



New South Wales

Sutherland Shire Local Environmental Plan 2015

under the

Environmental Planning and Assessment Act 1979

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

CAROLYN McNALLY
As delegate for the Minister for Planning

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Sutherland Shire Local Environmental Plan 2015

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Part 1 Preliminary

1.1 Name of Plan

This Plan is *Sutherland Shire Local Environmental Plan 2015*.

1.1AA Commencement

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

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Sutherland Shire in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to deliver the community's vision for Sutherland Shire by achieving an appropriate balance between development and management of the environment that will be ecologically sustainable, socially equitable and economically viable,
 - (b) to establish a broad planning framework for controlling development, minimising adverse impacts of development, protecting areas from inappropriate development and promoting a high standard of urban design,
 - (c) to protect and enhance the amenity of residents, workers and visitors in all localities throughout Sutherland Shire,
 - (d) to minimise risk to life, property and the environment from hazards, particularly bush fires, flooding and climate change,
 - (e) to concentrate development in localities with adequate infrastructure that is accessible to transport and centres,
 - (f) to protect and enhance the natural environment and scenic quality of the Sutherland Shire through the retention and rehabilitation of wildlife habitats, wildlife corridors, bushland, foreshores and waterways,
 - (g) to conserve, protect and enhance the environmental and cultural heritage of Sutherland Shire,
 - (h) to provide leisure and recreation opportunities to suit the needs of the changing population,
 - (i) to meet the future housing needs of the population of Sutherland Shire.

1.3 Land to which Plan applies

- (1) This Plan applies to the land identified on the Land Application Map.

- (1A) Despite subclause (1), this Plan does not apply to the land identified as “Deferred matter” on the Land Application Map.

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
- (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the website of the Department of Planning and 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.
- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

Note. While the following environmental planning instruments no longer apply to the land to which this Plan applies, they continue to apply to the land identified as “Deferred matter” under clause 1.3 (1A):

State Environmental Planning Policy (Kurnell Peninsula) 1989
Sutherland Shire Local Environmental Plan 2006

1.8A Savings provision relating to development applications

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

Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental

planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

State Environmental Planning Policy No 1—Development Standards

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Residential Zones

- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential

Business Zones

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- B7 Business Park

Industrial Zones

- IN1 General Industrial
- IN2 Light Industrial
- IN3 Heavy Industrial
- IN4 Working Waterfront

Special Purpose Zones

- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist

Recreation Zones

- RE1 Public Recreation
- RE2 Private Recreation

Environment Protection Zones

- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living

Waterway Zones

- W1 Natural Waterways
- W2 Recreational Waterways

2.2 Zoning of land to which Plan applies

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

2.3 Zone objectives and Land Use Table

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

Notes.

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

2.4 Unzoned land

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

Land Use Table

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

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

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

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

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

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

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 protect and enhance existing vegetation and other natural features and encourage appropriate bushland restoration particularly along ridgelines and in areas of high visual significance.
- To allow the subdivision of land only if the size of the resulting lots retains natural features and allows a sufficient area for development.
- To ensure the single dwelling character, landscaped character, neighbourhood character and streetscapes of the zone are maintained over time and not diminished by the cumulative impact of multi dwelling housing or seniors housing.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Multi dwelling housing; Places of public worship; Recreation areas; Respite day care centres; Roads; Seniors housing

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the supply of housing that meets the needs of the Sutherland Shire's population, particularly housing for older people and people with a disability.
- To promote a high standard of urban design and residential amenity in a high quality landscape setting that is compatible with natural features.
- To allow development that is of a scale and nature that provides an appropriate transition to adjoining land uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Seniors housing; Shop top housing

4 Prohibited

Any development not specified in item 2 or 3

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the supply of housing that meets the needs of the Sutherland Shire's population, particularly housing for older people and people with a disability.
- To promote a high standard of urban design and residential amenity in a high quality landscape setting that is compatible with natural features.
- To minimise the fragmentation of land that would prevent the achievement of high density residential development.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Flood mitigation works; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Shop top housing

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To allow small-scale office uses that provide local employment opportunities and services for residents.
- To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level.
- To provide for pedestrian-friendly and safe shopping designed to cater for the needs of all ages and abilities.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Medical centres; Neighbourhood shops; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Bulky goods premises; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; General industries; Hardware and building supplies; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Hospitals; Hostels; Industrial training facilities; Jetties; Landscaping material supplies; Marinas; Markets; Mortuaries; Open cut mining; Passenger transport facilities; Plant nurseries; Pubs; Recreation facilities (major); Registered clubs; Residential flat buildings; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Small bars; Storage premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wholesale supplies

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To create an attractive, vibrant and safe public domain that has both a high standard of urban design and public amenity that is designed to cater for the needs of all ages and abilities.
- To encourage housing suitable for the needs of an ageing population.
- To allow for residential dwellings while maintaining active land uses at street level.
- To provide a mix of compatible land uses and building forms that act as a transition to the surrounding residential neighbourhood.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Open cut mining; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wholesale supplies

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

- To strengthen the viability of existing commercial centres through increased economic activity, employment and resident population.
- To create an attractive, vibrant and safe public domain with a high standard of urban design and public amenity.
- To enhance commercial centres by encouraging incidental public domain areas that have a community focus and facilitate interaction, outdoor eating or landscaping.
- To provide for pedestrian-friendly and safe shopping designed to cater for the needs of all ages and abilities.

2 Permitted without consent

Home occupations

3 Permitted with consent

Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Multi dwelling housing; Open cut mining; Recreation facilities (major); Resource recovery facilities; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wholesale supplies

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To permit light industrial uses that are compatible with the desired future residential amenity of the zone.
- To facilitate the re-vitalisation of the Kirrawee town centre and the Kirrawee railway station precinct.
- To ensure that any expansion of retail activity in the zone maintains the role and function of Kirrawee town centre and does not adversely impact on the sustainability of other centres in the Sutherland Shire.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Hostels; Industrial training facilities; Jetties; Marinas; Multi dwelling housing; Open cut mining; Recreation facilities (major); Resource recovery facilities; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Waste disposal facilities; Water recycling facilities; Water supply systems; Wholesale supplies

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To promote uses that do not detract from the role and function of existing centres in the retail hierarchy of Sutherland Shire.
- To enhance the visual appearance of the area by ensuring new development achieves high architectural and landscape standards.
- To ensure that development does not have an adverse impact on the effective operation and safety of main roads.

2 Permitted without consent

Nil

3 Permitted with consent

Bulky goods premises; Child care centres; Garden centres; Hardware and building supplies; Landscaping material supplies; Passenger transport facilities; Respite day care centres; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks;

Cemeteries; Charter and tourism boating facilities; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Markets; Open cut mining; Pubs; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Shops; Storage premises; Timber yards; Tourist and visitor accommodation; Truck depots; Waste disposal facilities; Water recycling facilities; Water supply systems

Zone B6 Enterprise Corridor

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To enhance the visual appearance of the area by ensuring new development achieves high architectural and landscape standards.
- To ensure that development maintains the effective operation and function of main roads.

2 Permitted without consent

Nil

3 Permitted with consent

Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Self-storage units; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Markets; Open cut mining; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Sewage treatment plants; Sex services premises; Shops; Storage premises; Timber yards; Tourist and visitor accommodation; Waste disposal facilities; Water recycling facilities; Water supply systems, Wharf or boating facilities

Zone B7 Business Park

1 Objectives of zone

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To prevent the fragmentation of large sites and to realise their economic strategic advantage.
- To provide opportunities for the erection of buildings requiring large floor areas and to discourage small-scale uses unless they are of an ancillary or service nature.
- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To minimise the impact of development within the zone on areas of environmental or heritage significance.

2 Permitted without consent

Nil

3 Permitted with consent

Child care centres; Light industries; Neighbourhood shops; Office premises; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Bulky goods premises; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Garden centres; General industries; Hardware and building supplies; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Markets; Open cut mining; Plant nurseries; Pubs; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Sewage treatment plants; Sex services premises; Shops; Storage premises; Timber yards; Tourist and visitor accommodation; Truck depots; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To minimise the impact of development in the zone on areas of environmental significance.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Open cut mining; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To minimise the impact of development on areas of environmental significance.
- To minimise the impacts of development on surrounding residential or other sensitive land uses.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Funeral homes; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; General industries; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Truck depots; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone IN3 Heavy Industrial

1 Objectives of zone

- To provide suitable areas for those industries that need to be separated from other land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of heavy industry on other land uses.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industries; Kiosks; Neighbourhood shops; Offensive storage establishments; Roads; Take away food and drink premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mortuaries; Open cut mining; Places of public worship; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential

accommodation; Respite day care centres; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone IN4 Working Waterfront

1 Objectives of zone

- To retain and encourage waterfront industrial and maritime activities.
- To identify sites for maritime purposes and for activities that require direct waterfront access.
- To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.
- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To ensure that development protects and enhances the long term sustainability of the local ecology, including the riparian zone, intertidal areas and bays.

2 Permitted without consent

Nil

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Food and drink premises; Jetties; Light industries; Neighbourhood shops; Roads; Vehicle sales or hire premises; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Child care centres; Commercial premises; Community facilities; Crematoria; Depots; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; General industries; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Mortuaries; Open cut mining; Places of public worship; Pubs; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centre; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water supply systems; Wholesale supplies

Zone SP1 Special Activities

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.

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

2 Permitted without consent

Nil

3 Permitted with consent

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Food and drink premises; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP3 Tourist

1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.
- To provide for tourist development that capitalises on ocean views while complementing existing residential development.
- To provide for ground floor uses that use the scenic views and attract visitors to Cronulla.
- To promote a high standard of urban design and residential amenity in a high quality landscape setting.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Flood

mitigation works; Food and drink premises; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Shop top housing; Tourist and visitor accommodation

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Community facilities; Environmental facilities; Food and drink premises; Information and education facilities; Kiosks; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads

4 Prohibited

Pubs; Any other development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To ensure the scale, density and form of development reflects the nature of the recreational use of the land and is compatible with the surrounding urban form and natural setting.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Animal boarding or training establishments; Car parks; Community facilities; Entertainment facilities; Environmental facilities; Hotel or motel accommodation; Kiosks; Marinas; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Small bars; Water recreation structures

4 Prohibited

Any other development not specified in item 2 or 3

Zone E1 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 E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To ensure that development, by way of its type, design and location, complements and enhances the natural environment in environmentally sensitive areas.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Roads

4 Prohibited

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

Zone E3 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 allow development of a scale and nature that maintains the predominantly natural landscape setting of the locality and protects and conserves existing vegetation and other natural features of the locality.
- To limit development in the vicinity of the waterfront so that the locality's natural qualities can dominate.
- To allow the subdivision of land only if the size of the resulting lots makes them capable of development that will not compromise the sensitive nature of the environment.
- To share views between new and existing development and also from public space.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Dwelling houses; Environmental protection works; Flood mitigation works; Health consulting rooms; Home businesses; Home industries; Places of public worship; Recreation areas; Roads; Secondary dwellings

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To allow for development that preserves and enhances the natural landscape setting of the locality.
- To protect and restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance.
- To ensure the character of the locality is not diminished by the cumulative impacts of development.
- To minimise the risk to life, property and the environment by restricting the type or level and intensity of development on land that is subject to natural or man-made hazards.
- To allow the subdivision of land only if the size of the resulting lots makes them capable of development that retains or restores natural features while allowing a sufficient area for development.
- To share views between new and existing development and also from public space.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Dwelling houses; Environmental protection works; Flood mitigation works; Health consulting rooms; Home businesses; Home industries; Places of public worship; Recreation areas; Roads; Secondary dwellings

4 Prohibited

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

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 protect and preserve beaches and ensure they are free from man-made structures.
- To protect and enhance remnant natural features, aquatic habitat, public access and the navigability of waterways.
- To allow for a range of water recreation structures if their size, siting and form will not diminish the natural scenic character of the waterways, intertidal areas and aquatic reserves.
- To ensure that the natural scenic qualities of waterways are not diminished through the cumulative impact of man-made structures.
- To enable uses authorised under the *Marine Estate Management Act 2014*.

2 Permitted without consent

Moorings

3 Permitted with consent

Aquaculture; Boat launching ramps; Environmental facilities; Environmental protection works; Flood mitigation works; Passenger transport facilities; Water recreation structures

4 Prohibited

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

Zone 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 achieve a balance between public and private use of the waterways and intertidal areas.
- To protect remnant natural features, aquatic habitat, public access and the navigability of waterways.
- To allow suitable mooring facilities having regard to the established character of an area, recreational uses, the functionality of the waterways and the cumulative impact of mooring facilities and other man-made structures in a waterway.

2 Permitted without consent

Moorings

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Kiosks; Marinas; Mooring pens; Passenger transport facilities; Recreation facilities (outdoor); Water recreation structures

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Seniors housing; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

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

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
 - (e) (Repealed)
 - (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 or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

Note. A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.
 - (6) A heading to an item in Schedule 2 is part of that Schedule.

3.2 Complying development

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

(b) the requirements of this Part,
is complying development.

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

- (3) To be complying development, the development must:
- (a) be permissible, with development consent, in the zone in which it is carried out, and
 - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.
- (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.
- (5) A heading to an item in Schedule 3 is part of that Schedule.

3.3 Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:
environmentally sensitive area for exempt or complying development means any of the following:
- (a) the coastal waters of the State,
 - (b) a coastal lake,
 - (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
 - (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
 - (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
 - (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
 - (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
 - (h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,
 - (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
 - (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to ensure that a new lot created for the purpose of a dwelling house has a sufficient area available for the following:
 - (i) a dwelling house and ancillary facilities,
 - (ii) an outdoor recreation and service space,
 - (iii) vehicular access to and from the lot,
 - (iv) landscaping,
 - (v) drainage,
 - (vi) parking,
 - (b) to ensure that new development complements the established scale and character of the streetscape where the development is carried out, and does not dominate the natural qualities of its setting,
 - (c) to ensure that lot sizes and dimensions allow development to be sited to protect natural or cultural features including heritage items, remnant vegetation, habitat and waterways.
- (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) Development consent must not be granted for the subdivision of land that would result in an internal lot for which the minimum lot size shown on the Lot Size Map in relation to that land is specified in Column 1 of the table to this subclause, unless the size of the internal lot is not less than the size specified opposite in Column 2 of that table.

Column 1	Column 2
550 square metres	700 square metres
700 square metres	850 square metres
850 square metres	1,000 square metres

- (3B) If a lot is an internal lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.
- (3C) This clause does not apply to the subdivision of a lot in the following zones if there is a dual occupancy on the lot and one of those dwellings will be situated on each lot resulting from the subdivision:
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows:
 - (a) to ensure that newly created lots have an adequate area to accommodate the type of development to be carried out on the lots,
 - (b) to ensure that the area and width of lots are sufficient for their intended purposes,
 - (c) to ensure that a sufficient area of land is available, in connection with development, for landscaping, open space, drainage and parking so as to achieve a satisfactory amenity,
 - (d) to ensure that lot sizes and dimensions allow development to be sited to protect natural or cultural features, including heritage items, remnant vegetation, habitat and waterways,
 - (e) to ensure that subdivision of low density residential and environmental living sites reflects and reinforces the predominant subdivision pattern of the area.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones:
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential,
 - (d) Zone E3 Environmental Management,
 - (e) Zone E4 Environmental Living.
- (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 1989*) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (3A) Development consent must not be granted for the subdivision of land that would result in an internal lot for which the minimum lot size shown on the Lot Size Map in relation to that land is specified in Column 1 of the table to this subclause, unless the size of the internal lot is not less than the size specified opposite in Column 2 of that table.

Column 1	Column 2
550 square metres	700 square metres
700 square metres	850 square metres
850 square metres	1,000 square metres

- (3B) If a lot is an internal lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.

4.1A Minimum subdivision requirements in certain residential and environment protection zones

- (1) Development consent must not be granted for the subdivision of land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, unless each lot resulting from the subdivision will have:
 - (a) a minimum width of 15 metres at the building line, and
 - (b) a minimum depth of 27 metres.

- (2) Development consent must not be granted for the subdivision of land in Zone E3 Environmental Management or Zone E4 Environmental Living unless each lot resulting from the subdivision will have:
 - (a) a minimum width of 18 metres at the building line, and
 - (b) a minimum depth of 27 metres.

4.1B Minimum lot sizes for strata subdivisions of dual occupancies in Zone E4

- (1) The objectives of this clause are as follows:
 - (a) to limit the impacts associated with increased residential density (because of development resulting in dual occupancies) on land in Zone E4 Environmental Living,
 - (b) to maintain the amenity and character of land in that zone,
 - (c) to prevent the cumulative fragmentation of land in that zone.
- (2) Development consent may be granted for the strata subdivision of a dual occupancy on land in Zone E4 Environmental Living if the land is not less than the minimum lot size shown on the Lot Size Map in relation to that land.

4.1C Minimum lot sizes for land containing secondary dwellings

- (1) The objective of this clause is to achieve planned residential density.
- (2) Development consent may be granted for the subdivision into 2 lots of land on which there is a dwelling and a secondary dwelling if each of those dwellings will be situated on different lots resulting from the subdivision and if each of those lots complies with the minimum lot size requirements under this Plan.

4.1D Subdivision of land in Kurnell Village

- (1) The objective of this clause is to ensure the safe evacuation of all residents from Kurnell Village in the event of an emergency.
- (1) This clause applies to land identified as “Kurnell Village” on the Activity Hazard Risk Map.
- (2) Despite any other provision of this Plan, development consent must not be granted to the subdivision of land to which this clause applies if the consent authority is satisfied that the subdivision will result in an increase in the residential capacity of the land.

4.2 Rural subdivision

[Not applicable]

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to ensure that the scale of buildings:
 - (i) is compatible with adjoining development, and
 - (ii) is consistent with the desired scale and character of the street and locality in which the buildings are located or the desired future scale and character, and
 - (iii) complements any natural landscape setting of the buildings,
 - (b) to allow reasonable daylight access to all buildings and the public domain,
 - (c) to minimise the impacts of new buildings on adjoining or nearby properties from loss of views, loss of privacy, overshadowing or visual intrusion,

- (d) to ensure that the visual impact of buildings is minimised when viewed from adjoining properties, the street, waterways and public reserves,
 - (e) to ensure, where possible, that the height of non-residential buildings in residential zones is compatible with the scale of residential buildings in those zones,
 - (f) to achieve transitions in building scale from higher intensity employment and retail centres to surrounding residential areas.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.
- (2A) Despite subclause (2), the maximum height for a dwelling house on land in Zone R4 High Density Residential is 9 metres.
- (2B) Despite subclauses (2) and (2A), the maximum height for a dual occupancy on an internal lot in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone E3 Environmental Management and Zone E4 Environmental Living is 5.4 metres.
- (2C) Despite subclauses (2) and (2A), the maximum height for a rear dwelling that is part of a dual occupancy on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone E3 Environmental Management and Zone E4 Environmental Living is 5.4 metres if the lot has only one road frontage.
- (2D) Despite subclauses (2) and (2A), the maximum height for multi dwelling housing on an internal lot in Zone R2 Low Density Residential and Zone R3 Medium Density Residential is 5.4 metres.
- (2E) Despite subclause (2), the height of the following buildings may exceed the maximum height shown for the land on the Height of Buildings Map by an additional amount specified below, but only in the circumstances so specified:
- (a) a building on land identified as “Area 1” on the Height of Buildings Map (including the council-owned land at 39R President Avenue, 340R and 348R Kingsway, Caringbah) may exceed that height by 5 metres if the development provides a pedestrian plaza, pedestrian access through the land from Park Lane to Kingsway, Caringbah and vehicular access to 344–346 Kingsway, Caringbah (being Lot 1, DP 219784) and 340 Kingsway, Caringbah (being SP 13533),
 - (b) a building on land identified as “Area 2” on the Height of Buildings Map may exceed that height by 15 metres if there is to be a lot amalgamation and the development provides pedestrian access through the land from Port Hacking Road to President Avenue, Caringbah,
 - (c) a building on land identified as “Area 3” on the Height of Buildings Map may exceed that height by 5 metres if the land consists of at least 4 amalgamated lots, including 307 Kingsway, Caringbah (Lot 1, DP 13346), and the development provides pedestrian access through the site from Kingsway to Hay Lane, Caringbah,
 - (d) a building on land identified as “Area 4” on the Height of Buildings Map may exceed that height by 15 metres if the land has an area of at least 1,800 square metres and the development provides an enlargement of the Park Place pedestrian plaza in Caringbah,
 - (e) a building on land identified as “Area 5” on the Height of Buildings Map may exceed that height by 14 metres if the development will incorporate vehicular access to all lots identified as “Area 5A” on the Height of Buildings Map,
 - (f) a building at 40–44 Kingsway, Cronulla (being Lot 506, DP 1109821), being land identified as “Area 10” on the Height of Buildings Map may exceed that

height by 10 metres if the development is wholly for the purposes of tourist and visitor accommodation.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure that development is in keeping with the characteristics of the site and the local area,
 - (b) to ensure that the bulk and scale of new buildings is compatible with the context of the locality,
 - (c) to control development density and intensity of land use, taking into account:
 - (i) the environmental constraints and values of the site, and
 - (ii) the amenity of adjoining land and the public domain, and
 - (iii) the availability of infrastructure to service the site, and
 - (iv) the capacity of the road network to accommodate the vehicular and pedestrian traffic the development will generate, and
 - (v) the desirability of retaining the scenic, visual, and landscape qualities of the area.
- (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 the following buildings may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by up to the amount specified below, but only in the circumstances so specified:
 - (a) a building on land identified as “Area 5” on the Floor Space Ratio Map may exceed the floor space ratio by up to 0.3:1 if the development incorporates vehicular access to all lots identified as “Area 5A” on the Floor Space Ratio Map,
 - (b) a building on land identified as “Area 9” on the Floor Space Ratio Map may exceed the floor space ratio by up to 0.25:1 if all lots in that area are amalgamated into a single lot,
 - (c) a building at 40–44 Kingsway, Cronulla (being Lot 506, DP 1109821), on land identified as “Area 10” on the Floor Space Ratio Map, may exceed the floor space ratio by up to 1:1 if the development is wholly for the purposes of tourist and visitor accommodation,
 - (d) a building located at 121 Georges River Road, Jannali (being Lot 2, DP 205183), on land identified as “Area 11” on the Floor Space Ratio Map, may exceed the floor space ratio by up to 0.1:1 if the development incorporates shop top housing and/or medical facilities,
 - (e) a building on land identified as “Area 12” on the Floor Space Ratio Map may exceed the floor space ratio by up to 0.3:1 if the building is on an amalgamated lot with an area greater than 2,500 square metres.

