 48 Collins Street and Part of North Narrabeen Reserve | Part of SP 89121, Part of Lot 1, DP 13959 and Part of North Narrabeen Reserve, as shown on Heritage Map | Local        | I491    |
| Oxford Falls                | Building - Former "Oxford Falls Public School"          | Oxford Falls Peace Park, Dreadnought Road (corner Wakehurst Parkway)              | Lot 2 and Part of Lot 1 DP 853151   | Local        | I492    |
| Oxford Falls                | Middle Creek Bridge No 1                                | Wakehurst Parkway   | As shown on Heritage Map  | Local        | I493    |



| Suburb       | Item name   | Address   | Property description                              | Significance | Item no |
|--------------|---|---|---|--------------|---------|
| Oxford Falls | Middle Creek Bridge No 2  | Wakehurst Parkway   | As shown on Heritage Map                          | Local        | I494    |
| Palm Beach   | Barrenjoey Headland lightstation and 2 cottages   | Barrenjoey Headland   | Lots 1–4, DP 849249                               | State        | I495    |
| Palm Beach   | Memorial cairn  | Barrenjoey Headland   | Part of Lot 2 DP 540435, as shown on Heritage Map | Local        | I496    |
| Palm Beach   | Memorial cairn  | Barrenjoey Headland (near lighthouse)                       | Part of Lot 1 DP 849249, as shown on Heritage Map | Local        | I497    |
| Palm Beach   | Norfolk Island Pines ( <i>Araucaria heterophylla</i> )                                  | Barrenjoey Road, Pittwater Park (opposite Barrenjoey House) | Lots 1-10, Section A, DP 12979                    | Local        | I498    |
| Palm Beach   | House, "Kumale"   | 949 Barrenjoey Road   | Lot 6, DP 541797                                  | Local        | I499    |
| Palm Beach   | Palm Beach Kindergarten   | 1053 Barrenjoey Road  | Lots 83 and 84, DP 14682                          | Local        | I500    |
| Palm Beach   | "Restaurant and accommodation, "Barrenjoey House"                                       | 1108 Barrenjoey Road  | Lot 2, DP 1004105                                 | Local        | I501    |
| Palm Beach   | Palm Beach Wharf  | 1149 and 1149A Barrenjoey Road                              | Lot 1, DP 1114133; Lot 7304, DP 1126564           | Local        | I502    |
| Palm Beach   | House, "Collins House"  | 1170 Barrenjoey Road  | Lot 8, DP 6746                                    | Local        | I503    |
| Palm Beach   | House   | 25 Bynya Road   | Lot 122, DP 14961                                 | Local        | I504    |
| Palm Beach   | House   | 39 Bynya Road   | Lot A, DP 399368; Lot 115, DP 14961               | Local        | I505    |
| Palm Beach   | House, "Cohen House"  | 19–21 Cynthea Road  | Lot 1, DP 831829                                  | Local        | I506    |
| Palm Beach   | House, "Treetops"   | 23 Cynthea Road   | Lot 77, DP 14630                                  | Local        | I507    |
| Palm Beach   | Vegetation—Spotted Gum ( <i>Corymbia maculata</i> ) community—known as the "Kelor Land" | 38 Florida Road   | Lot B, DP 25914                                   | Local        | I508    |
| Palm Beach   | House, "Kookaburra", including garage   | 79 Florida Road   | Lot 2, DP 537231                                  | Local        | I509    |
| Palm Beach   | House, "Florida House"  | 81 Florida Road   | Lot 1, DP 537231                                  | Local        | I510    |
| Palm Beach   | House, "The Moorings"   | 93 Florida Road   | Lot 112, DP 6937                                  | Local        | I511    |
| Palm Beach   | House, "Back O'Moon"  | 97 Florida Road   | Lot 2, DP 521720                                  | Local        | I512    |

