

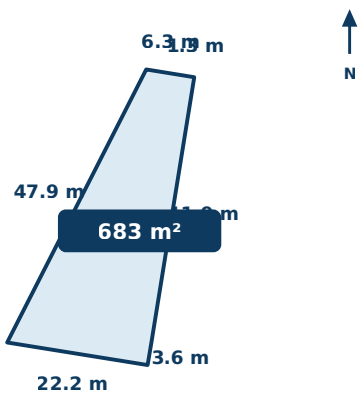
Property planning report

24 CRANBROOK Avenue, Cremorne, NSW, 2090

17 / DP8862 • 683 m² • North Sydney Council

LEGAL REPORT

Site plan & dimensions



Boundary & dimensions from the NSW Digital Cadastral Database. Indicative only — not a registered survey; not for legal boundary purposes.

At a glance

Land area	683 m ² (cadastre)
Approx. dimensions	47.9 × 1.3 m
Lot / Plan	17 / DP8862
Zone	R4 — High Density Residential
Council	North Sydney Council
Postcode	2090

Contents

- 1. Site Summary 3
- 2. Zoning & Permissibility 4
- 3. Development Standards..... 4
- 4. Regulatory Risk Assessment 5
- 5. Obligation Register 6
- 6. Heritage & Environmental Constraints 7
- 7. Clause 4.6 Variation Pathways 8
- 8. L&E Court Precedent 8
- 9. State Policy Override Analysis 8
- 10. DCP Guidelines 9
- 11. State Significant Projects 10

APPENDICES

- Appendix A — Planning Scheme Defined Terms 11
- Appendix B — Applicable Instruments 11

24 CRANBROOK Avenue, Cremorne, NSW, 2090 · Legal Report · Generated 7 June 2026

1 Site Summary

Address	24 CRANBROOK Avenue, Cremorne, NSW, 2090												
Lot Reference	17/DP8862												
Site Area	683 m ² Source: NSW Valuer General · cadastre measured 683 m ² · guide only — verify with a surveyor before reliance												
LGA	North Sydney Council												
Tenure	Freehold Title												
Land Value	\$3,410,000 1 July 2025 Valuer General (+44% since 1 July 2021)												
Value History	<table border="1"> <caption>Value History Data</caption> <thead> <tr> <th>Year</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>2021</td> <td>~\$2,400,000</td> </tr> <tr> <td>2022</td> <td>~\$2,500,000</td> </tr> <tr> <td>2023</td> <td>~\$2,600,000</td> </tr> <tr> <td>2024</td> <td>~\$2,800,000</td> </tr> <tr> <td>2025</td> <td>\$3,410,000</td> </tr> </tbody> </table>	Year	Value	2021	~\$2,400,000	2022	~\$2,500,000	2023	~\$2,600,000	2024	~\$2,800,000	2025	\$3,410,000
Year	Value												
2021	~\$2,400,000												
2022	~\$2,500,000												
2023	~\$2,600,000												
2024	~\$2,800,000												
2025	\$3,410,000												
Zone	R4 — High Density Residential (residential)												
LEP	North Sydney Local Environmental Plan 2013												
DCP	North Sydney Development Control Plan 2013												
Heritage	Yes — 1 item												
Environmental Overlays	None												
Contamination Status	1 contaminated site(s) within 500m												
Nearest Station	Cremorne Point Ferry Wharf (ferry) — 709m TOD 800m												
SEPP Count	10												
Total Obligations	92 (structural: 10, exemption: 2, obligation: 7, requirement: 20, threshold: 6, permission: 18, condition: 29)												
Population Context	18,905 persons, density 5838/km ² , 2.3 persons/dwelling (s7.11 contribution basis)												
Existing Built Form	1 structure — 231.5 m ² total floor area — 23.3% site coverage												
Construction Economics	est. \$4,756.579/m ² construction — BASIX avg 1163 m ² floor area — 2.7 avg bedrooms												
DA Pipeline	avg 65 days DA determination — pipeline pressure 49.0 — 1 building approvals (12m)												
Soil / Geology	1km S OF WOY WOY STATION. — 79% clay — pH 7.7 — Hawkesbury Sandstone												
Composite Scores	Regulatory complexity: 605.2/100 — Amenity: 92.4/100 — Industrial exposure: 100/100												

2 Zoning & Permissibility

R4 — High Density Residential

Category: residential | Instrument: North Sydney Local Environmental Plan 2013

Zone Objectives (cl. 2.3)