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*.

4.5A Density controls for multi dwelling housing

- (1) The objective of this clause is to facilitate housing choice in accessible locations without significantly adversely impacting on local amenity.
- (2) Despite clauses 4.3 and 4.4, development consent may be granted to the erection of multi dwelling housing on land in Zone R2 Low Density Residential identified as “Area 6” on the Height of Buildings Map, Floor Space Ratio Map and Landscape Area Map if:
 - (a) the height of any buildings will not exceed 5.4 metres, and
 - (b) the floor space ratio of the buildings on the land will not exceed 0.6:1, and
 - (c) a minimum of 20% of the site will be available as landscaped areas.

4.5B Density controls for dual occupancy

- (1) The objective of this clause is to ensure that the floor space ratio of each dwelling on a lot created by the subdivision of a dual occupancy will not exceed the maximum permissible floor space ratio shown on the Floor Space Ratio Map for that land.
- (2) The floor space ratio of a dwelling on a lot created by the subdivision of a lot containing a dual occupancy must not exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map.
- (3) This clause does not apply to a subdivision of land under the *Community Land Development Act 1989* or the *Strata Schemes (Freehold Development) Act 1973*.

4.6 Exceptions to development standards

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

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

Note. When this Plan was made it did not include all of these zones.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

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

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

Type of land shown on Map	Authority of the State
Zone R4 High Density Residential and marked "Local road"	Council
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone SP2 Infrastructure and marked "Railway corridor"	RailCorp
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>
Zone E2 Environmental Conservation and marked "Regional open space"	The corporation constituted under section 8 of the Act

- (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 public purposes

- (1) The objective of this clause is to protect land that is intended to be acquired for a public purpose.
- (2) Development consent must not be granted to any development on land identified on the Land Reservation Acquisition Map unless the consent authority is satisfied that:
- the development is of a kind, or is compatible with development of a kind, that may be carried out on land in an adjoining zone, and
 - the development and its use will cease no later than 5 years after development consent is granted.

- (3) In determining whether to grant development consent under subclause (2), the consent authority must consider the following:
 - (a) any impact the development will have on traffic movement and parking,
 - (b) any impact the development will have on existing pedestrian movement,
 - (c) any visual impact the development will have (including the installation of any advertisements),
 - (d) the need to carry out development on the land for the purpose for which it is to be acquired,
 - (e) the timing of the acquisition by the relevant authority of the State,
 - (f) any likely additional cost to the authority of the State resulting from the carrying out of the development.

5.2 Classification and reclassification of public land

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

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

- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4:
 - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

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

5.3 Development near zone boundaries

[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 5 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) 10% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 100 square metres,
- whichever is the lesser.

(5) **Farm stay accommodation**

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

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 25 square metres.

(7) **Neighbourhood shops**

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

(8) **Roadside stalls**

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

(9) **Secondary dwellings**

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

- (a) 60 square metres,
- (b) 5% of the total floor area of the principal dwelling.

5.5 Development within the coastal zone

- (1) The objectives of this clause are as follows:
 - (a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development,
 - (b) to implement the principles in the NSW Coastal Policy, and in particular to:
 - (i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and
 - (ii) protect and preserve the natural, cultural, recreational and economic attributes of the NSW coast, and
 - (iii) provide opportunities for pedestrian public access to and along the coastal foreshore, and
 - (iv) recognise and accommodate coastal processes and climate change, and
 - (v) protect amenity and scenic quality, and
 - (vi) protect and preserve rock platforms, beach environments and beach amenity, and
 - (vii) protect and preserve native coastal vegetation, and
 - (viii) protect and preserve the marine environment, and
 - (ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and
 - (x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and
 - (xi) protect Aboriginal cultural places, values and customs, and
 - (xii) protect and preserve items of heritage, archaeological or historical significance.
- (2) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority has considered:
 - (a) existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:
 - (i) maintaining existing public access and, where possible, improving that access, and
 - (ii) identifying opportunities for new public access, and
 - (b) the suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:
 - (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and
 - (ii) the location, and
 - (iii) the bulk, scale, size and overall built form design of any building or work involved, and
 - (c) the impact of the proposed development on the amenity of the coastal foreshore including:
 - (i) any significant overshadowing of the coastal foreshore, and
 - (ii) any loss of views from a public place to the coastal foreshore, and

- (d) how the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected, and
 - (e) how biodiversity and ecosystems, including:
 - (i) native coastal vegetation and existing wildlife corridors, and
 - (ii) rock platforms, and
 - (iii) water quality of coastal waterbodies, and
 - (iv) native fauna and native flora, and their habitats, can be conserved, and
 - (f) the cumulative impacts of the proposed development and other development on the coastal catchment.
- (3) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority is satisfied that:
- (a) the proposed development will not impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore, and
 - (b) if effluent from the development is disposed of by a non-reticulated system, it will not have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and
 - (c) the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and
 - (d) the proposed development will not:
 - (i) be significantly affected by coastal hazards, or
 - (ii) have a significant impact on coastal hazards, or
 - (iii) increase the risk of coastal hazards in relation to any other land.

5.6 Architectural roof features

- (1) The objectives of this clause are as follows:
- (a) to ensure that architectural roof features do not result in adverse visual and amenity impacts on adjoining premises,
 - (b) to ensure that architectural roof features are considered in the design of buildings in the following zones and form an integral part of the building design:
 - (i) Zone R4 High Density Residential,
 - (ii) Zone B2 Local Centre,
 - (iii) Zone B3 Commercial Core,
 - (iv) Zone B5 Business Development,
 - (v) Zone B6 Enterprise Corridor,
 - (vi) Zone IN1 General Industrial,
 - (vii) Zone IN2 Light Industrial,
 - (viii) Zone IN3 Heavy Industrial,
 - (c) to promote architectural design excellence,
 - (d) to specify what part of a building may exceed the height limits specified in this Plan.

- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
 - (a) the architectural roof feature:
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

5.7 Development below mean high water mark

- (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.
- (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.
- (2) The following development may be carried out, but only with development consent:
 - (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
 - (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
 - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
- (3) Development to which subclause (2) applies is complying development if it consists only of:
 - (a) internal alterations to a building, or
 - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.
- (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.

- (5) In this clause:
private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.

5.9 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
- development consent, or
 - a permit granted by the Council.
- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.
- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
- that is or forms part of a heritage item or that is within a heritage conservation area, or
 - that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,
- unless the Council is satisfied that the proposed activity:
- is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and
 - would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.
- Note.** As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.
- (8) This clause does not apply to or in respect of:
- the clearing of native vegetation:
 - that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003*, or
 - that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or

- (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
- (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying and Spatial Information Act 2002*, or
- (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

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

- (9) [Not applicable. See Part 3 of Schedule 1 to the *Native Vegetation Act 2003*.]

5.9AA Trees or vegetation not prescribed by development control plan

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

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

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

(2) Requirement for consent

Development consent is required for any of the following:

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

- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

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

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

(4) Effect of proposed development on heritage significance

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

(5) Heritage assessment

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

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

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

(6) Heritage conservation management plans

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

(7) **Archaeological sites**

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

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

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

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

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

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

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

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

(10) **Conservation incentives**

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

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

5.11 Bush fire hazard reduction

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

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

5.13 Eco-tourist facilities

- (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.

Part 6 Local provisions

6.1 Acid sulfate soils

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
- (2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land Works

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

- (3) Development consent must not be granted under this clause for the carrying out of works unless:
 - (a) 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, and
 - (b) the consent authority is satisfied that any disturbance of acid sulfate soils resulting from the works will be managed so as to minimise adverse impacts on natural waterbodies, wetlands, native vegetation, agriculture, fishing, aquaculture and urban and infrastructure activities.
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:
 - (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and
 - (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
 - (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,

- (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
 - (c) minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if:
- (a) the works involve the disturbance of less than 1 tonne of soil, and
 - (b) the works are not likely to lower the watertable.

6.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless:
- (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.
- (3) 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, drainage patterns and soil stability in the locality of the development,
 - (b) the effect of the development on the likely future use or redevelopment of the land,
 - (c) the quality of the fill or the soil to be excavated, or both,
 - (d) the effect of the development on the existing and likely amenity and structural integrity of adjoining properties,
 - (e) the source of any fill material and the destination of any excavated material,
 - (f) the likelihood of disturbing relics,
 - (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
 - (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Note. The *National Parks and Wildlife Act 1974*, particularly section 86, deals with harming Aboriginal objects.

6.3 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 land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.

- (2) This clause applies to:
 - (a) land identified as “Flood planning area” on the Flood Planning Map, and
 - (b) other land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) is compatible with the flood hazard of the land, and
 - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause:
flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

6.4 Stormwater management

- (1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.
- (2) This clause applies to all land in:
 - (a) residential, business and industrial zones, and
 - (b) Zone E3 Environmental Management and Zone E4 Environmental Living.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
 - (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
 - (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

6.5 Environmentally sensitive land—Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by:
 - (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.

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

6.6 Environmentally sensitive land—Groundwater vulnerability

- (1) The objectives of this clause are as follows:
 - (a) to maintain the hydrological functions of key groundwater systems,
 - (b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.
- (2) This clause applies to land identified as “Environmentally Sensitive Land” on the Groundwater Vulnerability Map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following:
 - (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),
 - (b) any adverse impacts the development may have on groundwater dependent ecosystems,
 - (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),
 - (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

6.7 Environmentally sensitive land—Riparian land and watercourses

- (1) The objective of this clause is to protect and maintain the following:
 - (a) water quality within watercourses,
 - (b) the stability of the bed and banks of watercourses,
 - (c) aquatic and riparian habitats,
 - (d) ecological processes within watercourses and riparian areas.
- (2) This clause applies to land identified as “Environmentally Sensitive Land” on the Riparian Lands and Watercourses 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 or not the development is likely to have any adverse impact on the following:
 - (i) the water quality and flows within the watercourse,
 - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
 - (iii) the stability of the bed and banks of the watercourse,
 - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
 - (v) any future rehabilitation of the watercourse and riparian areas, and
 - (b) whether or not the development is likely to increase water extraction from the watercourse, and
 - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

6.8 Environmentally sensitive land—Environmental and scenic qualities of natural landforms

- (1) The objectives of this clause are to protect and enhance the environmental and scenic qualities of natural landforms, including rock outcrops, cliffs, beaches and rock platforms.
- (2) This clause applies to all land identified as “Environmentally Sensitive Land” on the Natural Landforms Map.
- (3) In determining 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 any adverse impact on the environmental and scenic qualities of natural landforms.

- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

6.9 Limited development on foreshore area

- (1) The objectives of this clause are as follows:
 - (a) to ensure that development on the foreshore area will not adversely impact on natural foreshore processes or affect the significance and amenity of the area,
 - (b) to maintain and improve public access to the intertidal area of waterfronts if that access will cause minimal adverse environmental impact,
 - (c) to avoid adverse ecological effects on waterways by minimising any adverse impact from development on water quality and, so far as is practicable, to improve the quality of urban run-off entering waterways,
 - (d) to protect and enhance significant natural features and vegetation on the foreshore area,
 - (e) to retain endemic vegetation along foreshore areas,
 - (f) to restore and revegetate foreshore areas to improve estuarine flora and fauna habitat,
 - (g) to minimise any adverse visual impact of development when viewed from adjacent land and waterways by using a design and materials that complement the natural landscape of the foreshore area,
 - (h) to minimise any adverse impact of development on the natural landform of the foreshore area and waterways by integrating the development with minimal change to the natural topography of the foreshore area,
 - (i) to achieve a balance between private development and the public use of waterways,
 - (j) to minimise the obstruction of water views from public land.
- (2) Development consent must not be granted for development on the foreshore area except for the following:
 - (a) the alteration, extension or rebuilding of an existing dwelling wholly or partly on the foreshore area if the footprint of the extension or alteration will not extend any further forward of the foreshore building line than the footprint of the existing dwelling,
 - (b) the erection of a new dwelling on the foreshore area if there is no reasonable alternative that would allow a new dwelling to be located outside of the foreshore area,
 - (c) development for the following purposes that does not significantly alter the shape, natural form or drainage of the foreshore area:
 - (i) boat sheds,
 - (ii) jetties,

- (iii) landscaped areas,
 - (iv) sea retaining walls,
 - (v) slipways,
 - (vi) swimming pools (that are no higher than 300 millimetres above ground level),
 - (vii) water recreation structures,
 - (viii) waterway access stairs.
 - (d) the erection of a building on the foreshore area (other than a building referred to in paragraph (a), (b) or (c)), if the levels, depth or other exceptional features of the site make it appropriate to do so.
- (3) Development consent must not be granted under this clause, unless the consent authority is satisfied that:
- (a) the appearance of the development, from both the foreshore area and the adjacent waterway, will be compatible with the surrounding area, and
 - (b) 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
 - (c) 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
 - (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
 - (e) opportunities to provide continuous public access along the foreshore area and to the waterway will not be compromised, and
 - (f) any heritage significance of the foreshore area on which the development is to be carried out and of surrounding land will be maintained, and
 - (g) in the case of development for the alteration, extension or rebuilding of an existing building (or the erection of a new building) wholly or partly in the foreshore area, the alteration, rebuilding or new building will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and
 - (h) in the case of the erection of a new dwelling, the dwelling will not be erected further forward of the foreshore building line than any existing dwelling on the land, and
 - (i) it has considered sea level rise or change of flooding patterns as a result of climate change.
- (4) In deciding whether to grant development consent for development on the foreshore area, the consent authority must consider whether and to what extent the development would facilitate the following:
- (a) continuous public access to and along the foreshore area through or adjacent to the proposed development,
 - (b) public access to link with existing or proposed open space,
 - (c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,
 - (d) public access to be located above the mean high water mark,

- (e) reinforcement of the foreshore character and respect for existing environmental conditions,
- (f) management of any rise in sea level or change of flooding patterns as a result of climate change.

6.10 Development on the foreshores of Port Hacking, Georges River, Woronora River and Port Botany

- (1) The objectives of this clause are as follows:
 - (a) to provide for the protection of the foreshore environment of the Georges River, Woronora River, Port Botany and those areas of Port Hacking that are not part of the coastal zone for the benefit of both present and future generations,
 - (b) to protect, enhance, maintain and restore the foreshore environment, its associated ecosystems, ecological processes and biological diversity and its water quality,
 - (c) to protect and preserve the natural, cultural, recreational and economic attributes of the foreshores,
 - (d) to provide opportunities for public pedestrian access to and along the foreshores,
 - (e) to recognise and accommodate ecological processes and climate change,
 - (f) to protect amenity and scenic quality,
 - (g) to protect and preserve rock platforms, beach environments and beach amenity,
 - (h) to protect and preserve native foreshore vegetation,
 - (i) to protect and preserve the aquatic environment,
 - (j) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area,
 - (k) to ensure that decisions in relation to development involve consideration of the broader and cumulative adverse impacts of the development on the catchment.
- (2) This clause applies to land identified as “Foreshore” on the Foreshores of Port Hacking, Georges River, Woronora River and Botany Bay 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:
 - (a) existing public access to and along the foreshore for pedestrians (including persons with a disability) with a view to:
 - (i) maintaining existing public access and, where possible, improving that access, and
 - (ii) identifying opportunities for new public access,
 - (b) the suitability of the development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:
 - (i) the type of development concerned and any associated land uses or activities (including compatibility of any land-based and water-based activities), and
 - (ii) the location, and
 - (iii) the bulk, scale, size and overall built form design of any building or work involved,

- (c) the impact of the development on the amenity of the foreshore, including:
 - (i) any significant overshadowing of the foreshore, and
 - (ii) any loss of views from a public place to the foreshore,
- (d) how the visual amenity and scenic qualities of the foreshores can be protected,
- (e) how biodiversity and ecosystems, including the following, can be conserved:
 - (i) native vegetation and existing wildlife corridors,
 - (ii) rock platforms,
 - (iii) water quality of waterbodies,
 - (iv) native fauna and native flora, and their habitats,
- (f) the effect of ecological processes and ecological hazards and potential impacts, including sea level rise:
 - (i) on the development, and
 - (ii) arising from the development,
- (g) the cumulative impacts of the development and other development on the catchment.

6.11 Development for dwelling houses in Zone E2 and fronting the Woronora River

- (1) This clause applies to the following land:
 - (a) 53 Woronora River Frontage, Bangor, being Lot 21, DP 8754,
 - (b) 141 Woronora River Frontage, Bangor, being Lot 63, DP 8754,
 - (c) 177 Woronora River Frontage, Bangor, being Lot 77, DP 8754,
 - (d) 185 Woronora River Frontage, Bangor, being Lot 81, DP 8754,
 - (e) 197 Woronora River Frontage, Bangor, being Lot 87, DP 8754,
 - (f) 199–201 Woronora River Frontage, Bangor, being Lots 88 and 89, DP 8754,
 - (g) 305 Woronora River Frontage, Bangor, being Lot 134, DP 8755,
 - (h) 307 Woronora River Frontage, Bangor, being Lot 135, DP 8755,
 - (i) 361 Woronora River Frontage, Bangor, being Lot 157, DP 8755,
 - (j) 445 Woronora River Frontage, Bangor, being Lot 198, DP 8755,
 - (k) 70–72 Tirto St, Bangor (also known as 487–489 Woronora River Frontage, Bangor), being Lots 219–220, DP 8755.
- (2) Despite any other provision of this Plan, development consent may be granted to the rebuilding, enlarging or alteration of a dwelling house on land to which this clause applies if the dwelling house existed when this Plan was made and will comply with the following:
 - (a) the height of the dwelling house must not exceed 7.2 metres to any point on the uppermost ceiling and 9 metres to the highest point on the roof, and
 - (b) the gross floor area of the dwelling house must not:
 - (i) increase by more than 30 square metres or 10% of the existing gross floor area (whichever is the lesser), or
 - (ii) exceed 300 square metres (inclusive of any ancillary buildings).

6.12 Airspace operations

- (1) The objective of this clause is to protect airspace around airports.
- (2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the *Airports*

Act 1996 of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

Note. Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth.