| Suburb     | Item name   | Address   | Property description  | Significance | Item no |
|------------|---|---|---|--------------|---------|
| Palm Beach | Picnic shelter sheds  | Governor Phillip Park                                       | Part of Lot 7006, DP 1117454, as shown on Heritage Map                        | Local        | I513    |
| Palm Beach | Bible garden  | 6A Mitchell Road  | Lot 2, DP 1086858 and Part of Lot 2, DP 108658                                | Local        | I514    |
| Palm Beach | Post box  | Road reserve, Nabilla Road (adjoining 1065 Barrenjoey Road) | Road reserve, as shown on Heritage Map  | Local        | I515    |
| Palm Beach | House, "Villa d'Este", including front fence and gates  | 3 Northview Road  | Lots 12 and 13, DP 11552  | Local        | I516    |
| Palm Beach | House, "Skye"   | 9 Northview Road  | Lot 4, DP 27555; Lot 1, DP 336481   | Local        | I517    |
| Palm Beach | Street trees, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )                            | Ocean Road, between Ocean Place and Horden Park             | Road reserve, as shown on Heritage Map  | Local        | I518    |
| Palm Beach | Change room and toilets   | 1 Ocean Road (Ocean Beach Reserve)                          | As shown on Heritage Map  | Local        | I519    |
| Palm Beach | Palm Beach Surf Club  | 27–28 Ocean Road, (corner Ocean Place)                      | Lots 76 and 77, DP 6746   | Local        | I520    |
| Palm Beach | Memorial to Douglas Marks   | 31–32 Ocean Road  | Lot 2, DP 1028649   | Local        | I521    |
| Palm Beach | Spotted Gums and Cabbage Tree Palms ( <i>Corymbia maculata</i> and <i>Livistona australis</i> ) | 33–34 and 38 Ocean Road, Hordern Park and Wiltshire Park    | Lot 2, DP 938890; Lot 84, DP 6746; Lots 92 and 92A, DP 6937; Lot 1 DP 1035396 | Local        | I522    |
| Palm Beach | Palm Beach Rock Pool  | Palm Beach, southern end                                    | As shown on Heritage Map  | Local        | I523    |
| Palm Beach | House and front fence   | 48 Pacific Road   | Lot 1, DP 314233  | Local        | I524    |
| Palm Beach | House, "Burrawong"  | 112 Pacific Road  | Lot 3, DP 614546  | Local        | I525    |
| Palm Beach | House, "Craboon"  | 119 Pacific Road  | Lot X, DP 368966  | Local        | I526    |
| Palm Beach | House, "Summerlands"  | 128 Pacific Road  | Lot 2, DP 708380  | Local        | I527    |
| Palm Beach | House   | 130A Pacific Road   | Lot 13, DP 713523   | Local        | I528    |
| Palm Beach | House   | 2 Palm Beach Road   | Lot 1, DP 172003  | Local        | I529    |
| Palm Beach | House, "Winten"   | 21 Palm Beach Road  | Lot 7B, DP 13374  | Local        | I530    |

| Suburb      | Item name   | Address                                      | Property description  | Significance | Item no |
|-------------|---|--|---|--------------|---------|
| Palm Beach  | House, "Craigie Lee"  | 35–37 Sunrise Road                           | Lot 1, DP 1024404   | Local        | I531    |
| Palm Beach  | House, "Windyridge", including interiors                          | 50 and 50B Sunrise Road                      | Lots 332 and 333, DP 1112894  | Local        | I532    |
| Palm Beach  | House, "Orcades"  | 309–311 Whale Beach Road                     | Lots 234 and 235, DP 16362  | Local        | I533    |
| Palm Beach  | House, "Cox House"  | 356 Whale Beach Road                         | Lot 332, DP 16362   | Local        | I534    |
| Queenscliff | House   | 26 Cavill Street                             | Lot 1, DP 657295  | Local        | I535    |
| Queenscliff | House   | 17A Crown Road                               | Lot 1, DP 577905; Lot 1, DP 966972  | Local        | I536    |
| Queenscliff | Cafe and adjoining dwellings                                      | 29–33 Crown Road                             | Lot 1 DP588297; Lots 5 and 6 DP1194033  | Local        | I537    |
| Queenscliff | House   | 21 Dalley Street                             | Lot B, DP 382365  | Local        | I538    |
| Queenscliff | House, "San Marino"   | 49 Greycliffe Street                         | Lot 20, DP 8373   | Local        | I539    |
| Queenscliff | Freshwater View Reserve   | 21–29 Pavilion Street                        | Lot 1, DP 130487; Lot 1, DP 947277; Lot 1, DP 946788; Lots 21, 23 and 25, DP 262900 | Local        | I540    |
| Queenscliff | Front sandstone boundary wall and rear sandstone retaining wall   | 31 Pavilion Street                           | Lot 24, DP 262900   | Local        | I541    |
| Queenscliff | Rear sandstone retaining wall and sandstone access stairway       | 33 Pavilion Street                           | Lot 22, DP 262900   | Local        | I542    |
| Queenscliff | Queenscliff Rock Pool   | Queenscliff Beach, northern end              | As shown on Heritage Map  | Local        | I543    |
| Queenscliff | Queenscliff Tunnel  | Queenscliff Headland                         | As shown on Heritage Map  | Local        | I544    |
| Queenscliff | House   | 56 Queenscliff Road                          | Lot 2, DP 1099022   | Local        | I545    |
| Seaforth    | Street trees  | Alan Avenue, (centre road planting)          | Road reserve, as shown on Heritage Map  | Local        | I546    |
| Seaforth    | Monument  | Within reserve, off Avona Crescent           | As shown on Heritage Map  | Local        | I547    |
| Seaforth    | Testing shed and former explosives magazine complex area remnants | Bantry Bluff at Bantry Bay, Garigal National | As shown on Heritage Map  | Local        | I548    |