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

Key Use Permissibility

Land Use	Status	Derivation
Dwelling houses	With Consent	explicit
Residential flat buildings	With Consent	explicit
Boarding houses	With Consent	explicit
Shop top housing	With Consent	explicit
Multi dwelling housing	With Consent	explicit
Attached dwellings	With Consent	explicit
Semi-detached dwellings	With Consent	explicit
Neighbourhood shops	With Consent	explicit
Places of public worship	With Consent	explicit

3 Development Standards

Control	Value	Source	Notes
Maximum Building Height	12 m	Clause 4.3	Clause 4.6 variation available subject to written request demonstrating compliance with zone objectives and unreasonable/unnecessary application of the standard.
Classified Road	SPOFFORTH (Regional Road)	~136m	Nearby classified road — check access provisions if development involves new vehicle entry.
Classified Road	MILITARY (State Road)	~169m	Nearby classified road — check access provisions if development involves new vehicle entry.
Classified Road	RANGERS (Regional Road)	~225m	Nearby classified road — check access provisions if development involves new vehicle entry.

Control	Value	Source	Notes
Traffic Volume	51,312 vehicles/day	Military Road (2025)	AADT from nearest TfNSW count station: Military Road. Perpendicular distance to road centreline.

4 Regulatory Risk Assessment

Regulatory Risk Summary

Heritage Item (Elevated Regulatory Complexity)

The property contains Heritage item (listed in North Sydney Local Environmental Plan 2013) (cl. 5.10, North Sydney Local Environmental Plan 2013). Any development requires assessment of heritage impact. The consent authority must be satisfied that the proposal will not adversely affect the heritage significance of the item or conservation area.

Legal implication: Failure to adequately address heritage impact is a common ground for refusal and L&E Court appeal. Heritage Impact Statements must be prepared by a qualified heritage consultant.

Nearby Contaminated Sites (1 within 500m) — Standard Due Diligence

1 EPA-notified contaminated site(s) within 500m. While the property itself is not on the register, contamination can migrate through groundwater and soil. Consider whether a Preliminary Site Investigation is warranted.

Legal implication: Proximity to contaminated sites is a material fact under the Property and Stock Agents Act 2002. Disclosure obligations may apply.

Disclosure Obligations

Under the Property and Stock Agents Act 2002 (NSW), material facts that could affect a purchaser's decision should be disclosed. The following constitute material planning facts for this property:

- Heritage item — cl. 5.10
- 10 State Environmental Planning Policies override local controls
- 1 EPA contaminated site(s) within 500m — potential material fact for buyer due diligence

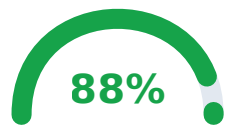
Total Regulatory Burden

92 regulatory obligations identified across 2 planning instrument types. 2 of these are qualitative controls requiring professional planning assessment.

Obligation Breakdown



- structural (11%)
- exemption (2%)
- obligation (8%)
- requirement (22%)
- threshold (7%)
- permission (20%)
- condition (32%)



Based on 92 obligations across all applicable instruments.
Score reflects Bayesian prior probability of compliance.

Avg Compliance Score

Risk Factors from Site Intelligence

Contaminated Site Proximity (193 m)

Nearest EPA-notified contaminated site is approximately 193 m from the property. Contaminant migration through groundwater or soil is possible at this distance.

Legal implication: Proximity to contaminated land is a potential material fact. A Preliminary Site Investigation may be warranted under SEPP (Resilience and Hazards) 2021 Ch 4 depending on development type and land use history. Environmental liability under CLM Act 1997 should be considered.

Council Infrastructure Delivery Risk (Backlog 1328.0%)

Council infrastructure backlog ratio is 1328.0%, operating performance -0.0%. Elevated backlog may indicate delayed infrastructure delivery.

Legal implication: High council infrastructure backlog may affect the timing and delivery of s7.11 contribution-funded infrastructure. Consider whether proposed development relies on infrastructure upgrades that may be delayed. Relevant to VPA negotiations.

5 Obligation Register

Housing Diversity (63 obligations)

SEPP au-nsw-sepp-housing-2021 · Chapter 2 · The objective of Chapter 2 is to facilitate the delivery of in-fill affordable housing for very low,

The objective of Chapter 2 is to facilitate the delivery of in-fill affordable housing for very low, low and moderate income households.

SEPP **au-nsw-sepp-housing-2021** · Chapter 5 · Exception: Min lot size waived for shop top in TOD

The minimum lot size requirement that would otherwise apply under another environmental planning instrument does not apply to shop top housing in a TO...

SEPP **au-nsw-sepp-housing-2021** · Chapter 5 · The aim of Chapter 5 is to increase housing density within 400 metres of public transport stations.