6.13 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows:
 - (a) to prevent certain noise sensitive developments from being located near the Sydney Airport and its flight paths,
 - (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,
 - (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.
- (2) This clause applies to development that:
 - (a) is on land that:
 - (i) is near the Sydney Airport, and
 - (ii) is in an ANEF contour of 20 or greater, and
 - (b) the consent authority considers is likely to be adversely affected by aircraft noise.
- (3) Despite any other provision of this Plan, development consent must not be granted to development for any of the following purposes:
 - (a) if the development will be on land that is in an ANEF contour of 25 or greater—boarding houses, child care centres, dual occupancies, educational establishments, health consulting rooms, home businesses, home industries, medical centres, multi dwelling housing, respite day care centres, secondary dwellings, seniors housing, shop top housing and tourist and visitor accommodation,
 - (b) if the development will be on land that is in an ANEF contour of 30 or greater—community facilities, information and education facilities, places of public worship and recreation facilities (indoor),
 - (c) if the development will be on land that is in an ANEF contour of 35 or greater—businesses premises, food and drink premises, landscaping material supplies, neighbourhood shops, office premises, service stations, shops, timber yards, vehicle sales or hire premises and veterinary hospitals,
 - (d) if the development will be on land that is in an ANEF contour of 40 or greater—industrial retail outlets, industrial training facilities, light industries, self-storage units, vehicle body repair workshops, vehicle repair stations, warehouse or distribution centres and waste or resource management facilities.
- (4) Despite subclause (3), development consent may be granted to development for any of the following purposes on land identified as “Kurnell Village” on the Activity Hazard Risk Map if the development is otherwise permitted by this Plan:
 - (a) child care centres,
 - (b) dwelling houses,
 - (c) educational establishments,

- (d) home businesses,
 - (e) home industries.
- (5) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that the development:
- (a) will not result in an increase in the number of dwellings or people affected by aircraft noise, and
 - (b) will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000 if:
 - (i) the development will be on land that is in an ANEF contour of 20 or greater and is for the purposes of boarding houses, child care centres, community facilities, dual occupancies, dwelling houses, educational establishments, health consulting rooms, home businesses, home industries, information and education facilities, medical centres, multi dwelling housing, places of public worship, recreation facilities (indoor), respite day care centres, secondary dwellings, seniors housing or shop top housing, or
 - (ii) the development will be on land that is in an ANEF contour of 25 or greater and is for the purposes of businesses premises, food and drink premises, neighbourhood shops, office premises, service stations, shops, tourist and visitor accommodation, vehicle sales or hire premises or veterinary hospitals, or
 - (iii) the development will be on land that is in an ANEF contour of 30 or greater and is for the purposes of industrial retail outlets, industrial training facilities, light industries, self-storage units, vehicle body repair workshops, vehicle repair stations, warehouse or distribution centres or waste or resource management facilities.
- (6) Nothing in this clause prevents development consent being granted for the repair, renovation, minor alteration, extension of or addition to an existing building if there will be no resulting reduction in the degree of insulation of the building interior.
- (7) In this clause:
- ANEF contour*** means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Sydney Airport prepared by the Department of the Commonwealth responsible for airports.
- AS 2021—2000*** means AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction*.

6.14 Landscaped areas in certain 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, in the case of trees, enhances the tree canopy of Sutherland Shire,
 - (b) to minimise urban run-off by maximising permeable areas on the sites of development,
 - (c) to ensure that the visual impact of development is minimised by appropriate landscaping and that the landscaping is maintained,
 - (d) to ensure that landscaping carried out in connection with development is sufficient to complement the scale of buildings, provide shade, screen parking areas and enhance workforce amenities.

- (2) This clause applies to land in the following zones:
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential,
 - (d) Zone B5 Business Development,
 - (e) Zone B6 Enterprise Corridor,
 - (f) Zone B7 Business Park,
 - (g) Zone IN1 General Industrial,
 - (h) Zone IN2 Light Industrial,
 - (i) Zone IN3 Heavy Industrial,
 - (j) Zone E3 Environmental Management,
 - (k) Zone E4 Environmental Living.
- (3) The minimum percentage of the site area on land to which this clause applies that is to consist of landscaped areas is the percentage shown on the Landscape Area Map in relation to that land.
- (4) Despite subclause (3), development consent may be granted to development even though the percentage of the site consisting of landscaped areas is up to 5% less than the percentage shown on the Landscape Area Map in relation to the land if:
 - (a) there is a tree on the site to which clause 5.9 applies, and
 - (b) the consent authority is satisfied that:
 - (i) the tree makes an important contribution to the character or amenity of the locality, or
 - (ii) the species of tree is indigenous to the local area and listed as a threatened species under the *Threatened Species Conservation Act 1995*, or
 - (iii) the tree is important habitat for native fauna, or
 - (iv) the tree is important to the maintenance of biodiversity in the environment of the locality, or
 - (v) the tree is part of remnant bushland, or
 - (vi) the tree forms a notable visual element in the landscape of the locality, or
 - (vii) the tree is botanically unique in or rare to the local area (whether the species of tree is native or exotic).
- (5) Despite subclause (3), the minimum percentage of the site area on land in Zone R2 Low Density Residential that is to consist of landscaped areas is 25% if the development is for the purposes of a childcare centre.
- (6) The minimum landscaped area for any lot of land to which this clause applies created by the subdivision of a lot containing a dual occupancy is the percentage shown on the Landscape Area Map in relation to the land.
- (7) Subclause (6) does not apply to a subdivision of land under the *Community Land Development Act 1989* or the *Strata Schemes (Freehold Development) Act 1973*.
- (8) The following are taken to be excluded from the site area for the purposes of this clause:
 - (a) land on which the development is prohibited under this Plan (other than land on which the development is prohibited solely because of the application of clause 6.9),

- (b) in the case of an internal lot:
 - (i) any access corridor to or from the lot, and
 - (ii) any right of way that traverses another lot.

Note. Among other things, clause 6.9 imposes certain restrictions on the erection of buildings on a foreshore area.

6.15 Energy efficiency and sustainable building techniques for commercial and industrial developments

- (1) The objective of this clause is to ensure that development utilises building materials and construction techniques that are energy efficient, ecologically sustainable and maximise the useful lifecycle of buildings (while minimising the expenditure of energy in the manufacturing processes of the materials and during the construction phase).
- (2) Development consent must not be granted to development for the purposes of commercial premises or industries, unless the consent authority has considered the following matters:
 - (a) the extent to which potential energy consumption may be reduced during the construction and lifecycle of buildings,
 - (b) the extent to which sustainable natural resources, such as the sun and wind, will be used in the buildings to create naturally comfortable working environments,
 - (c) the extent to which building materials and construction techniques are ecologically sustainable and will:
 - (i) minimise the expenditure of energy (including, in the case of building materials, any expenditure of energy involved in their manufacture), and
 - (ii) maximise the useful lifecycle of buildings,
 - (d) the extent to which waste generated in any demolition of a building will be minimised,
 - (e) the extent to which waste generated during construction or during the lifecycle of buildings will be minimised through design and on-site waste management.

6.16 Urban design—general

- (1) In deciding whether to grant development consent for any development, the consent authority must consider the following:
 - (a) the extent to which high quality design and development outcomes for the urban environment of Sutherland Shire have been attained, or will be attained, by the development,
 - (b) the extent to which any buildings are designed and will be constructed to:
 - (i) strengthen, enhance or integrate into the existing character of distinctive locations, neighbourhoods and streetscapes, and
 - (ii) contribute to the desired future character of the locality concerned,
 - (c) the extent to which recognition has been given to the public domain in the design of the development and the extent to which that design will facilitate improvements to the public domain,
 - (d) the extent to which the natural environment will be retained or enhanced by the development,
 - (e) the extent to which the development will respond to the natural landform of the site of the development,

- (f) the extent to which the development will preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations, including gateways, nodes, views and vistas,
 - (g) the principles for minimising crime risk set out in Part B of the Crime Prevention Guidelines and the extent to which the design of the proposed development applies those principles.
- (2) In this clause, ***Crime Prevention Guidelines*** means the publication, *Crime prevention and the assessment of development applications* (ISBN 0 7347 0184 5), published by the NSW Department of Urban Affairs and Planning in 2001.

6.17 Urban design—residential accommodation

In deciding whether to grant development consent for development for the purposes of residential accommodation the consent authority must consider the following:

- (a) the extent to which recognition has been given in the design of the development to the needs of the diverse and changing population of Sutherland Shire,
- (b) the extent to which any adverse impacts of the development on adjoining land and open space, in terms of overshadowing, overlooking, views, privacy and visual intrusion, will be minimised,
- (c) the extent to which the quality of the streetscape concerned will be improved by the development,
- (d) the extent to which there will be private open space of a sufficient area and dimensions to enable proposed and required activities,
- (e) the extent to which any adverse impacts of the development on adjoining land, in terms of size, bulk, height, scale and siting, will be minimised,
- (f) the extent to which the residential accommodation concerned integrates with a well-designed landscaped setting,
- (g) any opportunities for the provision of affordable housing.

6.18 Urban design—non-residential development in residential areas

- (1) This clause applies to development, other than development for the purposes of residential accommodation and places of public worship, on land in the following zones:
- (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density residential,
 - (c) Zone R4 High Density Residential,
 - (d) Zone E3 Environmental Management,
 - (e) Zone E4 Environmental Living.
- (2) Development consent must not be granted for development to which this clause applies unless the consent authority has considered the following:
- (a) the extent to which any proposed non-residential accommodation and its design will integrate into the locality,
 - (b) the extent to which any such accommodation will respond to the local character, and relate to the scale, streetscape, setbacks and use of materials of other accommodation in the locality,
 - (c) the extent to which the residential amenity of the locality will be protected from detrimental traffic-related impacts and noise associated with the development.

6.19 Kurnell Peninsula

- (1) The objective of this clause is to minimise risk to life or property in the event of an emergency on Kurnell Peninsula.
- (2) This clause applies to land identified as “Refinery Risk Area” on the Activity Hazard Risk Map.
- (3) Despite any other provisions of this Plan, development consent must not be granted for development for the following purposes on land to which this clause applies:
 - (a) dual occupancies,
 - (b) multi dwelling housing,
 - (c) secondary dwellings,
 - (d) seniors housing,
 - (e) shop top housing.
- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the contents of any reports relating to Kurnell Peninsula about the following matters that have been prepared by the Department and given to the Council:
 - (a) risk assessment,
 - (b) transportation,
 - (c) dangerous goods routes,
 - (d) guidelines on risk assessment criteria and methodology.

6.20 Nuclear research reactor at Lucas Heights Science and Technology Centre

- (1) The objective of this clause is to minimise the risk to life or property near the nuclear research reactor at Lucas Heights Science and Technology Centre.
- (2) This clause applies to land identified as “Nuclear Reactor Buffer Area” on the Activity Hazard Risk Map.
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the following:
 - (a) any risk of radiation to life or property on the land,
 - (b) the extent to which residential densities on the land should be limited to minimise the risk to life or property,
 - (c) whether adequate measures will be in place to enable the safe evacuation of people from the land, and enable access to the land by emergency services, during an emergency,
 - (d) the intensity of the existing and proposed use of the land,
 - (e) the need to restrict vulnerable development on the land,
 - (f) any recommendations of the Australian Radiation Protection and Nuclear Safety Agency or Australian Nuclear Science and Technology Organisation relating to development on the land.
- (4) In this clause:

vulnerable development means the erection or use of buildings whose occupants, in the opinion of the consent authority, are likely to need a high level of assistance during an emergency evacuation, including:

 - (a) a building used for a special fire protection purpose within the meaning of section 100B of the *Rural Fires Act 1997*, and

- (b) accommodation for people with health and mobility problems, including seniors housing and medical centres with short term or long term accommodation.

6.21 Caringbah Medical Precinct

- (1) The objectives of this clause are as follows:
 - (a) to create a mixed use development precinct that has health services facilities and residential accommodation located adjacent to the Sutherland Hospital and within walking distance of Caringbah Centre,
 - (b) to provide employment opportunities and promote economic growth for Sutherland Shire through synergies with the existing medical facilities of Sutherland and Kareena Hospitals,
 - (c) to be a catalyst for the revitalisation of Caringbah Centre,
 - (d) to ensure that there are high quality areas of private and public domain, with deep soil setbacks for the planting of substantial landscaping including large scale indigenous trees which will complement the scale of buildings up to 6 storeys, particularly in the building setbacks adjacent to Kingsway, Caringbah,
 - (e) to protect the amenity of the adjacent areas by providing a transition to adjacent 2-storey residential development, including reasonable setbacks from side and rear boundaries and the maintenance of a transitional scale of building height to Flide Street, Caringbah,
 - (f) to improve safety and traffic flow by limiting vehicle access from Kingsway, Caringbah, to redevelopment sites.
- (2) This clause applies to the land known as Caringbah Medical Precinct and identified as “Area 7” on the Height of Buildings Map and the Floor Space Ratio Map.
- (3) Despite any other provision of this Plan relating to the purposes for which development may be carried out, development consent may be granted for development for the purposes of a health services facility on land to which this clause applies.
- (4) Despite clause 4.3 (2), the height of a building on land to which this clause applies may exceed the maximum height shown for the land on the Height of Buildings Map by an additional 11 metres if:
 - (a) the building contains a health services facility, and
 - (b) the building provides a transitional scale of building height to Flide Street, Caringbah, and
 - (c) the building setbacks are sufficient for the deep soil planting of substantial landscaping, including large scale indigenous trees on Kingsway frontage at Caringbah.
- (5) Despite clause 4.4 (2), the maximum floor space ratio for a building on land to which this clause applies may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by an additional 1.45:1 if:
 - (a) the building is on land identified as “Area 7” on the Floor Space Ratio Map, and
 - (b) the building contains a health services facility, and
 - (c) the building provides a transitional scale of building height to Flide Street, Caringbah, and

- (d) the building setbacks are sufficient for the deep soil planting of substantial landscaping, including large scale indigenous trees on Kingsway frontage at Caringbah.

6.22 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 to or is separated only by a local road from land:
 - (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, 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 likely to be regularly frequented by children:
 - (i) that adjoins the development, or
 - (ii) that can be viewed from the development, or
 - (iii) from which a person can view the development.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 60–70 Bournemouth Street, Bundeena

- (1) This clause applies to land at 60–70 Bournemouth Street, Bundeena, being Lot 3, DP 213924.
- (2) Development for the purpose of an eco-tourist facility is permitted with development consent.

2 Use of certain land at 34 Shell Road, Burraneer

- (1) This clause applies to land at 34 Shell Road, Bundeena, comprising permissive occupancy 1966/196 under the *Crown Lands (Continued Tenures) Act 1989*.
- (2) Development for the purpose of a registered club that is a sailing club (including related restaurants and cafes within the club's premises) is permitted with development consent.
- (3) In this clause, *sailing club* means a club that is established for the purposes of sailing, boating and yachting and the storing of equipment associated with those activities.

3 Use of certain land at 435 and 437 Kingsway, Caringbah

- (1) This clause applies to land at 435 Kingsway, Caringbah being Lot 24, DP 21004 and 437 Kingsway, Caringbah being Lot 25, DP 21004.
- (2) Development for the purpose of a health services facility is permitted with development consent.

4 Use of certain land at 103–107 Willarong Road, Caringbah

- (1) This clause applies to land at 103–107 Willarong Road, Caringbah, being Lots 1, 3, 4, 5, 6 and 7, DP 31460 and Lot P, DP 413007.
- (2) Development for the purposes of a recreation facility (indoor), recreation facility (outdoor) and for a registered club that is a bowling club is permitted with development consent.

5 Use of certain land at 113 Willarong Road, Caringbah

- (1) This clause applies to land at 113 Willarong Road, Caringbah, being Lot 102, DP 868930.
- (2) Development for the purposes of a health services facility, recreation facility (indoor), recreation facility (outdoor) and registered club is permitted with development consent.

6 Use of certain land at 1403 Princes Highway, Heathcote

- (1) This clause applies to land at 1403 Princes Highway, Heathcote, being Lot 81, DP 558873.
- (2) Development for the purpose of a service station is permitted with development consent.

7 Use of certain land at 15 The Avenue, Heathcote

- (1) This clause applies to land at 15 The Avenue, Heathcote, being Lot 10, DP 1110571.
- (2) Development for the purpose of seniors housing is permitted with development consent.

8 Use of certain land at 121 Georges River Road, Jannali

- (1) This clause applies to land at 121 Georges River Road, Jannali, being Lot 2, DP 205183.
- (2) Development for the purposes of a medical centre and shop top housing is permitted with development consent.

9 Use of certain land at 97 Soldiers Road, Jannali

- (1) This clause applies to land at 97 Soldiers Road, Jannali, being Lot 16, DP 20055.
- (2) Development for the purpose of multi dwelling housing is permitted with development consent.

10 Use of certain land at 1–3 Waratah Street (487 Princes Highway), Kirrawee

- (1) This clause applies to land at 1–3 Waratah Street (also known as 487 Princes Highway), Kirrawee, being Lot 40, DP 790839.
- (2) Development for the purpose of a service station is permitted with development consent.

11 Use of certain land at 5–17 Waratah Street, Kirrawee

- (1) This clause applies to land at 5–17 Waratah Street, Kirrawee, being Lots 37–41, DP 16900 and Lots 42A and 43B, DP 388434.
- (2) Development for the purpose of a vehicle sales or hire premises is permitted with development consent.

12 Use of certain land at 1 Pitt Street, Loftus

- (1) This clause applies to land at 1 Pitt Street, Loftus, being Lots 1 and 2, DP 1064223 and Lot 1138, DP 752064.
- (2) Development for the purpose of tourist and visitor accommodation is permitted with development consent.

13 Use of certain land at 84 Kareena Road, Miranda

- (1) This clause applies to land at 84 Kareena Road, Miranda, being Lot 9A, DP 420748.
- (2) Development for the purpose of a health services facility is permitted with development consent.

14 Use of certain land at 870, 870A, 872 Old Princes Highway, Sutherland

- (1) This clause applies to land at 870, 870A and 872 Old Princes Highway, Sutherland, being Lot 1, DP 120503, Lot 1, DP 120773 and Lot 1, DP 1061715.
- (2) Development for the purpose of hotel or motel accommodation is permitted with development consent.

15 Use of certain land at 24 Rawson Avenue, Sutherland

- (1) This clause applies to land at 24 Rawson Avenue, Sutherland, being part of Lot 7023, DP 1027162 and identified as “15” on the Additional Permitted Uses Map.
- (2) Development for the purpose of a respite day care centre is permitted with development consent.

16 Use of certain land at 223 Belgrave Esplanade, Sylvania

- (1) This clause applies to land at 223 Belgrave Esplanade, Sylvania, being Lot 501, DP 533882.
- (2) Development for the purpose of a function centre is permitted with development consent.

17 Use of certain land at 101–119 Princes Highway, Sylvania

- (1) This clause applies to land at 101–119 Princes Highway, Sylvania, being Lots 1 and 2, DP 21894, Lots E and F, DP 392702, Lot 1, DP 866976, Lot 101, DP 1039848 and Lot 1, DP 1086397.
- (2) Development for the purpose of multi dwelling housing is permitted with development consent.

18 Use of certain land at 414–416 Princes Highway, Sylvania

- (1) This clause applies to land at 414–416 Princes Highway, Sylvania, being Lot 16, DP 700140.
- (2) Development for the purpose of a service station is permitted with development consent.

19 Use of certain land at Taren Point in Zone IN4 Working Waterfront

- (1) This clause applies to land at 2–14 Atkinson Road and 13, 15, 15A, 17–21 Mangrove Lane, Taren Point, being Lots 1–19, SP 60871, Lot 132, DP 737027, Lots 1–3, SP 73897, Lot 2, DP 1075552 and Lot 100, DP 1103290.
- (2) Development for the purpose of maritime activities is permitted with development consent.
- (3) In this clause, *maritime activities* means maritime-based industries or commercial activities that depend on direct access to a navigable waterway and includes boat repairing, marinas and yacht clubs.

20 Use of certain land at 2–14 Atkinson Road, Taren Point

- (1) This clause applies to land at 2–14 Atkinson Road, Taren Point, being Lots 1–19, SP 60871.
- (2) Development for the purpose of a warehouse or distribution centre is permitted with development consent.

21 Use of certain land at 31 Bay Road, Taren Point

- (1) This clause applies to land at 31 Bay Road, Taren Point, being part of Lot 22, DP 715660 and identified as “21” on the Additional Permitted Uses Map.
- (2) Development for the purpose of seniors housing is permitted with development consent.

22 Use of certain land at 1780–1788 Princes Highway, Waterfall

- (1) This clause applies to land at 1780–1788 Princes Highway, Waterfall, being Lot 1000, DP 823991.
- (2) Development for the purposes of multi dwelling housing and an animal boarding or training establishment is permitted with development consent.

23 Use of certain land at 449 Captain Cook Drive, Woollooware

- (1) This clause applies to land at 449 Captain Cook Drive, Woollooware, being Lot 11, DP 1148476.
- (2) Development for the purpose of a service station is permitted with development consent.

24 Use of certain land at 100 Woollooware Road, Woollooware

- (1) This clause applies to land at 100 Woollooware Road, Woollooware, being Lot 2, DP 509957.
- (2) Development for the purpose of a service station is permitted with development consent.

25 Use of certain land at 131 Prince Edward Park Road, Woronora

- (1) This clause applies to land at 131 Prince Edward Park Road, Woronora, being Lot 16, DP 717701.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

26 Use of certain land in Zone E2 Environmental Conservation

- (1) This clause applies to land shown edged heavy red and identified as “Area C” on the Additional Permitted Uses Map.
- (2) Rebuilding, enlarging or altering an existing dwelling house is permissible with development consent if:
 - (a) the height of the dwelling house does not exceed 7.2 metres to any point on the uppermost ceiling and 9 metres to the highest point on the roof, and
 - (b) the gross floor area of the dwelling house does not increase by more than 30m² or 10% of the existing gross floor area, whichever is the lesser, or exceed a maximum floorspace of 300m² (inclusive of any ancillary buildings).

27 Use of certain land in Zone E3 Environmental Management

- (1) This clause applies to land shown edged heavy red and identified as “Area B” on the Additional Permitted Uses Map.
- (2) The erection of a dual occupancy under this clause is permissible with development consent if:
 - (a) one of the dwellings is a lawfully constructed dwelling on the foreshore area, and
 - (b) that dwelling has been in existence for at least 3 years before the commencement of this Plan, and
 - (c) the consent authority is satisfied that the dwelling forms part of the existing character of the waterfront.
- (3) The erection of a new dwelling that forms part of a dual occupancy on the foreshore area is prohibited.