| Suburb   | Item name  | Address   | Property description   | Significance | Item no |
|----------|--|---|--|--------------|---------|
|          |  | Park, Wakehurst Parkway   |  |              |         |
| Seaforth | Bantry Bluff   | Bantry Bay/Seaforth entrance Middle Harbour, Garigal National Park, Wakehurst Parkway | As shown on Heritage Map   | Local        | I549    |
| Seaforth | Retaining wall   | Battle Boulevarde (southern side from 1 - 23 Battle Boulevarde)                       | As shown on Heritage Map   | Local        | I550    |
| Seaforth | 2 Trees ( <i>Ficus rubiginosa</i> and <i>Pinus radiata</i> )                                       | 7B Battle Boulevarde  | Part of Lot 1, DP 1106962, as shown on Heritage Map  | Local        | I551    |
| Seaforth | Dry stone wall   | Clavering Road  | Road reserve, as shown on Heritage Map   | Local        | I552    |
| Seaforth | House, "The Stonehouse"  | 8 Clavering Road  | Lot 2, DP 23224  | Local        | I553    |
| Seaforth | Dalwood Home (principal stone building (former villa), stone outbuilding and stone entrance posts) | 21 Dalwood Avenue   | Lots 1–12, Section 1, DP 620; Lots 4A–7A, DP 17157; Lot 1, DP 325784; Lot 1, DP 325720; Lot 87, DP 666550; Lots 76–77, DP 112214 | Local        | I554    |
| Seaforth | House  | 18 Edgecliffe Esplanade   | Lot 311, DP 4889   | Local        | I555    |
| Seaforth | Stone library (former schoolhouse)   | Frenchs Forest Road (corner Sydney Road and Frenchs Forest Road)                      | Lot 2, DP 1041057  | Local        | I556    |
| Seaforth | Port Jackson Fig tree ( <i>Ficus rubiginosa</i> )  | 3 Laura Street  | Lot 5, DP 249261   | Local        | I557    |
| Seaforth | House, including front fence   | 14 Palmerston Place   | Lot C, DP 342818   | Local        | I558    |
| Seaforth | Street trees, Norfolk Island Pines ( <i>Araucaria heterophylla</i> )                               | Panorama Parade (from Edgecliffe Esplanade to Ponsonby Parade)                        | Road reserve, as shown on Heritage Map   | Local        | I559    |
| Seaforth | Former brick cottage   | 14 Ross Street (corner  | SP 52792   | Local        | I560    |

| Suburb       | Item name  | Address  | Property description                   | Significance | Item no |
|--------------|--|--|--|--------------|---------|
|              |  | Panorama Parade)   |  |              |         |
| Seaforth     | Remnant bushland reserve and baths                     | Sangrado Park, 181 Seaforth Crescent (also off Lancaster Lane) | As shown on Heritage Map               | Local        | I561    |
| Terrey Hills | House, "Laurie Short House"                            | 307 McCarrs Creek Road   | Lot 142, DP 752017                     | Local        | I562    |
| Warriewood   | Warriewood Wetlands                                    | 14 Jacksons Road   | Lot 100, DP 1127710                    | Local        | I563    |
| Warriewood   | House  | 163 Macpherson Street  | Lot 2, DP 16387                        | Local        | I564    |
| Warriewood   | Memorial in bus shelter                                | Adjacent to 163 Macpherson Street                              | Road reserve, as shown on Heritage Map | Local        | I565    |
| Whale Beach  | Norfolk Island Pines ( <i>Araucaria heterophylla</i> ) | Whale Beach Ocean Reserve (adjacent to The Strand)             | As shown on Heritage Map               | Local        | I566    |
| Whale Beach  | Whale Beach Rock Pool                                  | Whale Beach, southern end                                      | As shown on Heritage Map               | Local        | I567    |

