



New South Wales

Central Coast Local Environmental Plan 2022

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, pursuant to section 3.20 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.

MALCOLM McDONALD

As delegate for the Minister for Planning

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Part 1 Preliminary

1.1 Name of Plan

This Plan is *Central Coast Local Environmental Plan 2022*.

1.1AA Commencement

This Plan commences on 1 August 2022 and is required to be published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in the Central Coast in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
 - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
 - (a) to foster economic, environmental and social well-being so that the Central Coast continues to develop as a sustainable and prosperous place to live, work and visit,
 - (b) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of the Central Coast,
 - (c) to promote the efficient and equitable provision of public services, infrastructure and amenities,
 - (d) to provide for a range of local and regional community facilities for recreation, culture, health and education purposes,
 - (e) to conserve, protect and enhance the natural environment of the Central Coast, incorporating ecologically sustainable development,
 - (f) to conserve, protect and enhance the environmental and cultural heritage of the Central Coast,
 - (g) to minimise risk to the community in areas subject to environmental hazards, including flooding, climate change and bush fires,
 - (h) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas,
 - (i) to promote design principles in all development to improve the safety, accessibility, health and well-being of residents and visitors,
 - (j) to concentrate intensive land uses and trip-generating activities in locations that are most accessible to transport and centres,

- (k) to encourage the development of sustainable tourism that is compatible with the surrounding environment.

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 following land identified on the Land Application Map—
 - (a) the land identified as “Deferred Matter”,
 - (b) the land identified as “Gosford City Centre”.

Note— See *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 5 for provisions applying to Gosford City Centre.

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

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

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

1.8 Repeal of planning instruments applying to land

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

Note— The following local environmental plans are repealed under this provision—
Gosford Local Environmental Plan 2014
Wyong Local Environmental Plan 2013
Interim Development Order No 146

- (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 *Gosford Planning Scheme Ordinance* and *Interim Development Order No 122—Gosford* no longer apply to the land to which this Plan applies, they will continue to apply to the land identified as “Deferred Matter” under clause 1.3(1A).

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

1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.
- (2) [Not applicable]
- (2A) *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* applies to development for the purposes of boarding houses or serviced apartments to which this Plan applies.

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply—
- (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any biodiversity certification conferred under the *Biodiversity Conservation Act 2016*, Part 8, or
 - (c) to any private land conservation agreement within the meaning of the *Biodiversity Conservation Act 2016*, or
 - (d) to any relevant instrument within the meaning of the *Crown Land Management Act 2016*, section 13.4, or
 - (e) to the relevant provisions of a land management (native vegetation) code (and the necessary mandatory code compliant certificate) with respect to a set aside area under the *Local Land Services Act 2013*, Part 5A, or
 - (f) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (g) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003* that is continued in force by the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, or

- (h) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001* that is continued in force by the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, or
 - (i) to any planning agreement within the meaning of the Act, Division 7.1.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under the Act, section 3.16, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows—

Rural Zones

- RU1 Primary Production
- RU2 Rural Landscape
- RU3 Forestry
- RU5 Village
- RU6 Transition

Residential Zones

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot 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
- IN4 Working Waterfront

Special Purpose Zones

- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist

Recreation Zones

- RE1 Public Recreation
- RE2 Private Recreation

Conservation Zones

- C1 National Parks and Nature Reserves
- C2 Environmental Conservation
- C3 Environmental Management
- C4 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.
- 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 28 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— State environmental planning policies, including the following, may be relevant to development on land to which this Plan applies—

State Environmental Planning Policy (Housing) 2021

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 7

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

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

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect high quality and productive agricultural land, water catchment areas and land comprising high ecological or biodiversity value from inappropriate development and land management practices.
- To provide for non-agricultural land uses that support the primary production purposes of the zone.

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Building identification signs; Business identification signs; Cellar door premises; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sewage reticulation systems; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To provide for a limited range of tourist and recreational uses appropriate for the rural character of the land.

2 Permitted without consent

Extensive agriculture; Home occupations; Recreation areas

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Garden centres; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Secondary dwellings; Sewage reticulation systems; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RU3 Forestry

1 Objectives of zone

- To enable development for forestry purposes.
- To enable other development that is compatible with forestry land uses.
- To recognise the environmental values of State forests in the Central Coast.