The aim of Chapter 5 is to increase housing density within 400 metres of public transport stations.

SEPP **au-nsw-sepp-housing-2021** · Chapter 5 · Obligation: Min 2% GFA for affordable housing if GFA >= 2000m²

A minimum of 2% of the gross floor area must be provided as affordable housing if the building has a gross floor area of 2000 square metres or more un...

SEPP **au-nsw-sepp-housing-2021** · Chapter 5 · Exception: Min lot size waived for res flat in TOD

The minimum lot size requirement that would otherwise apply under another environmental planning instrument does not apply to residential flat buildin...

+ 58 more obligations in this category

Land Use & Permissibility (29 obligations)

LEP **au-nsw-north-sydney-lep-2013** · Zone R4 ·

Zone R4 — High Density Residential: Land use provisions for the R4 High Density Residential zone under North Sydney Local Environmental Plan 2013.

LEP **au-nsw-north-sydney-lep-2013** · Zone R4 ·

To provide for the housing needs of the community within a high density residential environment.

LEP **au-nsw-north-sydney-lep-2013** · Zone R4 ·

To provide a variety of housing types within a high density residential environment.

LEP **au-nsw-north-sydney-lep-2013** · Zone R4 ·

To enable other land uses that provide facilities or services to meet the day to day needs of residents.

LEP **au-nsw-north-sydney-lep-2013** · Zone R4 · **Qualitative**

To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natu...

+ 24 more obligations in this category

2 of 92 obligations are qualitative (require professional judgment rather than numerical compliance).

6 Heritage & Environmental Constraints

Heritage Items (cl. 5.10)

Item ID	Name	Significance	Type	Clause
	Heritage item (listed in North Sydney Local Environmental Plan 2013)	Local	Heritage Item	Clause 5.10

Nearby EPA Contaminated Sites (1 within 500m)

- Shell Coles Express Service Station — Service Station (193m)

Consider contamination migration risk in site investigation scope.

Vegetation Context

Green cover: 37.8% — Forest cover: 0.0%

7 Clause 4.6 Variation Pathways

Clause 4.6 — Variation Pathways

Under cl. 4.6 of the Standard Instrument, a consent authority may grant consent despite non-compliance with a development standard if a written request demonstrates that:

1. Compliance is unreasonable or unnecessary in the circumstances (cl. 4.6(3)(a))
2. There are sufficient environmental planning grounds to justify the variation (cl. 4.6(3)(b))

The consent authority must also be satisfied that the proposal is in the public interest and is consistent with the objectives of the standard and the zone (cl. 4.6(4)).

Note: Following *Wehbe v Pittwater Council* [2007] NSWLEC 827 and *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90, the established test focuses on whether the standard is unreasonable or unnecessary as applied to the particular site, not merely that the development would be acceptable despite non-compliance.

Standards Applicable to This Site

Standard	Value	Clause	Assessment Considerations
Maximum Height	12m	Clause 4.3	Numeric standard — amenable to cl. 4.6 variation. Consider site topography, streetscape context, and zone objectives.

8 L&E Court Precedent

1 court proceeding(s) involving this property

Case	Address	Date	Out-come	Distance
<i>Alexandra Kelly v North Sydney Council</i> [2017] NSWLEC 1546	24 Cranbrook Avenue, Cremorne	3 Oct 2017	up-held	This property

SITE REGULATORY CONTEXT

- Regulatory complexity: **High** (605/100) — elevated likelihood of contested assessment matters
- DA pipeline pressure: 49.0 (avg 65 days determination) — high assessment workload may contribute to extended timeframes and increased refusal rates

Source: NSW CaseLaw (caselaw.nsw.gov.au). Court decisions are matters of public record.

9 State Policy Override Analysis

SEPP Overrides (1)

SEPP	Clause	Scope	Effect	Conditions
State Environmental Planning Policy (Housing) 2021	Chapter 3, Part 4	Build-to-rent housing in R3, R4, B3, B4, MU1 zones	Permits build-to-rent housing in specified zones with minimum 50 dwellings	Minimum 50 dwellings, 15-year retention period

Applicable SEPP Instruments (10)