## Part 2 Heritage conservation areas

| Suburb            | Name of heritage conservation area                          | Identification on Heritage Map            | Significance |
|-------------------|---|---|--------------|
| Avalon Beach      | Ruskin Rowe Heritage Conservation Area                      | Shown by red hatching and labelled "C1"   | Local        |
| Collaroy          | Long Reef Coastal Heritage Conservation Area                | Shown by green hatching and labelled "C2" | Local        |
| Cottage Point     | Cottage Point Heritage Conservation Area                    | Shown by red hatching and labelled "C3"   | Local        |
| Curl Curl         | South Curl Curl Coastal Cliffs Heritage Conservation Area   | Shown by green hatching and labelled "C4" | Local        |
| Currawong         | Currawong Heritage Conservation Area                        | Shown by red hatching and labelled "C5"   | State        |
| Dee Why           | Dee Why Lagoon and Reserve Heritage Conservation Area       | Shown by green hatching and labelled "C6" | Local        |
| Dee Why           | Stony Range Flora Reserve Heritage Conservation Area        | Shown by green hatching and labelled "C7" | Local        |
| Killarney Heights | Killarney Heights Village Centre Heritage Conservation Area | Shown by red hatching and labelled "C8"   | Local        |

| Suburb          | Name of heritage conservation area                                   | Identification on Heritage Map             | Significance |
|-----------------|--|--|--------------|
| Manly           | Pittwater Road Heritage Conservation Area                            | Shown by red hatching and labelled "C9"    | Local        |
| Manly           | Town Centre Heritage Conservation Area                               | Shown by red hatching and labelled "C10"   | Local        |
| Manly Vale      | Manly Warringah War Memorial Park Heritage Conservation Area         | Shown by green hatching and labelled "C11" | State        |
| North Curl Curl | North Curl Curl to Dee Why Coastal Cliffs Heritage Conservation Area | Shown by green hatching and labelled "C12" | Local        |
| Oxford Falls    | Oxford Falls Heritage Conservation Area                              | Shown by green hatching and labelled "C13" | Local        |
| Palm Beach      | Barrenjoey Heritage Conservation Area                                | Shown by red hatching and labelled "C14"   | Local        |
| Palm Beach      | Florida Road Heritage Conservation Area                              | Shown by red hatching and labelled "C15"   | Local        |
| Palm Beach      | Ocean Road Heritage Conservation Area                                | Shown by red hatching and labelled "C16"   | Local        |
| Palm Beach      | Sunrise Hill Heritage Conservation Area                              | Shown by red hatching and labelled "C17"   | Local        |
| Queenscliff     | Queenscliff to Freshwater Coastal Cliffs Heritage Conservation Area  | Shown by green hatching and labelled "C18" | Local        |

## Part 3 Archaeological sites

| Suburb       | Item name  | Address  | Property Description   | Significance | Item no |
|--------------|--|--|--|--------------|---------|
| Avalon Beach | Sandstone road remnants and associated landscape | Adjacent to 640, 642 and 644 Barrenjoey Road   | Road surface of unmarked section of North Avalon Road, immediately adjacent to 640, 642 and 644 Barrenjoey Road, extending approximately 10m to culvert and its retaining wall | Local        | A1      |
| Avalon Beach | Rock faults                                      | Wanawong Road, at junction of Cabarita Road, within unmade section of Elizabeth Street | As shown on Heritage Map   | Local        | A2      |
| Bayview      | World War II Tank Traps                          | Adjacent to 1734 Pittwater Road (below mean high water mark)                           | As shown on Heritage Map   | Local        | A3      |

| Suburb        | Item name  | Address   | Property Description  | Significance | Item no |
|---------------|--|---|---|--------------|---------|
| Church Point  | Graveyard and site of former Methodist Church  | 1 McCarrs Creek Road  | Lot C, DP 349212  | Local        | A4      |
| Collaroy      | Former Collaroy Hospital site—Development Disability Services Building and the Beach House | 1 Brissenden Avenue (corner of Beach Road)                        | Part of Lot 201, DP 1100018 and 202, DP 1100018   | Local        | A5      |
| Collaroy      | Jenkins family grave   | 22 Homestead Avenue (Salvation Army land)                         | Part of Lot 2, DP 604580, as shown on Heritage Map  | Local        | A6      |
| Elvina Bay    | Frederick Oliver's Grave   | 47 Sturdee Lane (south side of track to Linda Falls)              | Lot 26, DP 13449  | Local        | A7      |
| Ingleside     | Ruins of Powder Works  | 2 and 10 Manor Road   | Lots 81 and 82, DP 866452   | Local        | A8      |
| Ingleside     | Laterite site  | Mona Vale Road  | Next to public cycleway, south from Baha'i House of Worship grounds, parallel to 173 Mona Vale Road               | Local        | A9      |
| Ingleside     | Carving—survey mark  | Adjacent to 158 Mona Vale Road (southern side)                    | Road reserve, as shown on Heritage Map  | Local        | A10     |
| Lovett Bay    | Road remnants  | Portions 4 and 5 and part of Ku-ring-gai National Park            | Part of Lots 4 and 5, DP 590990 and adjoining Ku-ring-gai National Park, as shown on Heritage Map                 | Local        | A11     |
| Manly         | Site of former gasworks  | Little Manly Point (part of Little Manly Reserve), Stuart Street  | Lot 1 DP528565; Lot 934, DP 1218697 and Lot 2851, DP 823994   | Local        | A12     |
| Manly         | Third Quarantine Station Cemetery  | North Head, Sydney Harbour National Park                          | As shown on Heritage Map  | Local        | A13     |
| McCarrs Creek | Stone bath remnants  | Below mean high water mark, adjoining 59 Douglass Estate          | Below mean high water mark, adjoining Lot 17, DP 10002  | Local        | A14     |
| Morning Bay   | Morning Bay wharf remnant  | Northern side of Towlers Bay, adjoining Ku-ring-gai National Park | Former youth hostel site below mean high water mark, north side, Towlers Bay, adjoining Ku-ring-gai National Park | Local        | A15     |