2 Permitted without consent

Environmental protection works; Uses authorised under the *Forestry Act 2012* or under Part 5B (Private native forestry) of the *Local Land Services Act 2013*

3 Permitted with consent

Aquaculture; Camping grounds; Environmental facilities; Flood mitigation works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (outdoor); Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To permit development that will not place undue demand on existing infrastructure and will serve the needs of the local community.
- To ensure development is compatible with the desired future character of the area.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bee keeping; Building identification signs; Business identification signs; Business premises; Camping grounds; Car parks; Cellar door premises; Centre-based child care facilities; Community facilities; Dwelling houses; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Garden centres; Hardware and building supplies; Home-based child care; Home businesses; Home occupations (sex services); Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential care facilities; Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Schools; Secondary dwellings; Service stations; Sewage reticulation systems; Shop top housing; Shops; Tank-based aquaculture; Timber yards; Tourist and visitor accommodation; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RU6 Transition

1 Objectives of zone

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To ensure land uses do not have an adverse impact on the conservation or development potential of land.

2 Permitted without consent

Nil

3 Permitted with consent

Air transport facilities; Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Electricity generating works; Emergency services facilities; Environmental facilities;

Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Home-based child care; Home businesses; Home industries; Home occupations; Horticulture; Information and education facilities; Oyster aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Sewage reticulation systems; Tank-based aquaculture; Vehicle sales or hire premises; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote best practice in the design of multi dwelling housing and other similar types of development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage reticulation systems; Shop top housing; Signage; Tank-based aquaculture; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- To encourage best practice in the design of low density residential development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.
- To maintain and enhance the residential amenity and character of the surrounding area.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Sewage reticulation systems; Shop top housing; Tank-based aquaculture; Water recycling facilities; Water reticulation systems; Water storage facilities

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 maintain and enhance the residential amenity of the surrounding area.
- To encourage the consolidation of existing lots to facilitate well designed medium density development and to avoid unnecessary isolation of lots.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Group homes; Home-based child care; Home businesses; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities

(outdoor); Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Sewage reticulation systems; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Tourist and visitor accommodation; Water recycling facilities; Water reticulation systems; Water storage facilities; Wharf or boating facilities

4 Prohibited

Farm stay accommodation; Any other development not specified in item 2 or 3

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Research stations; Respite day care centres; Roads; Secondary dwellings; Sewage reticulation systems; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To encourage an increased residential population through stand alone residential development or as part of a mixed use development in

neighbourhood centres and other local areas where land is not otherwise required to serve local needs.

2 Permitted without consent

Recreation areas; Roads

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Respite day care centres; Shop top housing; Sewage reticulation systems; Tank-based aquaculture; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Heavy industrial storage establishments; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Landscaping material supplies; Marinas; Mortuaries; Open cut mining; Passenger transport facilities; Plant nurseries; Pond-based aquaculture; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste disposal 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 permit residential uses while maintaining active retail, business and other non-residential uses at street level to contribute to the vitality of the area.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

Recreation areas

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs;

Respite day care centres; Restricted premises; Roads; Service stations; Sewage reticulation systems; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal 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 support the role of Gosford City Centre as the regional business, retail and cultural centre of the Central Coast.
- To reinforce the role of the Tuggerah-Wyong economic corridor as a key strategic centre in the Central Coast.
- To encourage a diverse and compatible range of activities, including commercial and retail development, cultural and entertainment facilities, tourism, leisure and recreation facilities and social, education and health services.
- To provide for residential uses, but only as part of a mixed use development.
- To protect and enhance scenic quality and to provide for the creation and retention of view corridors in commercial centres.
- To provide for a high quality public domain and pedestrian links throughout the network of centres.