28 Use of certain land in Zone E4 Environmental Living

- (1) This clause applies to land shown edged heavy red and identified as “Area A” on the Additional Permitted Uses Map.
- (2) Development for the purpose of dual occupancies is permissible with development consent.

Schedule 2 Exempt development

(Clause 3.1)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

A-frame sign boards and structures

- (1) Must be an A-framed board or structure advertising goods at ground level and located outside a shop or business the premises of which are located on land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B3 Commercial Centre.
- (2) Maximum size—600mm × 900mm.
- (3) Must not flash.
- (4) If erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath), must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- (5) Must not be on bush fire prone land, unless constructed of non-combustible materials.
- (6) Must not be on contaminated land, the foreshore area or land on which there is a heritage item.
- (7) Must not restrict any vehicular or pedestrian access to or from the site.
- (8) Must not reduce the number of car spaces on the site of the development.
- (9) Must not result in a lesser landscaped area than is provided for in clause 6.14.
- (10) Must not be located within 1 metre of an easement or within the zone of influence of a sewer main, unless the development complies with any standards set by the public authority having the benefit of the easement or occupation.
- (11) Must have the consent in writing of the owner of the land on which the board or structure is to be located.

Demolition

- (1) Must be the demolition of a structure that could be erected as exempt development under this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Must comply with AS 2601—2001, *The demolition of structures*.

Events (community and fundraising)

- (1) Must not exceed 1 day, unless on community land.
- (2) If on community land—must not exceed 3 days.
- (3) If not on community land—must not exceed 2 days per year.
- (4) May only operate between 8.00 am and 9.30 pm.
- (5) Must have potable water and toilet facilities within 200m of the event.
- (6) Must have adequate artificial lighting, if necessary, to permit safe movement of patrons.

- (7) Must have adequate and suitable waste containers for the removal of waste at the conclusion of the event.

Luminous pole signs

- (1) Must not exceed 5.5m in height.
- (2) Must not exceed 1.5m in width.
- (3) Must not obstruct sight lines to traffic signals or intersections.
- (4) Clearance between structure and kerb must allow for heavy vehicle overhang at intersections.
- (5) Must not obstruct existing footpaths.
- (6) Where no footpath exists—a minimum of 1.5m clearance for pedestrian access within the nature strip must be maintained at all times.
- (7) No more than 2 structures per intersection.
- (8) Must be constructed by or on behalf of the Council.
- (9) Must not flash.
- (10) If erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath), must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- (11) Must not be on bush fire prone land, unless constructed of non-combustible materials.
- (12) Must not be on contaminated land, the foreshore area or land on which there is a heritage item.
- (13) Must not restrict any vehicular or pedestrian access to or from the site.
- (14) Must not reduce the number of car spaces on the site of the development.
- (15) Must not result in a lesser landscaped area than is provided for in clause 6.14.
- (16) Must not be located within 1 metre of an easement or within the zone of influence of a sewer main, unless the development complies with any standards set by the public authority having the benefit of the easement or occupation.
- (17) Must have the consent in writing of the owner of the land on which the sign is to be located.

Signs on roll down blinds and awnings

- (1) Must be roll down blinds and awnings attached to premises on land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B3 Commercial Centre.
- (2) Must not cover more than 20% of the area of the blind or awning.
- (3) Must relate to the use of premises on which the sign is installed.
- (4) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- (5) Must not cover mechanical ventilation inlets or outlets.
- (6) If erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath), must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.

- (7) Must not be on bush fire prone land, unless constructed of non-combustible materials.
- (8) Must not be on contaminated land, the foreshore area or land on which there is a heritage item.
- (9) Must not restrict any vehicular or pedestrian access to or from the site.
- (10) Must not reduce the number of car spaces on the site of the development.
- (11) Must not result in a lesser landscaped area than is provided for in clause 6.14.
- (12) Must not be located within 1m of an easement or within the zone of influence of a sewer main, unless the development complies with any standards set by the public authority having the benefit of the easement or occupation.
- (13) Must have the consent in writing of the owner of the land on which the advertising or work is to be located.

Schedule 3 Complying development

(Clause 3.2)

Note. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy.

Part 1 Types of development

(When this Plan was made this Part was blank)

Part 2 Complying development certificate conditions

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

General conditions

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

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

Column 1	Column 2
Locality	Description
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

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item no
Alfords Point	Alfords Point Bridge	Alfords Point Road	MGA Zone 56, 318050°E, 6238520°N	Local	0102
Bangor	Shackels Estate Cottage (part of group) (including the estuarine and bush setting, the overall simple form of the building, the roof form finishes, the wall finishes and the fenestration pattern)	53 Woronora River Frontages	Lot 21, DP 8754	Local	0201
Barden Ridge	Shackels Beach	Woronora River	MGA Zone 56, 317190°E, 6232130°N	Local	0301
Barden Ridge	Shackels Estate Cottage (part of group) (including the estuarine and bush setting, the simple gabled form of the building, the roof form finishes and the wall finishes)	205 Woronora River Frontages	Lot 91, DP 8754	Local	0303
Bonnet Bay	Sandstone formations	185–195 Washington Drive	Lot 2, DP 1049533; Lots 1–4, DP 627884; Lots 1168 and 1169, DP 262462	Local	0401
Bundeena	Site of 1920 Bundeena Wharf	Brighton Street, eastern end of Horderns Beach	MGA Zone 56, 329433°E, 6227116°N	Local	0501
Bundeena	Horderns Beach	1R Brighton Street	Lot 7008, DP 93560	Local	0502
Bundeena	Bundeena House	25 Bundeena Drive	Lot 1, DP 202961	Local	0503
Bundeena	Sandstone formations in headland at Cabbage Tree Point, including Pulpit Rock (major) and sandstone rock shelf	Fronting 1–49 Crammond Avenue, Cabbage Point at base of headland, sandstone rock shelf provides public access	Lots 2–23, DP 10317; Lot 1, DP 18618 and Lots 1 and 2, DP 204055	Local	0504

Suburb	Item name	Address	Property description	Significance	Item no
Bundeena	Remnant canopy, including <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum), <i>Eucalyptus robusta</i> (Swamp Mahogany) and <i>Banksia integrifolia</i> (Coast Banksia)	Bundeena Park, 17–37 Liverpool Street, 48B, 48C, 48R, 66, 68, 70, 72 and 74 Bundeena Drive	Lots 1–11, DP 212366; part of Lot 1 and Lot 2, DP 553362; Lot 10 and part of Lot 11, DP 1047868; Lot 1, DP 1092341; Lot 2, DP 535112; Lots 111–115, DP 10317	Local	0505
Bundeena	Sandstone cliff formation at Bundeena Reserve and sandstone platform containing igneous features	Fronting 75 Loftus Street, Gonyah Beach and Crown land	MGA Zone 56, 329510°E, 6227175°N	Local	0506
Bundeena	Cliff face and rock platform	Fronting 3–55 Neil Street	Lots 2–10, Section B, DP 18038; Lot B, DP 376841; Lots 5, 6 and 8, DP 8327; Lot 100, DP 1041394; Lot 39, DP 1077001; Lot 2, DP 1134702; Lot 7006, DP 93566	Local	0507
Bundeena	Remnant canopy, including <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum), <i>Eucalyptus haemastoma</i> (Scribbly Gum) and <i>Corymbia gummifera</i> (Red Bloodwood)	48R Scarborough Street (Bundeena Public School grounds)	Lot 1, DP 366736	Local	0508
Bundeena	Bundeena Caravan Park	74 Scarborough Street	Lot 5, Section I, DP 1782	Local	0509
Bundeena	“Simpson Cottage”—house (including the bush setting, the simple form of the building, the roof form and the verandah detailing)	8 Simpson Road	Lot 30, DP 10317	Local	0510
Bundeena	Median plantings, including <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum)	Thompson Street	MGA Zone 56, 328936°E, 6227130°N	Local	0511
Burraneer	Sandstone rock platform on foreshore	Fronting 1–5 Bell Place, 2–6 Bell Place and 1–9 Eurabalong Road	Lot 1, DP 252099 and Lot 2, DP 623110	Local	0601
Burraneer	House	7 Bermuda Place	Lot 1, DP 529633	Local	0602

Suburb	Item name	Address	Property description	Significance	Item no
Burraneer	Beach on western side of Gunnamatta Bay	Fronting 20–34 Bulls Road (1R Lugano Avenue)	Lot 7003, DP 1059867; Lot 1126, DP 752064	Local	0603
Burraneer	Street trees (possibly remnant canopy) consisting of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Burraneer Bay Road, between Coral Road and Gannons Road	MGA Zone 56, 327585°E, 6230540°N, MGA Zone 56, 327634°E, 6230519°N, MGA Zone 56, 327707°E, 6230521°N, MGA Zone 56, 327780°E, 6230495°N	Local	0604
Burraneer	Street trees, consisting of <i>Eucalyptus paniculata</i> (Grey Ironbark)	Burraneer Bay Road, between Dolans Road and Elm Place	MGA Zone 56, 327881°E, 6230480°N	Local	0605
Burraneer	Single tree— <i>Quercus robur</i> (English Oak)	Rear garden of 53 Burraneer Bay Road (private property)	Lot 6, DP 315998	Local	0606
Burraneer	Single tree, <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum)	Southern end of Dolans Road (on vegetated unformed part of public road)	MGA Zone 56, 327905°E, 6230100°N	Local	0607
Burraneer	“Coolangatta”—house	93 Dolans Road	Lot 1, DP 163380	Local	0608
Burraneer	House	4 Dunkeld Close	Lot 106, DP 259602	Local	0609
Burraneer	House	1–9 Eurabalong Road	Lot 2, DP 623110	Local	0610
Burraneer	House	4 Goobarah Road	Lot 4, DP 231515	Local	0611
Burraneer	Boat shed (part of group) (including the simple gabled form of the building, the roof form and finishes and the wall finishes)	2C Hazel Place	Lot C, DP 12558	Local	0612
Burraneer	Boat shed (part of group) (including the estuarine setting, the overall simple gabled form of the building, the roof form and finishes and the wall finishes)	11 Hazel Place	Lot B, DP 12558	Local	0613

Suburb	Item name	Address	Property description	Significance	Item no
Burraneer	Boat shed and jetty (part of group) (including the overall simple gabled form of the building, the roof form finishes and the jetty)	15 Hazel Place	Lot A, DP 12558	Local	0614
Burraneer	“Loch Lomond”—house	3 Loch Lomond Crescent	Lot 3, DP 516886	Local	0615
Burraneer	Grounds	6 Portview Place	Lot 2, DP 582394	Local	0617
Burraneer	House	6 Portview Place	Lot 2, DP 582394	Local	0616
Burraneer	Sandstone cliff formation	2–52 Rutherford Avenue and 2–16 Loch Lomond Crescent	MGA Zone 56, 327965°E, 6228193°N	Local	0618
Burraneer	Boat shed (including the natural rock face, the simple form of the building, the wall finishes and the fenestration pattern)	18 Rutherford Avenue	Lot 125, DP 837180	Local	0619
Burraneer	“Minnamurra”—house	22 Rutherford Avenue	Lot 11, DP 839389	Local	0620
Burraneer	House	14 Shell Road	Lot 12, DP 568803	Local	0621
Burraneer	“Mount Vincent”—house	6–16 Smarts Crescent	Lot 23, DP 628128	Local	0622
Burraneer	House	27 Smarts Crescent	Lot 4, SP 86037	Local	0623
Burraneer	Street trees	Woolooware Road, between Burraneer Bay Road and Wren Place	MGA Zone 56, 328357°E, 6230292°N	Local	0624
Burraneer	Boat shed (including the simple form of the building, the wall finishes, the sea wall beach tidal pool and landscaping timber fenestration)	224 Woolooware Road	Lot 2, DP 714471	Local	0625
Burraneer	Boat house (including the form of the building, the wall finishes, the fenestration pattern, the stone sea wall and ramp)	255A Woolooware Road	Lot 291, DP 507136	Local	0626
Burraneer	Waterfront dwelling with boat shed	295 Woolooware Road	Lot 1, DP 10043	Local	0627

Suburb	Item name	Address	Property description	Significance	Item no
Burraneer	“Attwells Boat Brokerage”—boat shed/house (including the landscaped setting, the form of the building, the wall finishes, the timber fenestration, the slipways and painted signage)	321 Woolooware Road	Lot 2, DP 600577	Local	0628
Burraneer	Garden, including nearby street trees	344–350 Woolooware Road	Lots 1 and 2, DP 1050299; Lot 1, DP 607826; Lot Y, DP 401691	Local	0629
Caringbah	Park	Corner of Kingsway and Port Hacking Road	MGA Zone 56, 326770°E, 6231440°N	Local	0701
Caringbah South	Boat shed (including the simple gabled form of the building, the boat shed doors and fenestration pattern and the mature landscaping around it)	39 Baliga Avenue	Lot 2, DP 114283	Local	0801
Caringbah South	“Elonara”—house and boat shed (including the simple gabled form of the building, the roof form and finishes and the wall finishes)	21 Bayside Place	Lot 7, DP 718137	Local	0802
Caringbah South	Street tree	Southern side of Burraneer Bay Road, east from intersection with Port Hacking Road	MGA Zone 56, 326768°E, 6230658°N	Local	0803
Caringbah South	Street trees, including <i>Eucalyptus microcorys</i> (Tallow Wood)	Caringbah Road, south of Laguna Street and south of Kanoona Street	MGA Zone 56, 325876°E, 6231201°N	Local	0804
Caringbah South	Street trees (possibly remnant canopy), consisting of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Southern side of Caringbah Road, between Oleander Parade and Gannons Road and returning into Oleander Parade	MGA Zone 56, 327394°E, 6230881°N, MGA Zone 56, 327496°E, 6230945°N	Local	0805
Caringbah South	“Fernleigh”—house	44–46 Fernleigh Road	Lot 122, DP 825842	State	0806

Suburb	Item name	Address	Property description	Significance	Item no
Caringbah South	“Rellum”—house	4 Frangipani Place	Lot 91, DP 846864	Local	0807
Caringbah South	Boat shed (including the estuarine and bush setting, form of the building, the fenestration pattern and gable details, the wall finishes, the sea wall and tidal pool remnants)	41 Mirral Road	Lot 23, DP 541144	Local	0808
Caringbah South	Street trees, consisting of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Eastern side of Oleander Parade, at intersection with Burraneer Bay Road	MGA Zone 56, 327354°E, 6230636°N	Local	0809
Caringbah South	EG Waterhouse National Camellia Garden	Corner of President Avenue and Kareena Road	Lot 57, DP 663328	Local	0810
Caringbah South	House (including the estuarine and bush setting)	27 Wallami Street	Lot 2, DP 595290	Local	0811
Caringbah South	The Terraces and former stables	28 and 32 Water Street	Lots 1 and 2, DP 259267	Local	0812
Caringbah South	Boat shed (including the simple hipped and 2-part composition with open dock, the form of the building, the roof form and finishes, the wall finishes, the boat shed doors, remains of the pool, landscape and sea wall)	359A Willarong Road	Lot 32, DP 1070362	Local	0813
Caringbah South	Stone walls (including the form of the building and the sandstone retaining wall)	432 Willarong Road	Lot B, DP 400045	Local	0814
Caringbah South	“Sheel Do” (including the bush setting, trees and site rock, the overall roof form of the central wing, the wall finishes, the fenestration pattern to central wing and the slip rails and sandstone ramp)	448 Willarong Road	Lot B, DP 365088	Local	0815

Suburb	Item name	Address	Property description	Significance	Item no
Caringbah South	Cottage, boat shed and jetty (including the mature trees, simple forms of the buildings, the wall finishes, the fenestration and architrave patterns and the sea wall)	509 Willarong Road	Lot 1181, DP 599117	Local	0816
Caringbah South	Waterfront cottage (including estuarine and bush setting, the roof finishes, the wall finishes, verandah and gable end details)	527A Willarong Road	Lot 2, SP 64686	Local	0817
Caringbah South	Waterfront cottage and boat shed	533 Willarong Road	Lot 720, DP 752064	Local	0818
Caringbah South	Boat shed/dwelling and swimming enclosure (including the bush setting, the simple form of the building, the roof form and finishes)	541 Willarong Road	Lot 6, DP 19624	Local	0819
Como	House (including the bush setting, the simple form of the building, the roof form and finishes, the wall finishes and the sea wall)	39 Bonnet Avenue	Lot 4, DP 318689	Local	0901
Como	House	105 Como Parade	Lot 1, DP 505159	Local	0902
Como	Como Pleasure Grounds	End of Cremona Road	Lots 3–10, DP 3134; Lot 648, DP 752064	Local	0903
Como	Former Como railway bridge (now cycleway), lattice girder railway bridge	North of Cremona Road	MGA Zone 56, 321771°E, 6236675°N	State	0904
Como	“Café de Como”—house	2 Cremona Road	Lot 1, DP 366566	Local	0905
Como	House	41 Wolger Street	Lot 1, DP 883870	Local	0906
Cronulla	House	8 Arthur Avenue (also known as 40 The Esplanade)	Lot 1, DP 9040	Local	1001
Cronulla	Remnant native <i>Cupaniopsis anacardioides</i> (Tuckeroo) and endangered Sutherland Shire littoral rainforest	Bass and Flinders Point, South Cronulla	MGA Zone 56, 329541°E, 6228213°N	Local	1002

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	Cronulla Public School, main building and grounds	20–24 Burraneer Bay Road	Lot 1, DP 122433; Lots 1–7, Section 2, DP 7048	Local	1003
Cronulla	Remnant foreshore vegetation, at head of Gunnamatta Bay, consisting of mixed species shrubs and understorey plants	20–24 Burraneer Bay Road, near end of Excelsior Road	Lot 1, DP 122433; Lot 7055, DP 1060600	Local	1004
Cronulla	House	26–28 Caronia Avenue	Lot 1, SP 75606	Local	1005
Cronulla	House	15 Connells Road	Lot 45, DP 6967	Local	1006
Cronulla	Cronulla Railway Station	Cronulla Street	Lot 1, DP 1129292	State	1007
Cronulla	“Cronulla Theatre”	2–6 Cronulla Street	Lot 1, DP 317807; Lots 1 and 2, DP 130895	Local	1008
Cronulla	Commercial building	8–12 Cronulla Street	Lots A–C, DP 101166	Local	1009
Cronulla	Cronulla Post Office	41 Cronulla Street	Lots 12 and 13, DP 1087743	Local	1010
Cronulla	Commonwealth Bank	66–70 Cronulla Street	Lot 1, DP 133454	Local	1011
Cronulla	State Bank	112 Cronulla Street	Lot A, DP 313806	Local	1012
Cronulla	Monro Park	146 Cronulla Street	Lots 5–7 and part of Lot 8, Section 1, DP 758305	Local	1013
Cronulla	Boat shed, garage and walls (including the parapeted form of the building, the wall finishes, the stone detailing, projecting roof slab, splayed fin walls and the sea wall)	9 Darook Park Road	Lot 27, DP 16746	Local	1014
Cronulla	Sandstone caves and wind eroded formations on foreshore	From Darook Park towards 27 Darook Park Road	Lots 14–21, DP 900239; Lot 4, DP 821371	Local	1015
Cronulla	Oak Park (including pavilion)	Ewos Parade	Lot 248, DP 752064; Lot 72, DP 585011; Lots 8–10, Section 2, DP 8670; Lot 9A, Section 1, DP 8670; Lot 1, DP 170453; Lot 2, DP 249974	Local	1018
Cronulla	Shelly Beach and Park (including pavilion)	Ewos Parade	Lots 236–238, DP 752064	Local	1016

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	Street trees (opposite Oak Street)	Ewos Parade	In front of Lot 1, Section 1, DP 5414	Local	1017
Cronulla	House	157 Ewos Parade	Lot 2, DP 310015	Local	1019
Cronulla	Garden and trees	6 Excelsior Road	Lot 1, DP 103327	Local	1064
Cronulla	House	22 Excelsior Road	Lot 3, SP 54832	Local	1020
Cronulla	Street plantings, consisting of eucalyptus (possibly Snappy Gum)	Eastern side of northern end of Franklin Road	MGA Zone 56, 329099°E, 6231453°N	Local	1021
Cronulla	House	54 Franklin Road	Lot 10, DP 7052	Local	1022
Cronulla	South Cronulla Beach and Cronulla Park	20R–38R Gerrale Street	Part Lot 222, DP 752064	Local	1023
Cronulla	House	82 Gerrale Street	Lots 2, DP 1096856	Local	1024
Cronulla	Commercial pair (shops/residence)	97–99 Gerrale Street	Lots A and B, DP 23736	Local	1025
Cronulla	“Thornton Hall”	7–17 Giddings Avenue (corner Nicholson Parade, part of St Aloysius School)	Lots 1 and 2, DP 190854; Lot E, DP 23736	Local	1026
Cronulla	Garden	30 Grosvenor Crescent	Lots 13 and 14, DP 10350	Local	1027
Cronulla	Possible remnant canopy, consisting of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum) and <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum)	Eastern side of Gunnamatta Road (mainly)	MGA Zone 56, 328685°E, 6230191°N	Local	1028
Cronulla	Wharf, boardwalk and steps	End of Gunnamatta Road	MGA Zone 56, 328637°E, 6229949°N	Local	1029
Cronulla	House	12 Hampshire Street (corner of Nicholson Parade)	Lot 1, DP 166807	Local	1030
Cronulla	Street plantings, consisting of <i>Ficus hillii</i> (Hill’s Weeping Fig)	Hume Road boundary to Cronulla golf course	Lot 2, DP 1001050	Local	1031
Cronulla	“Mimi’s Kindergarten”—house and garage	10–12 John Street	Lot 10, DP 6654; Lot 7, DP 6013; Lot B, DP 361239	Local	1032