| Suburb          | Item name  | Address  | Property Description  | Significance | Item no |
|-----------------|--|--|---|--------------|---------|
| Narrabeen       | Ruins of Never Been Beaten Lime and Cement Works   | West bank, Deep Creek, Wakehurst Parkway   | Lots 1 and 2, DP 1031932; Lot 5, DP 749899, including part of Wakehurst Parkway     | Local        | A16     |
| Narrabeen       | Ruins of Wheeler Homestead (within RSL ANZAC Village), remnant fruit orchard and remnant stone jetty | Veterans Parade, in the vicinity of James Wheeler Place (within RSL ANZAC Village) | Part of Lot 2611, DP 752038 and area on edge of Narrabeen Lagoon                    | Local        | A17     |
| Newport         | Newport Wharf  | 1A Queens Parade   | Lot 7303, DP 1126560  | Local        | A18     |
| North Narrabeen | German rock carvings and associated landscape  | Deep Creek Reserve (opposite footbridge)   | Lot 1, DP 188050  | Local        | A19     |
| Palm Beach      | Grave  | Barrenjoey Headland  | Lot 5, DP 849249  | Local        | A20     |
| Palm Beach      | Stone Path (former access road)  | Barrenjoey Headland (leading to Barrenjoey Lighthouse)                             | Lot 5, DP 849249  | Local        | A21     |
| Palm Beach      | "Sandy Beach Jetty" (timber jetty)   | 2A Iluka Road  | Part of Lot 7010, DP 93683 (adjacent to Lot 42, DP 14682), as shown on Heritage Map | Local        | A22     |
| Palm Beach      | Site of former customs house   | Station Beach  | Lot 5, DP 849249  | Local        | A23     |
| Seaforth        | Remains of tram terminus and wharf for tram punt   | Foreshore, eastern side of Spit Bridge   | As shown on Heritage Map  | Local        | A24     |
| Seaforth        | Remains of vehicular ferry ramp  | Foreshore, eastern side of Spit Bridge   | As shown on Heritage Map  | Local        | A25     |
| Seaforth        | Remains of former bridge   | Foreshore, western side of Spit Bridge   | As shown on Heritage Map  | Local        | A26     |
| Seaforth        | Reserved track for trams   | The Spit (from Whittle Avenue to The Spit Bridge)                                  | As shown on Heritage Map  | Local        | A27     |
| Wheeler Heights | James Wheeler grave  | 1 James Wheeler Place  | Part Lot 28, DP 262862  | Local        | A28     |



# Schedule 6 Pond-based and tank-based aquaculture

## Part 1 Pond-based and tank-based aquaculture

### Division 1 Site location requirements

#### 1 Conservation exclusion zones

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

#### **Note—**

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

### Division 2 Operational requirements

#### 2 Species selection

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

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

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

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

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

#### 5 Outlets from culture ponds etc

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

#### 6 Definition

In this Division—

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

## **Part 2 Extensive pond-based aquaculture**

### **Division 1 Site location requirements**

#### **7 Conservation exclusion zones**

- (1) Must not be carried out on the following land, except to the extent necessary to gain access to water—
  - (a) land declared an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,
  - (b) vacant Crown land,
  - (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

#### **Note—**

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

#### **8 Flood liability**

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

### **Division 2 Operational requirements**

#### **9 Species selection**

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

#### **10 Pond design**

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

#### **11 Culture water**

Must use freshwater.