2 Permitted without consent

Nil

3 Permitted with consent

Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Sewage reticulation

systems; Shop top housing; Tank-based aquaculture; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; Pond-based aquaculture; Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal 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 encourage a diverse and compatible range of activities, including commercial and retail development, cultural and entertainment facilities, tourism, leisure and recreation facilities and social, education and health services.
- To provide for residential uses, but only as part of a mixed use development.
- To protect and enhance the scenic qualities and character of commercial centres.
- To enliven waterfronts by allowing a wide range of commercial, retail and residential activities immediately adjacent to waterfronts and increase opportunities for interaction between public and private domains.
- To allow development to take advantage of and retain view corridors while avoiding a continuous built edge along the waterfront.
- To improve the public domain and pedestrian links throughout the network of centres.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes (permanent); Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Sewage

reticulation systems; Shop top housing; Tank-based aquaculture; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; Pond-based aquaculture; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water supply systems; Wholesale supplies

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To encourage development that supports or complements the primary office and retail functions of Zone B2 Local Centre and Zone B3 Commercial Core.
- To enable other complementary land uses in appropriate locations that do not detract from the viability of business and warehouse uses, including specialised retail premises.
- To provide and protect land for employment-generating activities.
- To ensure the locations of businesses requiring large floor plates do not adversely affect commercial or residential areas.
- To ensure business areas are not adversely affected by residential development.

2 Permitted without consent

Nil

3 Permitted with consent

Centre-based child care facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Sewage reticulation systems; Shop top housing; Specialised retail premises; Tank-based aquaculture; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industries; Marinas; Mortuaries;

Open cut mining; Pond-based aquaculture; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal facilities; Water supply systems; Wharf or boating facilities

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 provide for residential uses, but only as part of a mixed use development.
- To provide primarily for businesses along key corridors.

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; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Roads; Sewage reticulation systems; Shop top housing; Tank-based aquaculture; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industries; Marinas; Mortuaries; Open cut mining; Pond-based aquaculture; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Tourist and visitor accommodation; Waste disposal 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 permit limited residential accommodation that contributes to the provision of employment opportunities.

2 Permitted without consent

Nil

3 Permitted with consent

Centre-based child care facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Sewage reticulation systems; Shop top housing; Tank-based aquaculture; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Water storage facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Marinas; Mortuaries; Open cut mining; Pond-based aquaculture; Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewerage systems; Storage premises; Tourist and visitor accommodation; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water treatment facilities; Wharf or boating facilities

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 enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To ensure retail, commercial or service land uses in industrial areas are of an ancillary nature.

2 Permitted without consent

Recreation areas

3 Permitted with consent

Depots; Food and drink premises; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities;

Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Hospitals; Information and education facilities; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Public administration buildings; Residential accommodation; Tourist and visitor accommodation; Water recreation structures

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.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Food and drink premises; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (major); Registered clubs; Residential accommodation; Rural industries; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

Zone IN4 Working Waterfront

1 Objectives of zone

- To retain and encourage waterfront industrial and maritime activities.
- To identify sites for maritime purposes and for activities that require direct waterfront access.
- To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.

- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat launching ramps; Jetties; Light industries; Roads; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste disposal 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

Environmental facilities; Environmental protection works; Recreation areas

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To recognise existing railway land, major roads and utility installations and to enable their future development and expansion.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; 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 facilitate the provision of limited permanent accommodation in the form of mixed use development to improve the off-season viability of tourist-based development.
- To protect and enhance the natural environment for tourist and recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Aquaculture; Attached dwellings; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Caravan parks; Charter and tourism boating facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Food and drink premises; Function centres; Helipads; Home businesses; Home occupations; Information and education facilities; Jetties; Kiosks; Neighbourhood shops; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Secondary dwellings; Semi-detached dwellings; Sewage reticulation systems; Shop top housing; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To identify areas suitable for development for recreation and cultural purposes.
- To provide space for integrated stormwater treatment devices for flow and water quality management.

2 Permitted without consent

Environmental facilities; Environmental protection works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Flood mitigation works; Food and drink premises; Function centres; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Sewerage systems; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To offer opportunities for development for community and tourism purposes that is compatible with the natural environment.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor);

Recreation facilities (major); Recreation facilities (outdoor); Registered clubs;
Roads; Sewerage systems; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone C1 National Parks and Nature Reserves

1 Objectives of zone

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

2 Permitted without consent

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

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone C2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Eco-tourist facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Oyster aquaculture; Recreation areas; Research stations; Roads; Sewage reticulation systems; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

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

Zone C3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To provide a buffer to land of high ecological value or land that has environmental constraints or hazards.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Information and education facilities; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Research stations; Roads; Roadside stalls; Secondary dwellings; Sewage reticulation systems; Sewage treatment plants; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

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 C4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To allow additional land uses that will not have an adverse impact on those values.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Bee keeping; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Oyster aquaculture; Pond-based aquaculture; Recreation areas;

Research stations; Respite day care centres; Roads; Roadside stalls; Secondary dwellings; Sewage reticulation systems; Signage; Tank-based aquaculture; Veterinary hospitals; Water recycling facilities; Water supply systems

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 provide for sustainable aquaculture.