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	Dunningham Park	Eastern end of Kingsway (corner of Elouera Road)	Lots 2–8, 14 and 15, DP 12825; Lots A–K, DP 15585; Lot 7337, DP 1160017	Local	1033
Cronulla	Street trees	Kingsway (corner of Wilbar Avenue)	MGA Zone 56, 329345°E, 6230630°N	Local	1034
Cronulla	Sandstone cliff feature above Esplanade walkway	Between Kingsway and Cronulla Park, along Esplanade walkway	Part of Lot 222, DP 752064; Lot 1, DP 172595; Lot E, DP 355570; SP 20305; SP 2550; SP 2626; SP 2737; SP 315; SP 35; SP 4128; SP 615; SP 831; SP 9154; Lot 451, DP 857299; SP 56190; SP 66933; SP 34995; SP 39031; Lot 7002, DP 1123269 and Lot 1, DP 1159683	Local	1035
Cronulla	Masonic Temple	43–45 Kingsway	Lot 1, DP 168340	Local	1036
Cronulla	“Judge’s House”	17 Links Avenue (corner of Berry Street)	Lot X, DP 412414	Local	1037
Cronulla	“Eleanor Mackinnon House”	9 Lucas Street (corner of Boronia Street)	Lots 1–6, SP 61837; Lots 8–22, SP 62055	Local	1038
Cronulla	Gardens	9 Lucas Street (corner of Boronia Street)	Lots 1–6, SP 61837; Lots 8–22, SP 62055	Local	1039
Cronulla	Fisheries Research Institute	Hungry Point (southern end of Nicholson Parade)	Lots 1129 and 1187, DP 752064	State	1040
Cronulla	Gunnamatta Park, including dressing pavilion and main pavilion	Nicholson Parade (on rise, east of Gunnamatta Baths)	Part Lot 282, DP 752064	Local	1041
Cronulla	House	8 Oak Street	Lot 10, Section 3, DP 5414	Local	1042
Cronulla	House	50 Parramatta Street	Lot 5, DP 4913	Local	1043
Cronulla	North Cronulla Surf Club	62 Prince Street, north of Dunningham Park	Lot 1, DP 12825; Lots 16–20, DP 12825; Part of Lot 1, DP 17118	Local	1044
Cronulla	“Moonbow”—house	12 Richmount Street	Lot 1, DP 204789	Local	1045
Cronulla	House	14 Richmount Street	Lot 4, DP 6492	Local	1046

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	St Andrews Church of England,—church, rectory and grounds	1A St Andrews Place	Lots 1, 1A and 2, Section A, DP 6419	Local	1047
Cronulla	School of Arts	4–8 Surf Road	Lot B, DP 384304	Local	1048
Cronulla	Boat shed (including the beach setting, the landscaped backdrop, the form of the building and the roof form and finishes)	47 Taloombi Street	Lot 19, DP 6875	Local	1049
Cronulla	“Combe Grange”—house	52 Taloombi Street	Lot A, DP 392762	Local	1050
Cronulla	Boat shed/dwelling (including the landscaped and beach setting, the simple gabled form of the building, the roof form and finishes and the fenestration)	53 Taloombi Street	Lot 7, DP 10446	Local	1051
Cronulla	Cronulla Sports Complex	The Esplanade	Lots B and C, DP 173271	Local	1052
Cronulla	The Esplanade—walking path of eastern foreshore, extending from Cronulla Park to Bass and Flinders Point	The Esplanade	Lot 7050, DP 1115545; Lot 7302, DP 1130200	Local	1053
Cronulla	Bass and Flinders Point and Salmon Haul Reserve	The Esplanade (at southern point of Cronulla Peninsula)	Lot 1, DP 200124; Lot 989, DP 752064; Lot 7047, DP 1060625; Lot 7048, DP 1060625; Lot 7049, DP 1119647; Lot 7076, DP 1119653	Local	1054
Cronulla	Cronulla Surf Club	The Esplanade (to the east of Cronulla Park)	Part of Lot 222, DP 752064; Lot A, DP 173271	Local	1055
Cronulla	Sandstone platform at head of Gunnamatta Bay	Below south-western corner of Tonkin Park	Lot 1, DP 122433 and Lot 7055, DP 1060600 and in Port Hacking River	Local	1059
Cronulla	Tonkin Park	Tonkin Street	Lot 7055, DP 1060600	Local	1056
Cronulla	Linear cultural exotic planting of rail embankment, consisting of coral trees	End of Tonkin Street, between railway and oval	Lot 1, DP 1129292; Lot 7055, DP 1060600	Local	1057
Cronulla	Remnant eucalypt canopy in Tonkin Park, adjacent to car park	3R Tonkin Street	Lot 7054, DP 1060600; Lot 2, DP 1153728	Local	1058

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	House	8 Via Mare	Lot 5, DP 5516	Local	1060
Cronulla	Substation (Electric Light Department)	Waratah Street, abutting Gunnamatta Park	Part of Lot 1052, DP 752064	Local	1061
Cronulla	Frontage trees, consisting of <i>Eucalyptus paniculata</i> (Grey Ironbark) and some <i>Eucalyptus pilularis</i> (Blackbutt)	Main frontages to Woolooware Primary School, Wills Road and Riverview Avenue	Lot 1, DP 715440	Local	1062
Cronulla	Uniting Church	14 Wilshire Avenue	Lot 15, DP 6585; Lot B, DP 303739	Local	1063
Dolans Bay	House (including the simple gabled form of the building, the wall finishes, the fenestration, the stone retaining wall and the verandah detailing)	92 Parthenia Street	Lot 178, DP 6930	Local	1101
Dolans Bay	House	698 Port Hacking Road South	Lot 1, DP 559607	Local	1102
Dolans Bay	Our Lady of Mercy Convent	742 Port Hacking Road South	Lot 1, DP 1043243	Local	1103
Engadine	House	133 Banksia Avenue	Lot 44, DP 848092	Local	1201
Engadine	The “Needles” rock formations in Woronora River	Immediately downstream of the causeway	Lot 7038, DP 1027187	Local	1202
Engadine	Stand of <i>Pinus radiata</i> (Radiata Pine or Monterey Pine) and <i>Lophostemon confertus</i> (Brush Box)	Cooper Street Reserve, on Princes Highway frontage	Lot 1, DP 442780; Lot 1, DP 121423; Lot 1, DP 205485; Lot 389, DP 752033	Local	1203
Engadine	House	43 Railway Parade (Princes Highway)	Lot 37, SP 64909	Local	1204
Engadine	Bakery Trade Industry building	Waratah Road	Lot 638, DP 752033	Local	1205
Engadine	Meat Trade Industry building	Waratah Road	Lot 4, DP 1142162	Local	1206
Engadine	Memorial Hospital	Waratah Road	Lot 353, DP 752033	Local	1207
Engadine	Memorial Hospital grounds	Waratah Road	Lot 361, DP 752033	Local	1208
Engadine	“Homelea”—house	277 Woronora Road	Lot 14, DP 22331	Local	1209

Suburb	Item name	Address	Property description	Significance	Item no
Grays Point	Mangrove stands	Between Grays Point and Point Danger	MGA Zone 56, 323450°E, 6229030°N, MGA Zone 56, 323580°E, 6229020°N, MGA Zone 56, 323620°E, 6228960°N	Local	1301
Grays Point	Grays Point rocky foreshore to public reserve	On foreshore in front of 14–20 Grays Point Road	MGA Zone 56, 323304°E, 6228986°N	Local	1302
Grays Point	Mansion Bay, sandstone foreshore	Between 8–70A Mansion Point Road	SP 69994; Lot 12, DP 614900; Lot 2, DP 545204; Lots 42, 46, 47, 51, 53 and 55–57, DP 12160; Lot B, DP 403184; Lot 2, DP 532406; Lot 2, DP 407301; Lot 44, DP 730799; Lot 101, DP 1064689; Lot 2, DP 1072429; Lot 52, DP 1082965	Local	1303
Grays Point	House	14/150–158 North West Arm Road	Lot 14, SP 57657	Local	1304
Grays Point	House, boat shed and sea wall (including the roof form, the wall finishes, the fenestration pattern and the sea wall)	129 Peninsula Road	Lot 9, DP 13379; Lot 1106, DP 752064	Local	1305
Grays Point	Mangrove stands between Swallow Rock and foreshore	Swallow Rock Drive	Part of Lot 1164, DP 752064	Local	1308
Grays Point	Sandy beach next to boat ramp	Swallow Rock Drive	Part of Lot 1164, DP 752064	Local	1306
Grays Point	“Swallow Rock” rock formations, east of boat ramp	Swallow Rock Drive	Part of Lot 1164, DP 752064	Local	1307
GyMEA	Street trees, consisting of <i>Eucalyptus pilularis</i> (Blackbutt)	Southern side of Forest Road, opposite Manchester Road	MGA Zone 56, 323392°E, 6231525°N	Local	1501
GyMEA	Street trees, consisting of <i>Eucalyptus pilularis</i> (Blackbutt)	Southern side of Forest Road, opposite Walker Avenue	MGA Zone 56, 323506°E, 6231512°N	Local	1502
GyMEA	Street trees, consisting mainly of <i>Eucalyptus pilularis</i> (Blackbutt) and <i>Eucalyptus globoidea</i> (White Stringybark)	GyMEA Bay Road, south, between President Avenue and High Street	MGA Zone 56, 323140°E, 6231877°N	Local	1503

Suburb	Item name	Address	Property description	Significance	Item no
GyMEA	Street trees, consisting of eucalyptus	North-eastern corner of GyMEA Bay Road and outside 155A Forest Road	MGA Zone 56, 323100°E, 6231602°N	Local	1504
GyMEA	Street trees, consisting of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	South-western corner of GyMEA Bay Road and Forest Road on median strip	MGA Zone 56, 323080°E, 6231570°N	Local	1505
GyMEA	Street plantings, eucalyptus	Kingsway, mainly southern side, between Talara Road and Premier Street	MGA Zone 56, 323119°E, 6232586°N	Local	1506
GyMEA	Hazelhurst garden and grounds (including cottage)	782–804 Kingsway (corner of Talara Road)	Lot 1, DP 1006317	Local	1507
GyMEA	Natural sandstone arch bridge	North West Arm Road	Lot 1, DP 235621	Local	1508
GyMEA	Stands of <i>Eucalyptus microcorys</i> (Tallow Wood), <i>Eucalyptus pilularis</i> (Blackbutt), <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum), <i>Eucalyptus grandis</i> (Rose Gum) and <i>Eucalyptus globoidea</i> (White Stringybark)	Along Princes Highway (between Kingsway and The Boulevarde)	Lots 1 and 2, DP 350852; Lots 3 and 4, DP 417609; Lot 2, DP 563565; Lots 2–4, 34–37 and 39–43, Section C, DP 9792; SP 52824; Lot 1, DP 455387; SP 57179; Lot 1, DP 877232; SP 57553; SP 67562; Lot 1, DP 1110259; SP 79926; Lot 2, DP 1166936; Lot 50, DP 1178390	Local	1509
GyMEA Bay	GyMEA Baths	North-western corner of GyMEA Bay	MGA Zone 56, 323966°E, 6230690°N	Local	1601
GyMEA Bay	House (including the setting, the roof form and the sea wall)	9 Bayhaven Place	Lot 13, DP 708229	Local	1602
GyMEA Bay	Trees, consisting of <i>Eucalyptus microcorys</i> (Tallow Wood)	65–67 Coononong Road and fronting 69 Coonong Road	Lots 51–52, DP 9119	Local	1603

Suburb	Item name	Address	Property description	Significance	Item no
Gymea Bay	Boat shed (including the estuarine and bush setting, the simple form of the building, the roof form and finishes, the wall finishes and the fenestration pattern)	38 Coopernook Avenue	Lot 18B, DP 14902	Local	1604
Gymea Bay	Waterfront cottage (including the setting, the simple gabled form of the building, the stone finishes, the sea wall and recessed stone slipway)	116 Ellesmere Road	Lot 5, DP 8937; Lot 632, DP 752064	Local	1605
Gymea Bay	House	180 Ellesmere Road	Lot 1, DP 206569	Local	1606
Gymea Bay	House	24A Pinaroo Place	Lot 42, DP 814870	Local	1607
Gymea Bay	Single tree—eucalyptus	North-eastern corner of Winkin Avenue and Coonong Road	MGA Zone 56, 323131°E, 6230580°N	Local	1608
Heathcote	Street trees—Blue Gum, <i>Eucalyptus pilularis</i> (Blackbutt) and Stringybark	Outside 37R–39R Bottle Forest Road (and former brickpit embankment)	MGA Zone 56, 316800°E, 6226640°N	Local	1701
Heathcote	Cultural street trees, <i>Lophostemon confertus</i> (Brush Box)	Dillwynnia Grove	MGA Zone 56, 316660°E, 6226300°N	Local	1702
Heathcote	Heathcote Hall and grounds of Heathcote Hall	1–21 Dillwynnia Grove (corner of Tecoma Street)	Lots 1 and 2, DP 725184	State	1703
Heathcote	“Kennet Villa”—house	40 Dillwynnia Grove	Lot 9, DP 14918	Local	1704
Heathcote	Natural street plantings, including <i>Eucalyptus pilularis</i> (Blackbutt), <i>Syncarpia glomulifera</i> (Turpentine) and Angophora	Forest Road	MGA Zone 56, 317050°E, 6226950°N	Local	1705
Heathcote	Former railway cottage	1328 Princes Highway	Lot 1, DP 1096009	Local	1706
Heathcote	House	1 Wilson Parade	Lot 5, DP 853887	Local	1708
Heathcote	House	122 Wilson Parade	Lot 20, DP 1128889	Local	1709

Suburb	Item name	Address	Property description	Significance	Item no
Illawong	“The Rockies” (including the boat house and stone sea wall)	4 Bignell Street	Lot 3, DP 619553	Local	2001
Illawong	Stone boat shed, sea wall and basin (including the estuarine and bush setting, the simple form of the building, the roof form and finishes, the wall finishes, the sea wall, tidal pool, dock, steps and derrick)	7 Bignell Street	Lot 1, DP 214127	Local	2002
Illawong	Cottage and sea wall (part of group) (including the estuarine and bush setting, the form of the building, the roof form and finishes, the wall finishes, the fenestration pattern, the sea wall, pool, sandstone retaining wall)	20 Bignell Street	Lot A, DP 339474	Local	2003
Illawong	Cottage, sea wall, pool and stone retaining walls (part of group) (including the estuarine and bush setting, the form of the building, the roof form and finishes, the wall finishes, the fenestration pattern, the sea wall, pool, sandstone retaining wall)	22 Bignell Street	Lot 1, DP 776739	Local	2004
Illawong	Cottage and sea wall (part of group) (including the estuarine and bush setting, the roof form and finishes, the wall finishes and the sea wall)	60 Bignell Street	Lot 544, DP 752034; Lot 12, DP 9572	Local	2005

Suburb	Item name	Address	Property description	Significance	Item no
Illawong	Cottage and boat shed (part of group) (including the estuarine and bush setting, the form of the building, the roof form and finishes, the wall finishes, the fenestration and the sea wall and wharf)	66 Bignell Street	Lot A, DP 364745; Lot 9, DP 9572	Local	2006
Illawong	Cottage (part of group) (including the estuarine and bush setting, the simple form of the building, the roof form and finishes, the wall finishes and the sea wall)	68 Bignell Street	Lot 448, DP 752034; Lot 8, DP 747455	Local	2007
Illawong	Cottage (part of group) (including the estuarine and bush setting and the roof form)	72 Bignell Street	Lot 6, DP 603700	Local	2008
Illawong	Sculptures, pathways and steps, sea wall, castellated top wall and swimming enclosure (including the bush setting, the sea wall, tidal pool remnants, public park, sandstone pathways, steps and sculptures)	9–21 Cranbrook Place	Lots 7–12, DP 240621; Lot 21, DP 711944	Local	2009
Illawong	“Cranbrook”—gardens	45–53 Fowler Road	Lot 5, DP 855000	Local	2011
Illawong	“Cranbrook”—house	45–53 Fowler Road	Lot 5, DP 855000	Local	2010
Illawong	House and boat shed (including the estuarine and bush setting, the overall gabled form of the building, the roof form and finishes, the wall finishes, the fenestration pattern, the sea wall, boat shed and shed)	69 Fowler Road	Lot 2, DP 507068	Local	2012
Illawong	Sea wall	77–79 Fowler Road	Lot B, DP 418308	Local	2013

Suburb	Item name	Address	Property description	Significance	Item no
Illawong	Sea wall and boat shed (including the twin gabled form of the building, the roof form and finishes, the sea wall and baths and the intact grouping of early cottage and baths)	81 Fowler Road	Lot A, DP 418308	Local	2014
Illawong	House	118 Fowler Road	Lot 1, DP 214556	Local	2015
Illawong	Boat shed, house, wharf and stone waterfront (including the simple form of the buildings, the roof form and finishes, the wall finishes, the fenestration pattern, the sea wall and dock)	119–121 Fowler Road	Lot 2, DP 666157	Local	2016
Illawong	Waterfront house (part of group) (including the fibro finishes and the gabled form)	Georges River— 150m west of Old Ferry Road	Lot 531, DP 752034	Local	2022
Illawong	Waterfront house (part of group) (including the estuarine and bush setting, the gabled form of the building)	Georges River— 180m west of Old Ferry Road	MGA Zone 56, 318940°E, 6236915°N	Local	2021
Illawong	Waterfront house (part of group) (including the estuarine and bush setting, the simple form of the building and the wall finishes)	Georges River— 215m west of Old Ferry Road	MGA Zone 56, 318910°E, 6236910°N	Local	2020
Illawong	Waterfront house (part of group) (including the estuarine and bush setting, the wall finishes and the sea wall)	Georges River— 220m west of Old Ferry Road	MGA Zone 56, 318895°E, 6236910°N	Local	2019
Illawong	Waterfront house (part of group) (including the estuarine and bush setting, the simple gabled form of the building, the finishes, the wall finishes, the fenestration pattern and the sea wall)	Georges River— 240m west of Old Ferry Road	MGA Zone 56, 318875°E, 6236910°N	Local	2018

Suburb	Item name	Address	Property description	Significance	Item no
Illawong	Early waterfront house (including the bush setting of neighbouring property, the simple gabled form of the building, the roof form and finishes, the wall finishes and the fenestration pattern)	9–11 Griffin Parade	Lot A, DP 311424	Local	2017
Jannali	Stand of <i>Eucalyptus pilularis</i> (Blackbutt)	Jannali Avenue, between Mitchell Avenue and Louise Street	MGA Zone 56, 321290°E, 6234155°N	Local	2101
Jannali	Cultural planting, comprising <i>Lophostemon confertus</i> (Brush Box)	Mitchell Avenue, corner of Oxley Avenue	MGA Zone 56, 321180°E, 6234390°N	Local	2102
Jannali	Single tree, <i>Eucalyptus microcorys</i> (Tallow Wood)	In footpath reserve at 156–170 Sutherland Road	MGA Zone 56, 320978°E, 6233834°N	Local	2103
Kangaroo Point	Boat shed and house (including the landscaped setting, the form of the building, the roof form and finishes, the wall finishes, the sea wall, jetty and slip rails)	9 Ilma Avenue	Lot 14, DP 8822	Local	2201
Kangaroo Point	Boat shed and wall (including bush setting)	6–8 Kangaroo Point Road	Lots 22–23, DP 7269	Local	2202
Kangaroo Point	“Green Gables”—house	10–12 Kangaroo Point Road	Lots 20–21, DP 7269	Local	2203
Kangaroo Point	House	25 Kangaroo Point Road	Lot 4, DP 11338	Local	2204
Kangaroo Point	Garden	25 Kangaroo Point Road	Lot 4, DP 11338	Local	2205
Kangaroo Point	Boat shed (including the roof form, the wall finishes, the fenestration, the sea wall and Norfolk Island Pines)	72–74 Kangaroo Point Road	Lot D, DP 26408	Local	2206
Kangaroo Point	House	107 Kangaroo Point Road	Lot 5, DP 285830	Local	2207
Kangaroo Point	House	162 Kangaroo Point Road (corner of Tara Street)	Lot A, DP 366804	Local	2208