# Dictionary

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

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

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

## Note—

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

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

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

**Acid Sulfate Soils Map** means the *Northern Beaches Local Environmental Plan 202x Acid Sulfate Soils Map*.

**Active Street Frontages Map** means the *Northern Beaches Local Environmental Plan 202x Active Street Frontages Map*.

**Additional Permitted Uses Map** means the *Northern Beaches Local Environmental Plan 202x Additional Permitted Uses Map*.

**advertisement** has the same meaning as in the Act.

## Note—

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

**advertising structure** has the same meaning as in the Act.

## Note—

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

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

**affordable housing** has the same meaning as in the Act.

**Note—**

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

**Affordable Housing Contributions Scheme Map** means the *Northern Beaches Local Environmental Plan 202x Affordable Housing Contributions Scheme Map*.

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

**Note—**

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

**agriculture** means any of the following—

(aaa) agritourism,

(a) aquaculture,

(b) extensive agriculture,

(c) intensive livestock agriculture,

(d) intensive plant agriculture.

**Note—**

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

**agritourism** means the following—

(a) farm gate premises,

(b) farm experience premises.

**Note—**

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

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

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

**Note—**

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

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

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

(a) billiards, pool or other like games, or

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

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

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

**Note—**

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

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

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

- (a) a retail area for the sale of the products,
- (b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,
- (c) facilities for holding tastings, tours or workshops.

**Note—**

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

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

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

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

**Note—**

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

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

**backpackers' accommodation** means a building or place that—

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

**Note—**

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

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

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

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

**Note—**

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

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

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

**Note—**

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

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

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

**Note—**

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

**boarding house** means a building or place—

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

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

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

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

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

**brothel** has the same meaning as in the Act.

**Note—**

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

**building** has the same meaning as in the Act.

**Note—**

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

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

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

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

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

**Note—**

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

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

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

whichever distance is the shortest.

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

**Note—**

The term is defined as follows—

**bush fire hazard reduction work** means—

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

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

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

**Note—**

The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 10.3(2) of the Act.

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

**business identification sign** means a sign—

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

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

**Note—**

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

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

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

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

**Note—**

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

**camping ground** means an area of land, with access to communal amenities, used for the short term placement of campervans, tents, annexes or other similar portable and lightweight temporary shelters for accommodation and includes a primitive camping ground but does not include—

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

**canal estate development**—see clause 2.9.

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

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

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

**Note—**



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

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

**Note—**

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

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

**centre-based child care facility** means—

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

**Note—**

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

but does not include—

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

**Note—**

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

**Centres Map** means the *Northern Beaches Local Environmental Plan 202x Centres Map*.

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

**classified road** has the same meaning as in the *Roads Act 1993*.

**Note—**

The term is defined as follows—

**classified road** means any of the following—

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

(See *Roads Act 1993* for meanings of these terms.)

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

**clearing vegetation** has the same meaning as in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2.

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

**Coastal Hazards Map** means the *Northern Beaches Local Environmental Plan 202x Coastal Hazards Map*.

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

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

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

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

**co-living housing** means a building or place that—

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

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

**Note—**

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

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

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

**commercial premises** means any of the following—

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

**community facility** means a building or place—

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

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

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

**correctional centre** means—

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

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

**Council** means the [*name of the Council for the relevant local government area*].

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

**Note—**

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

**crematorium** means a building or place in which deceased persons or pets are cremated or processed by alkaline hydrolysis, whether or not the building or place contains an associated building for conducting memorial services.

**curtilage**, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area,

or building, work or place within a heritage conservation area, that contributes to its heritage significance.

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

**Note—**

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

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

**Note—**

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

**data centre** means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.

**Note—**

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

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

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

**Design Excellence Map** means the *Northern Beaches Local Environmental Plan 202x Design Excellence Map*.

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**dwelling house** means a building containing only one dwelling.

**Note—**

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

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

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

**earthworks** means excavation or filling.

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

**eco-tourist facility** means a building or place that—

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

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

**Note—**

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

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

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

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

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

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

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

**emergency services organisation** means any of the following—

- (a) Ambulance Service of New South Wales,

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

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

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

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

**Erection of Dwelling Houses Map** means the *Northern Beaches Local Environmental Plan 202x Erection of Dwelling Houses Map*.

**estuary** has the same meaning as in the *Water Management Act 2000*.

**Note—**

The term is defined as follows—

**estuary** means—

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

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

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

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

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

**extensive agriculture** means any of the following—

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

**Note—**

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

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

**Note—**

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

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

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

**farm experience premises** means a building or place—

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

**Note—**

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

**farm gate premises—**

- (a) means a building or place—
  - (i) on a commercial farm, and

- (ii) ancillary to the farm, and
- (iii) used to provide visitors to the farm, on a commercial basis, with agricultural products predominantly from the farm, supplemented by products from other farms in the region, or with services or activities related to the products, including the following—
  - (A) processing, packaging and sale of the products, but not the processing of animals,
  - (B) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,
  - (C) tastings or workshops,
  - (D) the provision of information or education related to the products, and
- (b) includes cellar door premises.