2 Permitted without consent

Environmental facilities; Environmental protection works; Moorings

3 Permitted with consent

Aquaculture; Boat sheds; Flood mitigation works; Jetties; Passenger transport facilities; Research stations; Sewage reticulation systems; Water recreation structures; Water reticulation systems

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 encourage the continuous public access to and along the foreshore and to reinforce the foreshore character and respect for existing environmental conditions.

2 Permitted without consent

Environmental facilities; Environmental protection works; Moorings

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Emergency services facilities; Flood mitigation works; Food and drink premises; Function centres; Information and education facilities; Jetties; Kiosks; Marinas;

Markets; Mooring pens; Passenger transport facilities; Sewage reticulation systems;
Water recreation structures; Water reticulation systems; Wharf or boating facilities

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

- (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, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note— See *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2 and the *Local Land Services Act 2013*, Part 5A.
- (6) A heading to an item in Schedule 2 is part of that Schedule.

3.2 Complying development

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

Note— See also clause 5.8(3) which provides that the conversion of fire alarms is complying development in certain circumstances.
- (3) To be complying development, the development must—
 - (a) be permissible, with development consent, in the zone in which it is carried out, and

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

3.3 Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause—
environmentally sensitive area for exempt or complying development means any of the following—
- (a) the coastal waters of the State,
 - (b) a coastal lake,
 - (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the *Coastal Management Act 2016*),
 - (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
 - (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
 - (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
 - (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
 - (h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,
 - (i) land reserved or dedicated under the *Crown Land Management Act 2016* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
 - (j) land that is a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows—
 - (a) to reflect State, regional and local planning strategies relating to the provision of various sizes of land,
 - (b) to ensure lot sizes are able to accommodate suitable development that is consistent with relevant development controls,
 - (c) to ensure the subdivision of land is carried out in a way that—
 - (i) protects the physical characteristics of the land, and
 - (ii) does not create potential physical hazards or adversely affect the amenity of the area for neighbours, and
 - (iii) enables infrastructure and services to be provided to development on the land, and
 - (iv) will not, through its potential cumulative effects, overburden existing infrastructure, and
 - (v) is compatible with the desired future character of the surrounding areas,
 - (d) to promote the ecologically, socially and economically sustainable subdivision of land.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by any kind of subdivision under the *Community Land Development Act 2021*.

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows—
 - (a) to ensure the subdivision of land within a community scheme occurs in a way that—
 - (i) protects the physical characteristics of the land, and
 - (ii) does not create potential physical hazards or adversely affect the amenity of the area for neighbours, and
 - (iii) enables infrastructure and services to be provided to development on the land, and
 - (iv) will not, through its potential cumulative effects, overburden existing infrastructure, and
 - (v) is compatible with the desired future character of the area,
 - (b) to ensure land to which this clause applies is not fragmented by subdivisions that create additional dwelling entitlements.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 2021* of land in any of the following zones—

- (a) RU1 Primary Production,
- (b) RU2 Rural Landscape,
- (c) RU5 Village,
- (d) RU6 Transition,
- (e) R2 Low Density Residential,
- (f) R5 Large Lot Residential,
- (g) C3 Environmental Management,
- (h) C4 Environmental Living,

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

- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 2021*) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause applies despite clause 4.1.