Suburb	Item name	Address	Property description	Significance	Item no
Kirrawee	“Botany View”—house	94 Acacia Road	Lot 8, DP 392336	Local	2401
Kirrawee	House	189 Acacia Road	Lot 8, Section 61, DP 802	Local	2402
Kirrawee	House	455 President Avenue (corner of Oak Road)	Lot B, DP 402016	Local	2403
Kurnell	Former church	123 Captain Cook Drive	Lot 42, DP 815126	Local	2501
Kurnell	Cronulla sand dune and Wanda Beach coastal landscape	434 and 440 Captain Cook Drive and 31 Lindum Road	Lot 1055, DP 1140838; Lot 1059, DP 1140838; Lot 7304, DP 1130200	State	2502
Kurnell	Kurnell monuments (in Kamay Botany Bay National Park)	Kamay Botany Bay National Park	Land shown in Miscellaneous Plan of Sydney 20239-3000	Local	2503
Kurnell	Kurnell Historic Site (in Kamay Botany Bay National Park)	Polo Street and Sir Joseph Banks Drive	Lots 71–76 and 85, DP 908; Lot 7334, DP 1162374; land shown in Miscellaneous Plan of Sydney 20239-3000; Lot 1, DP 556396; land shown in NSW Government Gazette 13 December 1968: folio 4968.	State	2504
Kurnell	Bonna Point Reserve	Prince Charles Parade	Lot 11, DP 819440	Local	2505
Kurnell	Silver Beach and roadway	Prince Charles Parade	Lot 3, DP 1165618	Local	2506
Kurnell	Indigenous trees	254–266 Prince Charles Parade and 1–9 Balboa Street	Lots 76–79 and 92–96, DP 7632; Lots 104–106, DP 800513	Local	2507
Kurnell	Oyster jetty (end of Atkinson Road)	Shell Point	Lot 2, DP 879760	Local	2508
Kurnell	Towra Point Nature Reserve and Quibray Bay	Towra Point	Lots 101–109, DP 777967; Lot 31, DP 217907; Lot 101, DP 555205; Lot 4, DP 732257; Lot 2, DP 856868; Lot 1, DP 1014443; Lot 1, DP 1030269	State	2509
Lilli Pilli	Garden trees	18 Bareena Street	Lot 2, DP 956230	Local	2602
Lilli Pilli	“Waratah”—house	18 Bareena Street	Lot 2, DP 956230	Local	2601
Lilli Pilli	“Beckton”—house	20–24 Beckton Place	Lot 45, DP 1168097	Local	2603

Suburb	Item name	Address	Property description	Significance	Item no
Lilli Pilli	Beckton Recreational Group (Beckton boat shed, pool and outbuilding)	20–24 Beckton Place	Lot 45, DP 1168097	Local	2604
Lilli Pilli	House	32 Beckton Place	Lot 1, DP 209344	Local	2605
Lilli Pilli	Waterfront cottage (including the overall form of the building, the roof form, the wall finishes and the fenestration pattern)	24 Gow Avenue	Lot 13, DP 29382	Local	2606
Lilli Pilli	“Nuimburra” and adjoining house	16–18 Korokan Road	Lot 24, DP 524917	Local	2607
Lilli Pilli	Remnant mixed canopy	Eastern end of Lilli Pilli Point Reserve, North East Crescent	Lot 7004, DP 93567 and part of Lot 7335, DP 1158580	Local	2608
Lilli Pilli	“The Rocks”— waterfront cottage (including the estuarine and bush setting, the form of the building, the wall finishes, the fenestration pattern and detail of building)	33 Turriell Bay Road	Lot 2, DP 409606	Local	2609
Loftus	House	9 National Avenue	Lot 3, DP 501404	Local	2701
Loftus	House	44 National Avenue	Lot 21, DP 13904	Local	2702
Lucas Heights	<i>Eucalyptus squamosa</i>	Heathcote Road	MGA Zone 56, 313304°E, 6233854°N and MGA Zone 56, 313710°E, 6234240°N	Local	2801
Lucas Heights	<i>Eucalyptus paniculata</i> (Grey Ironbark)	Within ANSTO grounds bounded by Little Forest Road and New Illawarra Road	Lot 1, DP 106967; Lot 25, DP 874608; Lots 272 and 274, DP 752034; Part of Lots 2 and 3, DP 1032102; Lot 2, DP 605076; Lot 112, DP 1050235	Local	2802
Maianbar	Vegetated islands off Maianbar containing some threatened species of vegetation	Constables Point	Lot 47, DP 752065; Lot 1, DP 1047125; Lot 7300, DP 1143291	Local	2901
Menai	Moreton Bay Fig	Between Carter Road and Old Illawarra Road, Menai town centre	Lot 101, DP 1038691	Local	3001

Suburb	Item name	Address	Property description	Significance	Item no
Menai	Sandstone escarpment	In Georges River National Park, between Heathcote Road and Mill Creek	Part of Lot 2, DP 828667 at MGA Zone 56, 315820°E, 6237820°N	Local	3002
Menai	Sandstone escarpment	In Georges River National Park, between Heathcote Road and Mill Creek	Part of Lot 2, DP 828667 at MGA Zone 56, 316370°E, 6237720°N	Local	3003
Menai	<i>Angophora costata x bakerii</i>	St George Crescent	Part of Lot 2, DP 828667 at MGA Zone 56, 316540°E, 6236890°N	Local	3005
Menai	<i>Eucalyptus maculata</i> (Spotted Gum)	St George Crescent	Part of Lot 2, DP 828667 at MGA Zone 56, 315570°E, 6237470°N	Local	3004
Miranda	Street trees, consisting of <i>Eucalyptus pilularis</i> (Blackbutt)	Southern side of Forest Road, immediately east of junction with Alkaringa Road	Lot 13, DP 624165	Local	3101
Miranda	Street trees, alternate planting of <i>Lophostemon confertus</i> (Brush Box) and <i>Cinnamomum camphora</i> (Camphor Laurel)	Kiora Road	MGA Zone 56, 324920°E, 6232620°N	Local	3102
Miranda	House	13 Matson Crescent	Lot 65, DP 10693	Local	3103
Miranda	Waterfront house (including the roof form and finishes and the sea wall)	32 Matson Crescent	Lot 656, DP 752064	Local	3104
Miranda	Boat shed/house (part of a group) (including the simple form and the gabled roof)	42 Matson Crescent	Lot 92, DP 10693	Local	3105
Miranda	Boat shed (part of a group) (including the estuarine setting, the overall form of the building, the sea wall and boat ramp)	46 Matson Crescent	Lots 1 and 2, SP 45278	Local	3106
Miranda	Boat shed (part of a group) (including simple gabled form, weatherboard finishes, timber fenestration, slipways and jetty)	50 Matson Crescent	Lot 881, DP 841761	Local	3107

Suburb	Item name	Address	Property description	Significance	Item no
Miranda	Boat shed (part of a group) (including simple gabled form, weatherboard finishes, timber fenestration, slipways and jetty)	52 Matson Crescent	Lot 87, DP 10693	Local	3108
Miranda	Boat house (part of a group) (including the simple form, timber doors and windows and wall finishes)	54 Matson Crescent	Lot 86, DP 10693	Local	3109
Miranda	“Mount View”—boat house (part of a group) (including the simple form, timber doors and windows and wall finishes)	56 Matson Crescent	Lot 85, DP 10693	Local	3110
Miranda	Boat house (including the estuarine setting, the fine boat house and the overall fenestration pattern)	60 Matson Crescent	Lot 83, DP 10693	Local	3111
Miranda	Boat shed	62 Matson Crescent	Lot 82, DP 10693	Local	3112
Miranda	Gwawley Creek storm water canal	223A Port Hacking Road	Lots 11 and 12, DP 586091; Lots 61 and 90, DP 7039; Lot 62, DP 652345	Local	3113
Miranda	Miranda Centre School War Memorial	Northern end of The Boulevarde	Lots 535 and 536, DP 1073046	Local	3116
Miranda	Remnant stand of <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Northern side of The Boulevarde, between Aster Avenue and Ingara Avenue	MGA Zone 56, 325545°E, 6232850°N	Local	3114
Miranda	Cultural plantings of <i>Melaleuca quinquenervia</i> (Broad-leaved Paperbark), school frontage	The Boulevarde, opposite Edward Avenue	Lot 1, DP 957441; Lot 1, DP 957442; road reserve	Local	3115
Oyster Bay	Stands of <i>Avicennia marina</i> (Grey Mangrove)	Fringing Coronation Bay	MGA Zone 56, 322650°E, 6236175°N	Local	3206
Oyster Bay	Boat shed and cottage (including the landscape setting, simple form of the building, eclectic fenestration, sea wall, jetty and ramp)	27 Carina Road	Lot 252, DP 550590	Local	3201

Suburb	Item name	Address	Property description	Significance	Item no
Oyster Bay	Waterfront cottage (part of group) (including the estuarine and bush setting, form of the building, the roof form and finishes, the wall finishes, the fenestration pattern and the verandah detailing)	14–20 Green Point Road	Lot 1, DP 4079	Local	3202
Oyster Bay	Waterfront cottage (part of group) (including roof form and finishes, wall finishes and fenestration)	40 Green Point Road	Lot 32, DP 228618; Lot 1, LN 305079	Local	3203
Oyster Bay	“Desiree”—cottage	2 Sage Avenue	Lot 1, DP 612154	Local	3204
Oyster Bay	Waterfront cottage (part of group) (including roof form fitting, verandah detail, multipane timber, casement windows and weatherboard finishes)	19 Shipwright Place	Lot 62, DP 1106236	Local	3205
Oyster Bay	Waterfront cottage (part of group) (including the bush setting, rock face, simple form of the building, wall finishing, verandah and gable detail)	20 Ward Crescent	Lot 10, DP 17645	Local	3207
Oyster Bay	Waterfront cottage with attached boat shed, sea wall, jetty and sliprails (part of group) (including the estuarine setting, rock formations, the gabled form of the building, the roof form and finishes, the wall finishes, the fenestration pattern and the sea wall, jetty and slip rails)	24 Ward Crescent	Lot 12, DP 17645	Local	3208

Suburb	Item name	Address	Property description	Significance	Item no
Oyster Bay	Waterfront cottage, boat shed and sea wall (part of group) (including the estuarine setting, the form of the building, the roof form and finishes and the wall finishes)	28 Ward Crescent	Lot 14, DP 17645	Local	3209
Port Hacking	“Moombara”—house	17–19 Moombara Crescent	Lot X, DP 442185	Local	3301
Port Hacking	“Lyons House”	733 Port Hacking Road	Lot 1, DP 650205	State	3302
Port Hacking	House	1 Sandbar Place	Lot 26, DP 255250	Local	3303
Port Hacking	Shiprock rock feature on foreshore, opposite 2 Shiprock Road, together with the Shiprock Aquatic Reserve	In water adjoining 2–4 Shiprock Road	MGA Zone 56, 327410°E, 6228600°N	Local	3305
Port Hacking	“Wallendbeen Lodge”—house	10 Wallendbeen Avenue	Lot 11, DP 30985	Local	3304
Royal National Park	Historic recreational complex, comprising Audley Group	Junction of Audley Road and Sir Bertram Stevens Drive	MGA Zone 56, 320656.03°E, 6227853.95°N	State	3402
Royal National Park	Historic recreational complex, comprising house	Audley Road/Sir Bertram Stevens Drive, eastern side of road, on western approach to Audley Weir	MGA Zone 56, 320590°E, 6288030°N	Local	3403
Royal National Park	Historic recreational complex, comprising ranger’s cottage	Audley Road/Sir Bertram Stevens Drive, corner of Lady Carrington Drive	MGA Zone 56, 320625°E, 6227710°N	Local	3404
Royal National Park	Historic recreational complex, comprising shelter pavilion	Audley Road/Sir Bertram Stevens Drive, corner of Lady Carrington Drive	MGA Zone 56, 320650°E, 6227800°N	Local	3405
Royal National Park	Deeban spit—sand spit	Extending from Bonnie Vale towards Burraneer Headland	Part of Lot 50, DP 48305	Local	3406
Royal National Park	“Chaldercot”—house	On foreshore between Dark Bay and Carruthers Bay	MGA Zone 56, 324800°E, 6228850°N	Local	3407

Suburb	Item name	Address	Property description	Significance	Item no
Royal National Park	Avenue of trees, consisting of Bunya Pine, Hoop Pine and Monterey or Radiata Pine	Royal National Park entry at Loftus Junction and extending into Royal National Park	MGA Zone 56, 320395°E, 6230185°N	Local	3408
Royal National Park	Ballast shoal	Port Hacking mid channel between Little Turriell Bay and Yennibilli Point (just north-west of Maianbar)	MGA Zone 56, 326800°E, 6228100°N	Local	3410
Royal National Park	“Bedford”—cottage	Princes Highway (on edge of Royal National Park)	MGA Zone 56, 320260°E, 6230630°N	Local	3401
Royal National Park	Former “Gardeners Garage”	Princes Highway (on edge of Royal National Park)	MGA Zone 56, 320244.89°E, 6230659.66°N	Local	3411
Royal National Park	Rock formation, described locally as “Pulpit Rock” (minor)	On foreshore west of Red Jacks Point	Lot 1, DP 744531	Local	3412
Royal National Park	Boat sheds	Warumbul Road (Gogerly’s Point)	Lot 2, DP 3274	Local	3413
Royal National Park	Rotunda	Warumbul Road (Gogerly’s Point)	Lot A, DP 361390	Local	3414
Royal National Park	Timber cottages	Warumbul Road (Gogerly’s Point)	Lot B, DP 361390	Local	3415
Royal National Park	“Gogerly’s Cottage”	Warumbul Road (Gogerly’s Point), adjacent to “Hilltop”	Lot 2, DP 3274	Local	3416
Royal National Park	“Rathane” cottage, associated buildings and landscape setting	Warumbul Road (Gogerly’s Point), north of “Hilltop”	Lot A, DP 361390	Local	3418
Royal National Park	“Telford” and landscaping	Warumbul Road (Gogerly’s Point), including west of “Rathane”	Part of Lot 21, DP 57765	Local	3417
Royal National Park	“Hilltop” and landscaping	Warumbul Road (Gogerly’s Point), south of “Rathane”	Lot 2, DP 3274	Local	3419
Royal National Park	Gardens/grounds	Warumbul Road (Gogerly’s Point), within landscape setting for “Rathane”	Lot A, DP 361390	Local	3420

Suburb	Item name	Address	Property description	Significance	Item no
Royal National Park	“Warumbul”—remnant period garden and ancillary foreshore structures in grounds	Warumbul Road (Warumbul)	MGA Zone 56, 324950°E, 6227740°N	Local	3421
Sutherland	Tree cluster, consisting of <i>Eucalyptus microcorys</i> (Tallow Wood), <i>Eucalyptus pilularis</i> (Blackbutt) and <i>Eucalyptus saligna</i> (Sydney Blue Gum)	Along southern edge of 101 Acacia Road and within the adjacent road reservation on northern side of Old Princes Highway	In front of road reserve and part of Lot 200, DP 1110295; MGA Zone 56, 321470°E, 6232710°N	Local	3601
Sutherland	House	5 Adelong Street	Lot B, DP 165415	Local	3603
Sutherland	House	7 Adelong Street	Lot C, DP 165415	Local	3604
Sutherland	House	10 Adelong Street	Lot 12, Section 8, DP 1989	Local	3605
Sutherland	House	68 Auburn Street	Lot 28, SP 52072	Local	3606
Sutherland	Street plantings consisting of <i>Eucalyptus scoparia</i> (Willow Gum)	Western side of Belmont Street, from Morley Street to Cook Street	MGA Zone 56, 320970°E, 6232220°N	Local	3607
Sutherland	House	52 Clio Street	Lot 9, DP 6641	Local	3608
Sutherland	Street trees, alternate planting of Port Jackson Fig and <i>Lophostemon confertus</i> (Brush Box)	East Parade	MGA Zone 56, 320425°E, 6232320°N	Local	3609
Sutherland	Single tree— <i>Ficus rubiginosa</i> (Port Jackson Fig)	East Parade, at the bus interchange	MGA Zone 56, 320625°E, 6232675°N	Local	3610
Sutherland	House	9–15 East Parade	Lot 30, SP 60557	Local	3611
Sutherland	Former School of Arts	21–23 East Parade	Lots 6 and 7, Section 10, DP 1989	Local	3612
Sutherland	House	77 East Parade (corner of Sutherland Street)	Lot 13, Section 6, DP 1989	Local	3613
Sutherland	Sutherland War Memorial	Peace Park, Eton Street	Lot 7, Section 46, DP 802	Local	3615
Sutherland	Forby Sutherland Memorial Gardens and Council grounds, Council Chambers	Eton Street and Old Princes Highway	Lots A and B, DP 327716; Lots A and B, DP 336400; Lots 2 and 3, Section 46, DP 802; Lot 1, DP 1087442	Local	3616

Suburb	Item name	Address	Property description	Significance	Item no
Sutherland	Former Sutherland Intermediate High School building (now part of Sutherland Primary School)	38–54 Eton Street	Lots 6–10, Section 45, DP802	Local	3614
Sutherland	Single tree— <i>Ficus rubiginosa</i> (Port Jackson Fig)	Western side of Eton Street, outside 61–65 Eton Street	MGA Zone 56, 320725°E, 6232295°N	Local	3617
Sutherland	Sutherland Primary School, including original building and grounds	Flora Street (corner of Eton and Merton Streets)	Lot 5, Section 45, DP 802; Lots 1–10, DP 6600	Local	3618
Sutherland	Church	Flora Street (corner of Merton Street)	Lot 11, Section 46, DP 802	Local	3619
Sutherland	House	116 Flora Street	Lot 1, DP 324080	Local	3620
Sutherland	House	122 Flora Street (corner of Glencoe Street)	Lot 1, DP 877080	Local	3621
Sutherland	House and fence	56 Glencoe Street	Lot 11, DP 876387	Local	3622
Sutherland	House	123 Jannali Avenue (rear frontage to Vesta Street)	Lot 1, Section 28, DP 802	Local	3623
Sutherland	House	125 Jannali Avenue (corner of Glenelg Street)	Lot 1, DP 1087441	Local	3624
Sutherland	Lark Ellen Nursing Home	133 Jannali Avenue	Lots 24, 25 and 28, DP 9306	Local	3625
Sutherland	Sutherland Park	Linden Street	Lot 7351, DP 1165563; Lot 7058, DP 1027168; Lot 3, DP 1006363	Local	3626
Sutherland	Woronora Cemetery	Linden Street	Lot 7065, DP 1027170; Lot 7066, DP 1069862; Lot 7331, DP 1158060 and Part of Lot 7329, DP 1158060	Local	3627
Sutherland	“Cooee Tree”, <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum), 1.8m diameter trunk	Sutherland Park, Linden Street	Lot 7351, DP 1165563	Local	3628
Sutherland	Stand of <i>Eucalyptus haemastoma</i> (Scribbly Gum) and <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Sutherland Park, Linden Street	Lot 7351, DP 1165563	Local	3629

Suburb	Item name	Address	Property description	Significance	Item no
Sutherland	2 trees— <i>Tristaniopsis laurina</i> (Water Gum)	Linden Street footpath reserve, opposite Adelong Street	MGA Zone 56, 320410°E, 6232660°N, MGA Zone 56, 320400°E, 6232625°N	Local	3630
Sutherland	House	148 Linden Street (corner of Sutherland Street)	Lot 12, Section 6, DP 1989	Local	3631
Sutherland	Railway station precinct, bridge, retaining walls and Port Jackson Figs	Between East Parade and Old Princes Highway	Part of Lot 2, DP 1001739	Local	3632
Sutherland	Cultural plantings, consisting of 4 <i>Lophostemon confertus</i> (Brush Box)	Old Princes Highway (in front of Olsens Funeral Chapel)	In front of road reserve and parts of Lot 25, DP 6641; Lot 26, DP 6641; Lot 1, DP 736041, MGA Zone 56, 320900°E, 6232870°N	Local	3602
Sutherland	Commonwealth Bank	816 Old Princes Highway	Lot 1, DP 717026	Local	3633
Sutherland	Single tree— <i>Ficus rubiginosa</i> (Port Jackson Fig)	Opposite Oxford Street on eastern side of East Parade	MGA Zone 56, 320745°E, 6232875°N	Local	3634
Sutherland	Commercial building	685 Princes Highway (next to overpass)	Lot 26, DP 6641	Local	3635
Sutherland	“Boyles Sutherland Hotel”	808–810 Princes Highway (corner of Boyle Street)	Lot 8, Section 1, DP 1688	Local	3636
Sutherland	“National Avenue”—street trees	Rawson Avenue	MGA Zone 56, 320350°E, 6231690°N	Local	3637
Sutherland	2 trees— <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Either side of Sumner Street at Sutherland Road junction	MGA Zone 56, 320920°E, 6233565°N, MGA Zone 56, 320915°E, 6233545°N	Local	3638
Sutherland	Stand of <i>Eucalyptus microcorys</i> (Tallow Wood) and <i>Eucalyptus pilularis</i> (Blackbutt)	Sunbury Street road reserve, between Tudor Road and Hornby Avenue	MGA Zone 56, 320680°E, 6233595°N	Local	3639
Sutherland	Cultural plantings of <i>Lophostemon confertus</i> (Brush Box)	Northern and southern boundaries of Sutherland Park Ovals	Lot 7058, DP 1027168; Lot 7065, DP 1027170; Lot 7351, DP 1165563	Local	3640