**Note—**

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

**farm stay accommodation** means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

**Note—**

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

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

**Note—**

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

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

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

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

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or



- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

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

**Note—**

The term is defined as follows—

**Definition of “fish”**

- (1) **Fish** means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).
- (2) **Fish** includes—
  - (a) oysters and other aquatic molluscs, and
  - (b) crustaceans, and
  - (c) echinoderms, and
  - (d) beachworms and other aquatic polychaetes.
- (3) **Fish** also includes any part of a fish.
- (4) However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act 1994*.

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

**floor space ratio**—see clause 4.5.

**Floor Space Ratio Map** means the *Northern Beaches Local Environmental Plan 202x 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 *Northern Beaches Local Environmental Plan 202x Foreshore Building Line Map*.

**Foreshore Scenic Protection Area Map** means the *Northern Beaches Local Environmental Plan 202x Foreshore Scenic Protection Area Map*.

**forestry** means forestry operations within the meaning of the *Forestry Act 2012* or Part 5B of the *Local Land Services Act 2013*.

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

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

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

**Note—**

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

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

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

**Note—**

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

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

**Note—**

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

**Geotechnical Map** means the *Northern Beaches Local Environmental Plan 202x Geotechnical Map*.

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

**Note—**

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

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

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

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

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

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

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

**Note—**

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

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

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

but does not include development to which [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 5 applies.

**Note—**

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

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

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

but does not include development to which [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 5 applies.

**Note—**

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

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

**Note—**

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

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

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

**Note—**

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

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

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

**Note—**

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

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

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

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

**Note—**

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

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

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

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

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

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

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

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

**Note—**

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

**Height of Buildings Map** means the *Northern Beaches Local Environmental Plan 202x Height of Buildings Map*.

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

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

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

**Note—**

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

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

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

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

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

**heritage impact statement** means a document consisting of—

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

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

**Note—**

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

**Direction—**

Heritage items must be shown on the *Heritage Map*.

**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 *Northern Beaches Local Environmental Plan 202x Heritage Map*.

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

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

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

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

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

**Note—**

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

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

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

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

**Note 1—**

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

**Note 2—**

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

**home business** means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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

**Note—**

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



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

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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

**Note—**

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

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

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

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

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

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

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

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

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

**Note—**



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

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

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

**Note—**

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

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

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

**Note—**

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

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

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

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

**Note—**

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

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

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

but does not include a hostel.

**Note—**

Independent living units are a type of **seniors housing**—see the definition of that term in this Dictionary.

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

**industrial retail outlet** means a building or place that—

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

but does not include a warehouse or distribution centre.

**Note—**

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

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

**industry** means any of the following—

- (a) general industry,
  - (b) heavy industry,
  - (c) light industry,
- but does not include—
- (d) rural industry, or
  - (e) extractive industry, or
  - (f) mining.

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

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

- (a) dairies (restricted),

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

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

**Note—**

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

**intensive plant agriculture** means any of the following—

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

**Note—**

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

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

**Key Sites Map** means the *Northern Beaches Local Environmental Plan 202x Key Sites Map*.

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

**Note—**

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

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

**Land Application Map** means the *Northern Beaches Local Environmental Plan 20xx Land Application Map*.

**Land Reservation Acquisition Map** means the *Northern Beaches Local Environmental Plan 202x Land Reservation Acquisition Map*.

**Land Zoning Map** means the *Northern Beaches Local Environmental Plan 202x Land Zoning Map*.

**Landholding** means an area of land—

- (a) constituted or worked as a single property, and
- (b) if comprising more than 1 lot—the lots are—
  - (i) contiguous, or
  - (ii) separated only by a road or watercourse.

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

**Landscaped Area Map** means the *Northern Beaches Local Environmental Plan 202x Landscaped Area Map*.

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

**Note—**

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

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

**local distribution premises** means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

**Lot Size Map** means the *Northern Beaches Local Environmental Plan 202x Lot Size Map*.

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

**manufactured home** has the same meaning as in the *Local Government Act 1993*.

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

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

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

**Note—**

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

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

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

**Note—**

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

**mezzanine** means an intermediate floor within a room.

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

**mine subsidence district** means a mine subsidence district proclaimed under section 15 of the [Mine Subsidence Compensation Act 1961](#).