4.1A Exceptions to minimum subdivision lot size under community schemes

- (1) The objective of this clause is to enable appropriate subdivision of certain land—
 - (a) to provide for a range of lot sizes, and
 - (b) to retain a predominantly rural and large lot residential character.
- (2) This clause applies to land—
 - (a) identified as “Dwelling Density” on the Dwelling Density Map, and
 - (b) wholly within Zone R5 Large Lot Residential.
- (3) Subdivision of land to which this clause applies is permitted with development consent if—
 - (a) none of the lots being subdivided were created by a previous subdivision under—
 - (i) this clause, or
 - (ii) *Wyang Local Environmental Plan 2013*, clause 4.1C, before its repeal, and
 - (b) each of the lots created by the subdivision are within a community scheme under the *Community Land Development Act 2021*, and
 - (c) each of the lots created by the subdivision will be at least 900m², and
 - (d) no more than 30% of the area of the lots created by the subdivision consist of lots that are smaller than the minimum size shown on the Lot Size Map, and
 - (e) the development will not result in there being more than 300 lots on land shown on the Dwelling Density Map, and
 - (f) the consent authority is satisfied the subdivision of land will not affect the retention of the predominantly rural and large lot residential character of the locality.

4.1B Minimum lot sizes for dual occupancies

- (1) The objective of this clause is to achieve planned residential density in certain zones.
- (2) This clause applies to a lot on land in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,

- (c) Zone R3 Medium Density Residential.
- (3) Development consent must not be granted to development for the purposes of dual occupancies unless the size of the lot is at least—
 - (a) for dual occupancies (attached)—550m², or
 - (b) for dual occupancies (detached)—700m².

4.1C Exceptions to minimum lot sizes for dual occupancies

- (1) The objectives of this clause are as follows—
 - (a) to provide opportunities for affordable housing in appropriate locations,
 - (b) to encourage housing diversity without adversely affecting residential amenity.
- (2) This clause applies to land in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential.
- (3) A single development consent may be granted for development on land to which this clause applies if the development application is for both of the following—
 - (a) the erection of a dual occupancy,
 - (b) the subdivision of the land into 2 lots that are both smaller than the minimum size shown on the Lot Size Map.
- (4) Development consent may also be granted to the subdivision of land to which this clause applies if—
 - (a) a dual occupancy has been lawfully erected on the land, and
 - (b) the subdivision will result in 2 lots that are both smaller than the minimum size shown on the Lot Size Map.

4.1D Exceptions to minimum lot sizes for certain residential development

- (1) The objectives of this clause are as follows—
 - (a) to provide opportunities for affordable housing in appropriate locations,
 - (b) to encourage housing diversity without adversely affecting residential amenity.
- (2) This clause applies to land in Zone R1 General Residential.
- (3) A single development consent may be granted for development on land to which this clause applies if the development application is for both of the following—
 - (a) the subdivision of the land into 5 or more lots that are all smaller than the minimum size shown on the Lot Size Map,
 - (b) the erection of a dwelling house on each lot resulting from the subdivision.
- (4) In deciding whether to grant development consent, the consent authority must consider the following—
 - (a) the likely impact of the height of the buildings resulting from the development on adjoining land in relation to visual impacts and overshadowing,
 - (b) whether adequate pedestrian, vehicular and service access and car parking will be provided,
 - (c) whether the development incorporates the principles of ecologically sustainable development,

- (d) the relationship between each of the buildings resulting from the development in relation to location and siting.

4.1E Exceptions to minimum subdivision lot sizes for certain split zones

- (1) The objectives of this clause are as follows—
 - (a) to provide for the subdivision of lots that are within more than 1 zone but cannot be subdivided under clause 4.1,
 - (b) to ensure the subdivision occurs in a way that promotes suitable land uses and development.
- (2) This clause applies to each lot (an *original lot*) that contains—
 - (a) land in Zone R5 Large Lot Residential or Zone C4 Environmental Living, and
 - (b) land in Zone C2 Environmental Conservation or Zone C3 Environmental Management.
- (3) An original lot may be subdivided to create other lots (the *resulting lots*) if—
 - (a) all resulting lots containing land in Zone R5 Large Lot Residential contain at least 1 hectare of land in Zone R5 Large Lot Residential, and
 - (b) all resulting lots containing land in Zone C4 Environmental Living contain at least 0.5 hectares of land in Zone C4 Environmental Living, and
 - (c) 1 of the resulting lots—
 - (i) contains all of the land in Zone C2 Environmental Conservation or Zone C3 Environmental Management that was in the original lot, and
 - (ii) has an area in hectares of at least the number calculated in accordance with the following formula—
$$\left(A - \frac{B}{2}\right) \times 5$$
where—

A is the number of resulting lots containing land in Zone R5 Large Lot Residential or Zone C4 Environmental Living, but does not include a lot containing at least 2 hectares of land in either zone.