Suburb	Item name	Address	Property description	Significance	Item no
Sutherland	Single tree— <i>Eucalyptus punctata</i> (Grey Gum)	Prince Edward Park Reserve, opposite 115 The Grande Parade	MGA Zone 56, 319925°E, 6233070°N	Local	3641
Sutherland	House	88–90 Toronto Parade	Lot 5, SP 48925	Local	3642
Sutherland	House	94 Toronto Parade	Lot 1, SP 72518	Local	3643
Sutherland	“Brinsley’s Joinery Works”	100 Toronto Parade (corner of Clio Street)	Lot 5, DP 6641	Local	3644
Sutherland	House	102 Toronto Parade	Lot 4, DP 6641	Local	3645
Sutherland	“Walton”—house	104 Toronto Parade	Lot 3, DP 6641	Local	3646
Sutherland	Single tree— <i>Eucalyptus pilularis</i> (Blackbutt)	South-western corner of Waratah Street and Acacia Road intersection	In front of Lot A, DP 372318; MGA Zone 56, 321580°E, 6233090°N	Local	3647
Sylvania	Norfolk Island Pine	39 Belgrave Esplanade	Lot 38, DP 5353	Local	3701
Sylvania	House	23 Canberra Road (corner of Pembroke Street)	Lot B, DP 409705	Local	3702
Sylvania	House	5 Evelyn Street North	Lot B, DP 379630	Local	3712
Sylvania	Jetty and walls	35 Harrow Street	Lot 3, DP 10615	Local	3704
Sylvania	Sandy Beach	Between 12 Marra Place and 9 Lachlan Avenue	MGA Zone 56, 325900°E, 6235060°N	Local	3705
Sylvania	“Glenn Robin”— house, Fairy House, boat shed and jetty	35 Murralin Lane	Lot 72, DP 792778	Local	3706
Sylvania	House	Part of Frank Vickery Village, 16/101–151 Port Hacking Road	Lot 1, DP 1025954	Local	3707
Sylvania	Former St Mark’s Church	Part of Sylvania Public School, Princes Highway	Lot 3, Section 3, DP 800	Local	3708
Sylvania	Single tree—Port Jackson Fig	Princes Highway on southern approach to Georges River Bridge	Part of Lot 4, DP 11575	Local	3710

Suburb	Item name	Address	Property description	Significance	Item no
Sylvania	Georges River Bridge (constructed 1929)	Princes Highway northbound across Georges River from Horse Rock Point to Tom Uglys Point	MGA Zone 56, 325710°E, 6235800°N	Local	3711
Sylvania	Old church	56–60 Princes Highway (corner of Endeavour Street)	Lot 1, DP 205859	Local	3709
Sylvania Waters	Sylvania Waters canal development	Sylvania Waters waterway	Lot 1, DP 615171	Local	3801
Taren Point	Sandy Beach	Between 3 and 9 Holt Road	MGA Zone 56, 326910°E, 6235110°N	Local	3901
Taren Point	Sandy Beach	Between 31 and 47 Holt Road	MGA Zone 56, 326600°E, 6234980°N	Local	3902
Taren Point	Sandy Beach	Between 75 and 93 Holt Road	MGA Zone 56, 326510°E, 6234580°N	Local	3903
Taren Point	Captain Cook Bridge (1965) and southern approach	Taren Point Road, 1R Taren Point Road and 2R Woodlands Road	Lots 11 and 12, DP 579321	Local	3904
Taren Point	Sandy Beach	Between 2 and 12 Woodlands Road	MGA Zone 56, 327075°E, 6235025°N	Local	3905
Waterfall	Pair of semi-detached houses	7, 8, 9 and 10 McKell Avenue	Lots 1–4, DP 829659	Local	4001
Waterfall	“Camp Coutts”, Heathcote National Park	On hillside, 1km south-west of Waterfall, off highway (near freeway)	Part of Lot 958, DP 752033; Lot 7302, DP 1137037	Local	4002
Woolooware	Single tree— <i>Ulmus parifolia</i> (Chinese Weeping Elm)	Eastern side of Cabramatta Road, at junction with Hyndman Parade	MGA Zone 56, 328180°E, 6230560°N	Local	4101
Woolooware	Trees—including <i>Sarcocornia quinqueflora</i> (Saltmarsh), <i>Avicennia marina</i> (Grey Mangrove) and <i>Casuarina glauca</i> (Swamp Sheoak)	Captain Cook Drive, frontage to Woolooware High School	Part of Lot 2, DP 226839	Local	4102
Woolooware	Single tree— <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum)	South-eastern corner of intersection of Caronia Avenue and Woolooware Road	MGA Zone 56, 328430°E, 6230740°N	Local	4103

Suburb	Item name	Address	Property description	Significance	Item no
Woolooware	House	26 Castlewood Avenue	Lot 60, DP 6965	Local	4104
Woolooware	Remnant canopy, consisting of <i>Eucalyptus globoidea</i> (White Stringybark) and <i>Eucalyptus paniculata</i> (Grey Ironbark)	Denman Avenue, Hagger Park	Lot 2, DP 1142135; Lots 13–16, DP 9018; Lot 1, DP 440601 and Part of Lot 1 132830	Local	4105
Woolooware	2 trees— <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Eastern side of Dolans Road, north of 129 Burraneer Bay Road and 54 Dolans Road	MGA Zone 56, 327975°E, 6230500°N, MGA Zone 56, 327980°E, 6230550°N	Local	4106
Woolooware	“Woolooware House” and stables building	141 Kingsway	Lot 6, DP 19677	Local	4107
Woolooware	Single tree— <i>Ficus rubiginosa</i> (Port Jackson Fig)	Footpath at 141 and 143 Kingsway	MGA Zone 56, 328490°E, 6230930°N	Local	4108
Woolooware	2 trees— <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	On opposite corners of intersection of Munn Street and Cabramatta Road	MGA Zone 56, 328190°E, 6230670°N	Local	4109
Woolooware	“Wyndham Flats”	2 Swan Street	Lot 7, DP 9018	Local	4110
Woolooware	House	79 Woolooware Road (corner of Castlewood Avenue)	Lot 1, DP 6966	Local	4111
Woolooware	“Castlewood”—house	89 Woolooware Road	Lot B, DP 372164	Local	4112
Woronora	House (including the estuarine setting, the simple form of the building, the roof form finishes, the wall finishes and the sea wall)	67 Liffey Place	Lot 63, DP 238731	Local	4201
Woronora	Single tree— <i>Eucalyptus racemosa</i> (Snappy Gum or Small-leaf Scribbly Gum)	Menai Road, western low level bridge approach	Lot 7015, DP 1027164	Local	4202
Woronora	Sandstone steps	Prices Circuit, northern boundary to Woronora Public School	Lot 429, DP 752034	Local	4203

Suburb	Item name	Address	Property description	Significance	Item no
Woronora	Sandstone formations	Prices Circuit, riverfront at southern end of Prices Circuit Reserve	Lot 7008, DP 1027166	Local	4204
Woronora	Stand of eucalyptus and single fig tree	Prices Circuit Crown Reserve, tree at northern end of reserve	Lot 7008, DP 1027166	Local	4206
Woronora	Trees— <i>Calodendrum capense</i> (Cape chestnut) planted around 1930	193 Prices Circuit	Lot 31, DP 11327	Local	4207
Woronora	Single tree— <i>Eucalyptus camaldulensis</i> (River Red Gum)	Corner of Prince Edward Park Road and River Road	MGA Zone 56, 318870°E, 6233055°N	Local	4208
Woronora	House (including the estuarine setting, the inter-war detailing, roughcast and timber shingle wall finishing and timber fenestration)	87 Prince Edward Park Road	Lot 14, DP 7859	Local	4209
Woronora	Stone boat shed and sea wall (including the estuarine setting, the simple form of the building, the roof form finishes, the wall finishes and the sea wall)	105 Prince Edward Park Road	Lot 23, DP 7859	Local	4210
Woronora	Woronora RSL War Memorial	118 Prince Edward Park Road	Lot 928, DP 752064	Local	4211
Woronora	Stone house, boat shed and carport (including the estuarine setting, the form of the building, the roof form finishes, the wall finishes, the sea wall, tree and boat shed)	201 Prince Edward Park Road	Lot 83, DP 5989	Local	4212
Woronora	Sandstone retaining walls	29 River Road	Lot 201, DP 1081859 and adjoining	Local	4205
Woronora	Wishing well in creek bed	The Crescent	MGA Zone 56, 318800°E, 6232610°N	Local	4213
Woronora	Single tree— <i>Eucalyptus pilularis</i> (Blackbutt)	Rear garden of 4 The Crescent (private property)	Lot B, DP 379873	Local	4214

Suburb	Item name	Address	Property description	Significance	Item no
Woronora	Woronora Dam		Lot 1, DP 830604; Lots 1–11, DP 1078435 and the road leading to Woronora Dam	State	4301
Yowie Bay	House	8 Attunga Road	Lot 134, DP 599914	Local	4601
Yowie Bay	Boat shed, remains of swimming enclosure and stone steps (including the simple gabled form of the building, the roof form and finishes, gable end details and the sea wall on the southern side)	135 Attunga Road	Lot 32, DP 570155	Local	4602
Yowie Bay	Boat shed and house (including tidal pool, sea wall and remnants of stone boat ramps)	255 Attunga Road	Lot 14, DP 6309; Lot 618, DP 752064	Local	4603
Yowie Bay	Boat shed (including the bush setting, the simple form of the building, the roof form and finishes, the wall finishes, the fenestration pattern and the sea wall and pool)	296–298 Attunga Road	Lot 56, DP 593847	Local	4604
Yowie Bay	Boat launching ramp, saltwater bath remnants and sea wall (including the sandstone sea wall and rubble remnants of baths, remnant bath steps, sandstone boat ramp (topped with slabs) and boat shed)	17–19 Binda Road	Lots 1–5, SP 75926	Local	4605
Yowie Bay	Boat shed, sea wall and steps (including the form of the building, the roof form, the wall finishes, the fenestration and the sea wall)	2–4 Coolum Place and 5 Kalang Lane	Lot 101, DP 1067851; Lot 8, DP 602042	Local	4606
Yowie Bay	3 trees— <i>Angophora costata</i> (Smooth-barked Apple or Sydney Red Gum)	Eastern end of Coora Road	MGA Zone 56, 325170°E, 6230240°N	Local	4607

Suburb	Item name	Address	Property description	Significance	Item no
Yowie Bay	Boat shed (including the simple form of the building, the fine boat shed and pool, the roof form and gable, the wall finishes, the boat shed doors, the sea wall and baths)	1C Coora Road	Lot 6, DP 247888	Local	4608
Yowie Bay	Boat shed (including the form of the building, the roof form and finishes, the wall finishes and the sea wall)	4 Glen-Ayr Avenue	Lot 1, DP 566447	Local	4609
Yowie Bay	Sandstone sea wall	5 and 6 Kalang Lane	Lots 8 and 9, DP 602042	Local	4610
Yowie Bay	Stands of <i>Eucalyptus microcorys</i> (Tallow Wood) and <i>Lophostemon confertus</i> (Brush Box)	Vegetated, unformed parts of Kiora Road, between Forest Road and waterfront to Gymea Bay	MGA Zone 56, 324590°E, 6231170°N, MGA Zone 56, 324560°E, 6230975°N, MGA Zone 56, 324545°E, 6230900°N, MGA Zone 56, 324545°E, 6230805°N	Local	4611
Yowie Bay	“Magnetic”—waterfront cottage (including the estuarine and bush setting, the simple form, the roof form finishes and stone walling, the wall finishes and the fenestration pattern)	14 Maroopna Road	Lot 2, SP 61678	Local	4612
Yowie Bay	2-storey stone boat shed (including the simple, gabled form of the building, the roof form, the wall finishes, the fenestration and the sea wall)	4 Muneela Place	Lot 17, DP 242366	Local	4613
Yowie Bay	Boat shed, stone wall and steps to former pool	6 Sherwood Avenue	Lot 13, DP 220166	Local	4614
Yowie Bay	Sherwood cottage, stone wall and steps to former pool	8 Sherwood Avenue	Lot 12, DP 220166	Local	4615
Yowie Bay	Yowie Bay Boat Shed (including the form of the building, the roof form and finishes and the wall finishes)	1 Wonga Road	Lot 15, DP 12432	Local	4616

Suburb	Item name	Address	Property description	Significance	Item no
Yowie Bay	House	7 Wonga Road	Lot 13, DP 12432	Local	4617
Yowie Bay	“Cliff Haven”—house	16 Wonga Road	Lot 2, DP 229106	Local	4618
Yowie Bay	Boat shed and sea wall (including the estuarine and bush setting on the point, the simple gabled form of the building, the roof form and finishes and the wall finishes)	23A Yellambie Street	Lot 2, DP 1126145	Local	4619

Part 2 Archaeological sites

Suburb	Item name	Address	Property description	Significance	Item no
Alfords Point	Alfords Point Bridge	Alfords Point Road	MGA Zone 56, 318050°E, 6238520°N	Local	A0103
Barden Ridge	Western end of Woronora Road	Western end of Woronora Road, over Sabugal Causeway to Old Illawarra Road	MGA Zone 56, 315853°E, 6231134°N	Local	A0302
Bundeena	Site of 1920 Bundeena Wharf	Eastern end of Hordens Beach	MGA Zone 56, 329433°E, 6227116°N	Local	A0512
Burraneer	Southern end of Gunnamatta Road on foreshore—remains of bath walls (including the bush setting, the simple form and construction of the jetty and the sea wall)	Gunnamatta Road	MGA Zone 56, 328611°E, 6229953°N	Local	A0630
Burraneer	Alignment of first road in Sutherland Shire	1–483 Woollooware Road	MGA Zone 56, 328230°E, 6229600°N	Local	A0631
Como	Boat shed	End of Cremona Road	Lot 1, DP 366566	Local	A0909
Como	Como Pleasure Grounds	End of Cremona Road	Lot 1, DP 366566; Lot 648, DP 752064; Lots 1, 3, 4 and 5, DP 1124472; Lots 3–10 DP 3134	Local	A0907

Suburb	Item name	Address	Property description	Significance	Item no
Como	Pavilion site	End of Cremona Road	Lot 5, DP 3134	Local	A0908
Como	Scylla Bay	End of Cremona Road	Lot 1, DP 193039	Local	A0912
Como	Sea walls	End of Cremona Road	Lot 648, DP 752064	Local	A0910
Como	Tidal baths	End of Cremona Road	MGA Zone 56, 321792°E, 6236490°N	Local	A0911
Como	Como railway bridge (current railway bridge)	North of Cremona Road	MGA Zone 56, 321722°E, 6236636°N	Local	A0914
Como	Former Como railway bridge (now cycleway), lattice girder railway bridge	North of Cremona Road	MGA Zone 56, 321753°E, 6236644°N	State	A0913
Cronulla	Cronulla Railway Station	Cronulla Street	Lot 1, DP 1129292	Local	A1065
Cronulla	Sea wall	Elouera Road/Kingsway	Lot 7002, DP 1123269	Local	A1066
Cronulla	Oak Park rock pool	Ewos Parade	Lot 7302, DP 1130200; Lot 7049, DP 1119647	Local	A1067
Cronulla	Shelly Park rock pool	Ewos Parade	Lot 588, DP 752064	Local	A1068
Cronulla	Brick kerbing	Gerrale Street, Parramatta Street, Richmount Street, Waratah Street and Ewos Parade	Located on road reserve	Local	A1069
Cronulla	Bass and Flinders Memorial	Gowrie Street	MGA Zone 56, 329614°E, 6228221°N	Local	A1071
Cronulla	Remains of Salmon Haul Ocean Wharf	Gowrie Street, eastern end of Salmon Haul Reserve	MGA Zone 56, 329476°E, 6228200°N	Local	A1070
Cronulla	Rock pool	McDonald Street (foreshore between North and South Cronulla Beaches)	Lot 1, DP 900338	Local	A1072
Cronulla	Fisheries Research Institute	Hungry Point, southern end of Nicholson Parade	Lots 1129 and 1187, DP 752064	Local	A1073

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	Gunnamatta Park, including dressing pavilion	Nicholson Parade, on rise, east of Gunnamatta Baths	Part of Lot 282, DP 752064	Local	A1074
Cronulla	Sandstone steps from street to waterfront	Laneway between 51 and 53 Taloombi Street (51R Taloombi Street)	Lot 11, DP 10446	Local	A1075
Cronulla	Cronulla Wharf, stone steps	Waratah Street	MGA Zone 56, 329253°E, 6230071°N	Local	A1076
Engadine	“The Boys Town”	Waratah Road	Lot 638, DP 752033; Lot 4, DP 1142162	Local	A1210
Heathcote	Site of former Heathcote Brickworks	Bottle Forest Road, on southern side of laneway leading to Heathcote Sesquicentenary Park	Lot 15, DP 262877; Lot 3, DP 625213	Local	A1711
Holsworth	Kolora Weir	On Woronora River, south of Heathcote Road Bridge	MGA Zone 56, 314900°E, 6229025°N	Local	A1801
Illawong	Stone jetty	At the end of Bignell Street	Lot 7003, DP 93141	Local	A2021
Illawong	Old Illawarra Road	Old Ferry Road between Old Illawarra Road and Old Ferry Road junction	MGA Zone 56, 318400°E, 6236280°N	Local	A2022
Illawong	Old punt crossing (Lugarno ferry)	Old Ferry Road	MGA Zone 56, 319100°E, 6236688°N	Local	A2023
Illawong	Stone wharf	Old Ferry Road	MGA Zone 56, 319360°E, 6236880°N	Local	A2024
Illawong	Various oyster workings (remains)	End of Sproule Road	MGA Zone 56, 320190°E, 6236115°N	Local	A2025
Jannali	Jannali Railway Station and immediate surrounds	Jannali Avenue and Railway Parade	Part of Lot 2, DP 1001739	Local	A2104
Kirrawee	Site of former brickworks, Sutherland Brick Company clay pits	Princes Highway, Oak Road and Flora Street	Lot 2, DP 589977	Local	A2404

Suburb	Item name	Address	Property description	Significance	Item no
Kurnell	Alpha Farm site	Cape Solander Drive	MGA Zone 56, 335650°E, 6236020°N	Local	A2517
Kurnell	Banks memorial	Cape Solander Drive	MGA Zone 56, 335368°E, 6235865°N	Local	A2512
Kurnell	Captain Cook's landing place	Cape Solander Drive	MGA Zone 56, 335696°E, 6236160°N	Local	A2510
Kurnell	Captain Cook's landing site	Cape Solander Drive	MGA Zone 56, 335619°E, 6236107°N	Local	A2511
Kurnell	Captain Cook monument	Cape Solander Drive	MGA Zone 56, 335396°E, 6235895°N	Local	A2514
Kurnell	Captain Cook watering hole	Cape Solander Drive	MGA Zone 56, 3354155°E, 6235883°N	Local	A2518
Kurnell	Captain Cook watering well	Cape Solander Drive	MGA Zone 56, 335380°E, 6235867°N	Local	A2519
Kurnell	Flagpole	Cape Solander Drive	MGA Zone 56, 335742°E, 6236132°N	Local	A2520
Kurnell	Forby Sutherland monument	Cape Solander Drive	MGA Zone 56, 335320°E, 6235728°N	Local	A2515
Kurnell	Four wheel drive track	Captain Cook Drive	MGA Zone 56, 334150°E, 6232600°N	Local	A2523
Kurnell	Landing place wharf abutment	Cape Solander Drive	MGA Zone 56, 335413°E, 6235979°N	Local	A2516
Kurnell	Muru track	Cape Solander Drive	MGA Zone 56, 336155°E, 6235630°N	Local	A2522
Kurnell	Solander monument	Cape Solander Drive	MGA Zone 56, 335672°E, 6236125°N	Local	A2513
Kurnell	Yena track	Cape Solander Drive	MGA Zone 56, 336015°E, 6235310°N	Local	A2521
Kurnell	Pells Island Oyster Farm	North side of Pells Island within mangroves	MGA Zone 56, 331656°E, 6234330°N	Local	A2532