Instrument	Applicable Maps
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Land Application Map, SEPP (Biodiversity and Conservation) 2021 Sydney Harbour Catchment Map, SEPP (Vegetation in Non-Rural Areas) 2017 Allowable Clearing Map
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Land Application Map
State Environmental Planning Policy (Housing) 2021	Land Application Map
State Environmental Planning Policy (Industry and Employment) 2021	SEPP No 64—Advertising and Signage Land Application Map
State Environmental Planning Policy (Planning Systems) 2021	SEPP (Concurrences and Consents) 2018 Land Application Map
State Environmental Planning Policy (Primary Production) 2021	SEPP (Primary Production and Rural Development) 2019 Land Application Map
State Environmental Planning Policy (Resilience and Hazards) 2021	SEPP No 33 - Hazardous and Offensive Development Land Application Map, SEPP No 55—Remediation of Land Cockle Creek Smelter Map
State Environmental Planning Policy (Resources and Energy) 2021	SEPP (Mining, Petroleum Production and Extractive Industries) 2007 Land Application Map
State Environmental Planning Policy (Sustainable Buildings) 2022	Land Application Map
State Environmental Planning Policy (Transport and Infrastructure) 2021	SEPP (Educational Establishments and Child Care Facilities) 2017 Land Application Map

10 DCP Guidelines

North Sydney Development Control Plan 2013

Total obligations: 0

Note: DCP controls are guidelines, not statutory requirements. Non-compliance does not automatically constitute grounds for refusal, but the consent authority must consider DCP provisions under s4.15(1)(a)(iii) of the EP&A Act 1979. Departure from DCP controls requires justification demonstrating the proposal achieves the objectives of the relevant section.

DCP Source Documents

- North Sydney Development Control Plan 2013

Contribution Plans

- North Sydney CP 2013

11 State Significant Projects

Major developments assessed by the NSW Department of Planning — hospitals, infrastructure, large-scale projects that may affect the surrounding area.

Project	Type	Status	Distance
SSD 6454 MOD 4 - SCEGGS Redlands Staged Development of Senior Campus (Concept & Stage 1) - modify Condition A4 of the Concept Approval and Condition A2 of the Stage 1 Approval to amend the approved plans. - ...	Education, Health & Safety	Determination	323 m
Mod 2	Education, Health & Safety	Determination	323 m
SCEGGS Redlands - Senior Campus Upgrade	Education, Health & Safety	Determination	323 m
Mod 1	Education, Health & Safety	Determination	323 m
Modification 3 SSD 6454 MOD 3 - SCEGGS Redlands Staged Development of Senior Campus (Concept & Stage 1) Modification application to correct legal Lot/DP description of land subject to approval and the change of use to 5 Monf...	Education, Health & Safety	Determination	323 m
Mod 2 - Pathways Cremorne Seniors Housing Section 4.55(1A) modification for amendments to basement design, reconfiguration of internal layouts, and addition of on...	Residential & Commercial	Assessment	340 m
Mod 1 - Window openings & internal layout	Residential & Commercial	Determination	425 m
Mosman Residence	Residential & Commercial	Determination	425 m
Mosman Demolition and Residence	Residential & Commercial	Determination	425 m
Mosman Demolition & New Residence	Residential & Commercial	Determination	425 m

Appendices

The planning instruments and land-use permissibility this report relies on, reproduced in full as the legal reference basis. The complete defined-terms dictionary is provided as a free companion glossary (referenced below).

A Planning Scheme Defined Terms

North Sydney Local Environmental Plan 2013 — Defined Terms

The defined terms of **North Sydney Local Environmental Plan 2013** are reproduced in full in a free companion glossary, so this report stays focused on your property. The glossary is shared across every report under this instrument and updated with it.

Download the full defined-terms glossary (PDF) → <https://zonedss.com/glossary/north-sydney-local-environmental-plan-2013.pdf>

B Applicable Instruments

Type	Instrument	Description
LEP	North Sydney Local Environmental Plan 2013	Primary planning instrument. Statutory controls for height, FSR, lot size, heritage, and land use permissibility.
DCP	North Sydney Development Control Plan 2013	Development control plan. 0 obligations across 0 sections. Guidelines (not statutory).
SEPP	State Environmental Planning Policy (Housing) 2021	State environmental planning policy. Overrides: Chapter 3, Part 4 — Permits build-to-rent housing in specified zones with minimum 50 dwellings
Contribution Plan	North Sydney CP 2013	Developer contribution plan under s7.11 / s7.12 of the EP&A Act 1979.

Sources. NSW Valuer General (land values & sales), the NSW Digital Cadastral Database (boundaries, areas & dimensions), the NSW Planning Portal (development applications) and ABS Census 2021 (demographics). All figures are **indicative only and are not legal, survey, or valuation values** — they may contain errors and must not be relied on for development, financial, or legal decisions. This automated summary is general information, not professional advice; verify current operative provisions against NSW Legislation (legislation.nsw.gov.au) and confirm with North Sydney Council and a qualified professional before acting. © 2026 ZoneDSS.