B is the area of any part of the resulting lots containing land in Zone R5 Large Lot Residential or Zone C4 Environmental Living measured in hectares, but does not include any part of a lot containing at least 2 hectares of land in either zone.
- (4) Development consent must not be granted for a subdivision under subclause (3) unless—
 - (a) the land referred to in subclause (3)(c) will not be used for the following purposes—
 - (i) eco-tourist facilities,
 - (ii) residential accommodation,
 - (iii) tourist and visitor accommodation, and
 - (b) the consent authority is satisfied suitable arrangements have been, or will be, made for the long-term conservation and management of the land referred to in subclause (3)(c).

4.1F Exception to minimum lot size for subdivision of land that includes deferred matter

- (1) Subdivision of land to create a lot (the *residual lot*) that is smaller than the minimum size shown for the land on the Lot Size Map is permitted with development consent if—

- (a) the land being subdivided includes land identified as “Deferred Matter” on the Land Application Map, and
 - (b) the residual lot does not contain land identified as “Deferred Matter”.
- (2) Development consent must not be granted for the erection of a dwelling on the residual lot.

4.2 Rural subdivision

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) This clause applies to the following rural zones—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (baa) Zone RU3 Forestry,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone RU6 Transition.
- Note—** When this Plan was made, it did not include all of these zones.
- (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (5) A dwelling cannot be erected on such a lot.
- Note—** A dwelling includes a rural worker’s dwelling (see definition of that term in the Dictionary).

4.2A Minimum subdivision lot size for strata plan schemes in certain rural, residential and conservation zones

- (1) The objectives of this clause are as follows—
- (a) to ensure the subdivision of land is carried out in a way that—
 - (i) protects the physical characteristics of the land, and
 - (ii) does not create potential physical hazards or adversely affect the amenity of the area for neighbours, and
 - (iii) enables infrastructure and services to be provided to development on the land, and
 - (iv) will not, through its potential cumulative effects, overburden existing infrastructure, and
 - (v) is compatible with the desired future character of the surrounding areas,
 - (b) to ensure land to which this clause applies is not fragmented by subdivisions that create additional dwelling entitlements.
- (2) This clause applies to land in the following zones that is used, or is proposed to be used, for residential accommodation or tourist and visitor accommodation—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU5 Village,
 - (d) Zone RU6 Transition,

- (e) Zone R5 Large Lot Residential,
 - (f) Zone C3 Environmental Management,
 - (g) Zone C4 Environmental Living.
- (3) Development consent must not be granted to the subdivision of land by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015* if the subdivision would result in lots that are smaller than the minimum size shown on the Lot Size Map.
- (4) This clause does not apply to a lot comprising common property within the meaning of the *Strata Schemes Development Act 2015*.
- Note—** *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 6 provides that strata subdivision of a building in certain circumstances is specified complying development.

4.2B Erection of dual occupancies and dwelling houses on land in certain rural and conservation zones

- (1) The objective of this clause is to enable development for the purposes of dwelling houses or dual occupancies—
- (a) on land on which the erection of a dwelling house or dual occupancy was permissible before the commencement of this Plan, and
 - (b) in other specified circumstances.
- (2) This clause applies to land in the following zones—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU6 Transition,
 - (d) Zone C3 Environmental Management.
- (3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land to which this clause applies unless the land—
- (a) is a lot created before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before the commencement of this Plan, or
 - (b) is a lot that is at least the minimum lot size shown on the Lot Size Map, or
 - (c) is a lot otherwise created in accordance with this Plan, or
 - (d) would have been a lot referred to in paragraph (b) had it not been affected by—
 - (i) a minor realignment of its boundaries that did not create an additional lot, or
 - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or
 - (e) is a lot to which the following applies—
 - (i) the lot is within an area identified as “Lot Amalgamation” on the Lot Amalgamation Map,
 - (ii) the lot has been amalgamated with all lots in the identified area,
 - (iii) development for the purposes of dual occupancies or dwelling houses was permissible on all the lots in the identified area immediately before this Plan commenced.