Suburb	Item name	Address	Property description	Significance	Item no
Kurnell	Australian Oil Refinery	Sir Joseph Banks Drive	Part of Lot 1, DP 215819; Part of Lot 25, DP 776328; Lot 283, DP 752064; Lot 570, DP 752064; Lot 56, DP 908; Lot 57, DP 908; Lot 62, DP 908; Lot 1, DP 132055; Part of Lot 2, DP 215818; Lot 1, DP 1044690	Local	A2524
Kurnell	Boat Harbour house sites group	Sir Joseph Banks Drive	At boat harbour in Lot 7062, DP 1123911	Local	A2525
Kurnell	Tabbagai Gap cliff site	Tabbagai Gap	MGA Zone 56, 336565°E, 623500°N	Local	A2526
Kurnell	Tabbagai Gap house site	Tabbagai Gap	MGA Zone 56, 336565°E, 6233530°N	Local	A2527
Kurnell	Pelican Point	Towra Point	MGA Zone 56, 328570°E, 6234885°N	Local	A2529
Kurnell	Site of abandoned oyster depot	Towra Point	MGA Zone 56, 331998°E, 6234955°N	Local	A2530
Kurnell	Site of abandoned oyster lease	Towra Point	MGA Zone 56, 331662°E, 6235528°N	Local	A2531
Kurnell	Towra Point Nature Reserve and Quibray Bay	Towra Point	Lots 101–109, DP 777967; Lot 31, DP 217907; Lot 101, DP 555205; Lot 4, DP 732257; Lot 2, DP 856868; Lot 1, DP 1014443; Lot 1, DP 1030269	State	A2528
Lilli Pilli	Site of Lilli Pilli Wharf	At the end of Lilli Pilli Point Road	Adjoining part of Lot 7335, DP 1158580	Local	A2610
Loftus	Loftus Heights, east of Illawarra Railway Line, Old Illawarra Highway	Loftus Avenue	MGA Zone 56, 319604°E, 6230132°N	Local	A2703
Loftus	Loftus junction railway signal box	Nattai Street (opposite, on railway land)	MGA Zone 56, 320141°E, 623–132°N	State	A2704

Suburb	Item name	Address	Property description	Significance	Item no
Port Hacking	Ballast heap	Yennibilli Point	MGA Zone 56, 326580°E, 6228105°N	Local	A3306
Royal National Park	Stone work on road, 300m from the visitors centre	Artillery Hill, crosses Winifred Falls Track	MGA Zone 56, 320720°E, 6227570°N	Local	A3422
Royal National Park	Audley Historic Recreational Complex, comprising: Audley group	Junction of Audley Road and Sir Bertram Stevens Drive	MGA Zone 56, 320656.03°E, 6227853.95°N	Local	A3423
Royal National Park	House sites and associated remains	On western side of Costens Point	Lots 1–19, DP 12359; Lot 5, DP 4466	Local	A3425
Royal National Park	Old Coast Road	Commencing north-west of sites at Costens Point	Lots 1–19, DP 12359 and unidentified land between Maianbar Road and DP 4466 (Royal National Park)	Local	A3426
Royal National Park	Access stairs to jetty and boat shed—“Chaldercot”	Deer Park Road (Deer Park)	Lot 8, DP 57765	Local	A3427
Royal National Park	Military parade site	From Farnell Avenue west to Loftus Ridge Bottle Forest Road	MGA Zone 56, 319485°E, 6229490°N	Local	A3428
Royal National Park	Fosters Flat saw pit	Eastern side of Fosters Flat, above creek, 350m north of Couranga Track	MGA Zone 56, 317650°E, 6219540°N	Local	A3429
Royal National Park	Former clay pit associated with railway contractors	East of Illawarra railway line and northern end of Wilson Parade	MGA Zone 56, 316600°E, 6227540°N	Local	A3430
Royal National Park	Shell grit beach mine	On Jibbon Beach 200m south-west of Jibbon Head	MGA Zone 56, 330895°E, 6227845°N	Local	A3432
Royal National Park	Plaque	Erected in cliff face at Jibbon Head	MGA Zone 56, 331035°E, 6227990°N	Local	A3431

Suburb	Item name	Address	Property description	Significance	Item no
Royal National Park	Lady Carrington Drive group, including the roadway, sandstone cobblestone paving and Mullion Brook (unlocated site of former Ranger's Cottage) (including stone embankment wall on west side of road 8-9 courses high. Jersey Springs, 2 identical stone basins, 0.69cm x 0.55cm, on western side of road, incised deeply with the lettering JERSEY SPRINGS 1892. Each basin fed by spring water flowing from coursed stone-lined drain at bases of basins. Lady Carrington Bower and Kobardo Brook. On east side of road brick basin 0.58cm x 0.58cm, depth 0.33cm, set below rock cut pool. Adjacent flight of 8 small steps lead to lower pool, on western side of which is stonework for culvert across Kobardo Brook. Culvert constructed of squared sandstone blocks up to 6 courses high, with one course forming capping on top. Width of culvert 4.48m (14 feet). On west side of culvert stone steps led down to brook below.	Lady Carrington Drive, from Audley to Sir Bertram Stevens Drive	MGA Zone 56, 320155°E, 6223730°N	Local	A3433

Suburb	Item name	Address	Property description	Significance	Item no
			<p>Now damaged. South of Lady Carrington's Bower on east side remains old steps—3 are visible. 200m north of Calala rectangular sandstone remain in setting for 22.35m. For most of distance one block wide, at northern end two visible lying adjacent. To east are remnants of small stone cobbles. South of Karani Brook quarry site on east of road. North of Bola Creek quarry site on East side of road. Entrance gates, Lady Carrington Drive, south end. Two stone piers each with 4 bolts protruding from concrete on top, which originally held wrought iron lyre birds forming arch (not extant). Concrete dated 20.12.63 A.W (oral informant: Albie Weigland) Curved parallel stone walls on either side of gate with central depression for flower beds. Style of stonework construction not seen elsewhere in Lady Carrington Drive sites—rectangular flat stones with thick mortar—strong horizontal emphasis. Leterite quarry opposite entrance gates, on east side of road.</p>		

Suburb	Item name	Address	Property description	Significance	Item no
	Quarry face c. 15m high, extends some 70m in length. Cuttings in rockface indicate quarrying both Laterite gravel and stone. East Lady Carrington Drive formerly continued through quarry site opposite entrance gates for further two miles to the original park boundary. This section is now part of Lady Wakehurst Drive.)				
Royal National Park	Florence Parade	Commencing at Grays Point and terminating at Lady Rawson Parade	MGA Zone 56, 321440°E, 6229450°N	Local	A3434
Royal National Park	Bundeena/Maianbar water supply	50 Maianbar Road to Cabbage Tree Basin	Lot 1, DP 444458 and unidentified land between Maianbar Road and Bundeena Drive	Local	A3424
Royal National Park	Remains of landscape and jetty	Point Danger on western side of Gundamaian	MGA Zone 56, 323900°E, 6228820°N	Local	A3436
Royal National Park	Site of landscaping and jetty remains	Point Danger on western side of Gundamaian	MGA Zone 56, 323800°E, 6229020°N	Local	A3435
Royal National Park	Rawson Drive, including site of bridge across tributary of Temptation Creek	Rawson Drive, 200m east of tram line	MGA Zone 56, 320500°E, 6230060°N	Local	A3438
Royal National Park	Rawson Road Group—road (including small sandstone cobblestones)	Rawson Drive, east of Illawarra railway line, beside fire trail	MGA Zone 56, 320390°E, 6230240°N	Local	A3439
Royal National Park	Remains of house sites	Red Jacks Point	Lot 1, DP 744531	Local	A3440

Suburb	Item name	Address	Property description	Significance	Item no
Royal National Park	End of Simpsons Road, Simpsons Hotel site, sandstone remains, sea wall and Norfolk Island Pines	End of Simpson Road	Lot 162A, DP 10317	Local	A3442
Royal National Park	Remaining Bonnie Vale cabins, generally fibro, tin and timber frame	End of Simpson Road	Part Lot 6, DP 752065	Local	A3441
Royal National Park	Remains of jetty	Wants Point on eastern side of Gundamaian	MGA Zone 56, 324640°E, 6229230°N	Local	A3443
Royal National Park	Warumbul	North of Graham's Point, Warumbul Road	Part Lot 20, DP 57765	Local	A3444
Royal National Park	"Telford"—house and landscaping	Warumbul Road (Gogerly's Point), including west of "Rathane"	Part Lot 21, DP 57765	Local	A3445
Royal National Park	Gogerly's Point	Warumbul Road (Gogerly's Point)	Part Lot 21, DP 57765; Lot 5, DP 3274; Lot 4, DP 3274; Lots A and B, DP 361390; Lot 2, DP 3274	Local	A3450
Royal National Park	"Gogerly's Cottage"	Warumbul Road (Gogerly's Point), adjacent to "Hilltop"	Lot 2, DP 3274	Local	A3447
Royal National Park	"Lamont"—house site	Warumbul Road (Gogerly's Point), east of "Hilltop",	MGA Zone 56, 325100°E, 6228110°N	Local	A3449
Royal National Park	"Rathane" cottage and associated buildings and landscape setting	Warumbul Road (Gogerly's Point), north of "Hilltop"	Lot A, DP 361390	Local	A3446
Royal National Park	"Hilltop" and landscaping	Warumbul Road (Gogerly's Point), south of "Rathane"	Lot 2, DP 3274	Local	A3448
Sutherland	Row of 3 houses	3-7 Adelong Street	Lots A, B, and C, DP 165415	Local	A3648
Sutherland	Sutherland Railway Station	Between East Parade and Old Princes Highway	Part Lot 2, DP 1001739 and MGA Zone 56, 320600E, 6232560N	Local	A3649

Suburb	Item name	Address	Property description	Significance	Item no
Sutherland	Woronora Cemetery	Bounded by Linden Street, First Avenue, Sutherland Oval and Prince Edward Park	Lot 7065, DP 1027170; Lot 7066, DP 1069862; Lot 7331, DP 1158060	Local	A3650
Sutherland	Site of mortuary line, Woronora Cemetery	Between cemetery office and Linden Street	Lot 7065, DP 1027170	Local	A3651
Sutherland	Electrical substation	South of Cronulla branch line junction, Old Princes Highway	Lot 1, DP 1001783	Local	A3652
Sutherland	Site foundations for steam tramway (western side)	Western side of Old Princes Highway, 50m south of Cronulla branch line	MGA Zone 56, 320460°E, 6232230°N	Local	A3653
Sutherland	Former steam tramway office	751 Old Princes Highway	Lot 2, DP 226262	Local	A3654
Sutherland	“Brinsley’s Joinery Works”	100 Toronto Parade (corner of Clio Street)	Lot 5, DP 6641	Local	A3655
Sylvania	Stone setting for Georges River Bridge	Belgrave Esplanade	MGA Zone 56, 325630°E, 6235670°N	Local	A3712
Sylvania	Tom Uglys Ferry site (punt ramp) showing stone setting and cutting in rock	Between Georges River and Tom Uglys Bridges	MGA Zone 56, 325650°E, 6235680°N	Local	A3713
Sylvania	Tom Uglys Punt site (punt ramp)	Between Georges River and Tom Uglys Bridges	MGA Zone 56, 325700°E, 6235650°N	Local	A3714
Sylvania	Georges River Bridge (constructed 1924–29)	Horse Rock Point to Tom Uglys Point across Georges River	MGA Zone 56, 325630°E, 6235670°N	Local	A3715
Sylvania	Tom Uglys Bridge (duplication) constructed 1987	Princes Highway southbound across Georges River from Horse Rock Point to Tom Uglys Point	MGA Zone 56, 325710°E, 6235640°N	Local	A3716
Taren Point	Gwawley Bay oyster claires	Within road reservation, between Belgrave Esplanade, Box Road and Gwawley Parade	Lot 17, DP 226990	Local	A3908

Suburb	Item name	Address	Property description	Significance	Item no
Taren Point	Disused ramp for punt	At northern end of Old Taren Point Road, west of Captain Cook Bridge	MGA Zone 56, 326995°E, 6235145°N	Local	A3906
Taren Point	Captain Cook Bridge (1965)	Taren Point Road spanning Georges River between Taren Point and Rocky Point	Lot 12, DP 579321	Local	A3907
Waterfall	Row of 3 railway workers' cottages including "Community Cottage"	3A–E McKell Avenue on eastern side of Waterfall Station	Part of Lot 5, DP 829659; Lot 892, DP 752033	Local	A4004
Waterfall	Watertank	Opposite 1899 Princes Highway	Part of Lot 511, DP 752033; MGA Zone 56, 315010°E, 6221430°N	Local	A4005
Waterfall	Lake Toolooma Dam	West of Waterfall township	MGA Zone 56, 314450°E, 6220900°N	Local	A4006
Waterfall	Lake Toolooma Dam pumping station	West of Waterfall township	MGA Zone 56, 314445°E, 6220990°N	Local	A4007
Woolooware	"Woolooware House" and stables building	141 Kingsway	Lot 6, DP 19677	Local	A4113
Woolooware	Alignment of first road in Sutherland Shire	1–483 Woolooware Road	MGA Zone 56, 328550°E, 6231580°N	Local	A4114
Woronora	Woronora Bridge	Site of 1912 road bridge across the Woronora River, Menai Road	MGA Zone 56, 319990°E, 6233840°N	Local	A4214
Woronora Dam	Woronora—Penshurst pipeline	From Woronora Dam to Penshurst reservoirs, via former Como railway bridge across Georges River	MGA Zone 56, 316075°E, 6230855°N	Local	A4302

Dictionary

(Clause 1.4)

Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place of heritage significance means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Note. The term may include (but is not limited to) places that are declared under section 84 of the *National Parks and Wildlife Act 1974* to be Aboriginal places for the purposes of that Act.

acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

Acid Sulfate Soils Map means the Sutherland Shire Local Environmental Plan 2015 Acid Sulfate Soils Map.

Activity Hazard Risk Map means the Sutherland Shire Local Environmental Plan 2015 Activity Hazard Risk Map.

Additional Permitted Uses Map means the Sutherland Shire Local Environmental Plan 2015 Additional Permitted Uses Map.

advertisement has the same meaning as in the Act.

Note. The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure has the same meaning as in the Act.

Note. The term is defined as a structure used or to be used principally for the display of an advertisement. Advertising structures are a type of **signage**—see the definition of that term in this Dictionary.

affordable housing has the same meaning as in the Act.

Note. The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

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

agriculture means any of the following:

- (a) aquaculture,
- (b) extensive agriculture,

- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

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

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

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

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

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

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

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

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

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

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

archaeological site means a place that contains one or more relics.

attached dwelling means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

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

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

backpackers' accommodation means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

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

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and

(c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation. Bed and breakfast accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

bee keeping means a building or place used for the keeping and breeding of bees for commercial purposes.

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

biodiversity means biological diversity.

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

Note. The term is defined as follows:

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

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

biosolids treatment facility means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

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

boarding house means a building that:

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

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

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

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

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

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

brothel has the same meaning as in the Act.

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

building has the same meaning as in the Act.

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

building height (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

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

building line or **setback** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

- (a) a building wall, or
- (b) the outside face of any balcony, deck or the like, or
- (c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

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

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

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

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

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

Note. The term is defined as follows:

bush fire hazard reduction work means:

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

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

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

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

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

business identification sign means a sign:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

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

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

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

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

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

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
 - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - (ii) private tutoring, or
- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

classified road has the same meaning as in the *Roads Act 1993*.

Note. The term is defined as follows:

classified road means any of the following:

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(See *Roads Act 1993* for meanings of these terms.)

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

Note. The term is defined as follows:

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

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

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

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

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

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

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

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

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

Note. The term is defined as follows:

coastal zone means:

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

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

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

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

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

correctional centre means:

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the *Crimes (Administration of Sentences) Act 1999*, including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5 (1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

Council means the Sutherland Shire Council.

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

Crown reserve means:

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

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

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

dairy (pasture-based) means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

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

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

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

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

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

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

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

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

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

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

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

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

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

dwelling house means a building containing only one dwelling.

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that:

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

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

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

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

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

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

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

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

emergency services organisation means any of the following:

- (a) Ambulance Service of New South Wales,

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

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

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

estuary has the same meaning as in the *Water Management Act 2000*.

Note. The term is defined as follows:

estuary means:

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

extensive agriculture means any of the following:

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock for commercial purposes,
- (c) bee keeping,
- (d) a dairy (pasture-based).

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

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

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

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

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

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

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

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

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

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

fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include:

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

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.

Flood Planning Map means the Sutherland Shire Local Environmental Plan 2015 Flood Planning Map.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Sutherland Shire Local Environmental Plan 2015 Floor Space Ratio Map.

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

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

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

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest bay or river.

foreshore building line means the line shown as the foreshore building line on the Foreshore Building Line Map.

Foreshore Building Line Map means the Sutherland Shire Local Environmental Plan 2015 Foreshore Building Line Map.

Foreshores of Port Hacking, Georges River, Woronora River and Botany Bay Map means the Sutherland Shire Local Environmental Plan 2015 Foreshores of Port Hacking, Georges River, Woronora River and Botany Bay Map.

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

Note. The term is defined as follows:

forestry operations means:

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

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note. Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal

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

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

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

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

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

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

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

but excludes:

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

Groundwater Vulnerability Map means the Sutherland Shire Local Environmental Plan 2015 Groundwater Vulnerability Map.

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

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

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

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

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

Note. Permanent group homes are a type of **group home**—see the definition of that term in this Dictionary. **group home (transitional)** or **transitional group home** means a dwelling:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration 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 Sutherland Shire Local Environmental Plan 2015 Height of Buildings Map.

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

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

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

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

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

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

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

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Division of the Government Service responsible to the Minister administering the *Heritage Act 1977* that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

Note. An inventory of heritage items is also available at the office of the Council.

heritage management document means:

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or

- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Heritage Map means the Sutherland Shire Local Environmental Plan 2015 Heritage Map.

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

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

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

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

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

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

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

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

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

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

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

- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment,

psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

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

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

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

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

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

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

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

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

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

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

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

Note. See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

industrial training facility means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

industry means any of the following:

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include:

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies (restricted),
- (b) feedlots,
- (c) piggeries,
- (d) poultry farms,

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

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

intensive plant agriculture means any of the following:

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

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

internal lot means a lot to which there is no practicable means of vehicular access by motor vehicle or to which the only practicable means of vehicular access is by way of:

- (a) an access corridor (in the case of a hatchet-shaped lot), or
- (b) a right of way that traverses another lot, or
- (c) an access corridor that is common property in a strata or community title scheme.

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

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

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

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

Land Application Map means the Sutherland Shire Local Environmental Plan 2015 Land Application Map.

Land Reservation Acquisition Map means the Sutherland Shire Local Environmental Plan 2015 Land Reservation Acquisition Map.

Land Zoning Map means the Sutherland Shire Local Environmental Plan 2015 Land Zoning Map.

Landscape Area Map means the Sutherland Shire Local Environmental Plan 2015 Landscape Area Map.

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

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

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

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

- (a) high technology industry,
- (b) home industry.

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

liquid fuel depot means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

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

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woollscours and rendering plants.

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

Lot Size Map means the Sutherland Shire Local Environmental Plan 2015 Lot Size Map.

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

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

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

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

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

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

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

therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

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

mezzanine means an intermediate floor within a room.

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

mine subsidence district means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

mining means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

Note. Mining is not a type of **industry**—see the definition of that term in this Dictionary.

mixed use development means a building or place comprising 2 or more different land uses.

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

mooring pen means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the *Local Government Act 1993*.

Note. The term is defined as follows:

moveable dwelling means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act 1993*) for the purposes of this definition.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

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

native fauna means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

native flora means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the *Fisheries Management Act 1994*.

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

Note. The term is defined as follows:

Meaning of “native vegetation”

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

Natural Landforms Map means the Sutherland Shire Local Environmental Plan 2015 Natural Landforms Map.

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

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

Note. See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of **shop**—see the definition of that term in this Dictionary.

nominated State heritage item means a heritage item that:

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

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

offensive industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

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

offensive storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

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

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

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

open cut mining means mining carried out on, and by excavating, the earth's surface, but does not include underground mining.

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

parking space means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

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.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

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

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated 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.

private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

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

Note. The term is defined as follows:

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

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

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

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

public authority has the same meaning as in the Act.

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

Note. The term is defined as follows:

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

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

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

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

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

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

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

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

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

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

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

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

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

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

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

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

Note. The term is defined as follows:

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

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

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

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

- (a) attached dwellings,
- (b) boarding houses,

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

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

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

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

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

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

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

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

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

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

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

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

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

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

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

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

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

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

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

Riparian Lands and Watercourses Map means the Sutherland Shire Local Environmental Plan 2015 Riparian Lands and Watercourses 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.

secondary dwelling means a self-contained dwelling that:

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

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

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

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

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

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

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

seniors housing means a building or place that is:

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

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

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

but does not include a hospital.

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

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

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

(e) the ancillary retail selling or hiring of general merchandise or services or both.

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

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

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

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

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

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

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

sewerage system means any of the following:

- (a) biosolids treatment facility,
- (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, but does not include food and drink premises or restricted premises.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Note. The term is defined as follows:

swimming pool means an excavation, structure or vessel:

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

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

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

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

telecommunications facility means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or

(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 Sutherland Shire Local Environmental Plan 2015 Terrestrial Biodiversity Map.

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

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

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

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

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

but does not include:

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

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

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

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

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

underground mining means:

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

but does not include open cut mining.

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

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

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

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

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

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

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

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

waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

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

waste or resource management facility means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note. Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note. Water recycling facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

Note. Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note. Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following:

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note. Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means:

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

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

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,

- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

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.