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

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

**Note—**

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

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

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

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

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

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

**Note—**

The term is defined as follows—

**moveable dwelling** means—

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

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

**Note—**

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

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

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

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

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

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

**Note—**

See clause 5.4 for controls relating to the retail floor area of neighbourhood shops. Neighbourhood shops are a type of **shop**—see the definition of that term in this Dictionary.

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

**Note—**

See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets. Neighbourhood supermarkets are a type of **shop**—see the definition of that term in this Dictionary.

**nominated State heritage item** means a heritage item that—

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and

- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

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

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

**Note—**

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

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

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

**people who are socially disadvantaged** means—



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

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

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

**Note—**

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

**place of public worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

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

**Note—**

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

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

**Note—**

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

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

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

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



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

**Note—**

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

**Precincts Boundary Map** means the *Northern Beaches Local Environmental Plan 202x Precincts Boundary Map*.

**primitive camping ground** means a camping ground approved under the *Local Government Act 1993*, Chapter 7, Part 1 as a primitive camping ground.

**Note—**

Primitive camping ground is a type of **camping ground**—see the definition of that term in this Dictionary.

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

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

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

**Note—**

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

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

**public authority** has the same meaning as in the Act.

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

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

**public utility undertaking** means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act—

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

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

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

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

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

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

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

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

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

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

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

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

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

**Note—**

The term is defined as follows—

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

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

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

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

- (a) attached dwellings,
- (b) boarding houses,
- (baa) co-living housing,
- (c) dual occupancies,

- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (faa) (Repealed)
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

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

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

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

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

provided, but does not include the preparation and serving of food and drink to people that occurs as part of—

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

**Note—**

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

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

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

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

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

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

**Note—**

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

**Riparian Lands, Watercourses and Wetlands Map** means the *Northern Beaches Local Environmental Plan 202x* Riparian Lands, Watercourses and Wetlands Map.

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

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

**Note—**

See clause 5.4 for controls relating to the gross floor area of roadside stalls.  
Roadside stalls are a type of **retail premises**—see the definition of that term in this Dictionary.

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**Note 1—**

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

**Note 2—**

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

**secondary dwelling** means a self-contained dwelling that—

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

**Note—**

See clauses 5.4 and 5.5 for controls relating to the total floor area of secondary dwellings. Secondary dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

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

**Note—**

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

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

**Note—**

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

**seniors housing** means a building or place that is—

- (a) a residential care facility, or
- (b) a hostel within the meaning of [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 5, or
- (c) a group of independent living units, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),  
and that is, or is intended to be, used permanently for—
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

**Note—**

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

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

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

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

**Note—**

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

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

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

**Note—**

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

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

**Note—**

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

**sewerage system** means any of the following—

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,

- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

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

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

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

**Note—**

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

**shop top housing** means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

**Note—**

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

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

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

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

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

**Note—**

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

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

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

**small bar** means a small bar within the meaning of the [Liquor Act 2007](#).

**Note—**

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

**spa pool** has the same meaning as in the [Swimming Pools Act 1992](#).



**Note—**

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

**specialised retail premises** means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

**Note—**

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

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

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

**Note—**

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

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

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

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

**swimming pool** has the same meaning as in the [Swimming Pools Act 1992](#).

**Note—**

The term is defined as follows—

**swimming pool** means an excavation, structure or vessel—

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

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

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

**Note—**

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

**tank-based aquaculture** means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

**Note—**

Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

**telecommunications facility** means—

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.

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

**temporary structure** has the same meaning as in the Act.

**Note—**

The term is defined as follows—

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

**Terrestrial Biodiversity Map** means the *Northern Beaches Local Environmental Plan 202x Bushland and Biodiversity Map*.

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

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

**Note—**

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

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

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,
- but does not include—
- (f) camping grounds, or

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

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

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

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

**Note—**

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

**underground mining** means—

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

but does not include open cut mining.

**Urban Release Area Map** means the *Northern Beaches Local Environmental Plan 202x Urban Release Area Map*.

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

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

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

**Note—**

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

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

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

**Note—**

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

**warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

**waste disposal facility** means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

**Note—**

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

**waste or resource management facility** means any of the following—

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

**waste or resource transfer station** means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

**Note—**

Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

**water recreation structure** means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

**water recycling facility** means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

**Note—**

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

**water reticulation system** means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

**Note—**

Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

**water storage facility** means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

**Note—**

Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

**water supply system** means any of the following—

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

**water treatment facility** means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

**Note—**

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

**waterbody** means a waterbody (artificial) or waterbody (natural).

**waterbody (artificial)** or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

**waterbody (natural)** or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

**watercourse** means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

**waterway** means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

**wetland** means—

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, 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.

**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.