4.2C Residential development and subdivision prohibited on certain land

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

- (a) to minimise unplanned rural residential development,
 - (b) to prohibit residential development on undersized lots resulting from road closures.
- (2) This clause applies to a lot in 1 of the following zones—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU6 Transition,
 - (d) Zone C3 Environmental Management,
 - (e) Zone C4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dwelling house on a lot resulting from the closure of part or all of a road, irrespective of when the road closure occurred, unless the lot is at least the minimum lot size shown on the Lot Size Map.
- (4) This clause extends to a lot resulting from the closure of part or all of a road if the boundaries of the lot have been realigned as a result of a subdivision of an adjoining lot that did not result from the closure of part or all of a road.
- (5) This clause does not apply to a lot created by the consolidation of a lot resulting from the closure of part or all of a road with an adjoining lot that did not result from the closure of part or all of a road.

4.2D Boundary adjustments in certain rural and conservation zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots where 1 or more resulting lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in the following zones—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone C2 Environmental Conservation,
 - (d) Zone C3 Environmental Management,
 - (e) Zone C4 Environmental Living.
- (3) Development consent may be granted to the subdivision of land to which this clause applies for the purposes of a boundary adjustment between adjoining lots even if 1 or more resulting lots do not meet the minimum lot size shown on the Lot Size Map.
- (4) Development consent must not be granted unless the consent authority is satisfied—
- (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
 - (b) the number of dwellings on each lot after the subdivision will remain the same as before the subdivision, and
 - (c) the subdivision will not increase the potential for land use conflict, and
 - (d) if the land is in Zone RU1 Primary Production or Zone RU2 Rural Landscape—the subdivision will not have a significant adverse effect on the agricultural viability of the land, and
 - (e) if the land is in Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living—the subdivision will result in the continued protection and long term maintenance of the land.

- (5) In deciding whether to grant development consent, the consent authority must also consider whether—
 - (a) the subdivision is likely to be incompatible with the dominant land uses in the surrounding areas, and
 - (b) the subdivision is likely to have a significant adverse effect on the dominant land uses in the surrounding areas.
- (6) This clause does not apply—
 - (a) in relation to the subdivision of individual lots within a strata plan or community scheme, or
 - (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to establish a maximum height of buildings to enable appropriate development density,
 - (b) to ensure that the height of buildings is compatible with the character of the locality.
- (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.

4.3A Exceptions to height of buildings—general

- (1) The objectives of this clause are as follows—
 - (a) to ensure the height of buildings encourage high quality urban form,
 - (b) to ensure the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views,
 - (c) to ensure the height of buildings is compatible with the height, bulk and scale of the existing and desired future character of the locality,
 - (d) to encourage the consolidation of smaller lots to—
 - (i) reduce the possibility of fragmented development, and
 - (ii) encourage shared facilities, and
 - (iii) manage traffic movements,
 - (e) to provide incentives for the development of health-related facilities on land identified as “Kanwal Enterprise Zone”.
- (2) If the site area of development on land identified as “The Entrance Local Centre—South of Dening Street” or “The Entrance Local Centre—North of Dening Street” on the Height of Buildings Map is at least 1,800m², the maximum height of a building on the land is—
 - (a) for land identified as “The Entrance Local Centre—South of Dening Street” on the Height of Buildings Map—20m, and
 - (b) for land identified as “The Entrance Local Centre—North of Dening Street” on the Height of Buildings Map—26m.
- (3) The maximum height of a building on land identified as “Wyong Local Centre” on the Height of Buildings Map is 10m if the building will be located within 5m of a lot boundary with a frontage to Alison Road or the Pacific Highway.
- (4) The maximum height of a building on land identified as “Kanwal Enterprise Zone” on the Height of Buildings Map is 20m if—

- (a) the site area is at least 2,000m², and
 - (b) the building is used for—
 - (i) the purposes of health services facilities, or
 - (ii) another land use that is permissible in the zone if the consent authority is satisfied the land use is complementary to health services facilities.
- (5) The maximum height of a building on land identified as “Woy Woy Town Centre” on the Height of Buildings Map is 19.75m if—
- (a) the site area is at least 1,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of at least 20m.
- (6) The maximum height of a building on land identified as “Umina Village Centre” on the Height of Buildings Map is 14.25m if—
- (a) the site area is at least 1,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of at least 20m.
- (7) The maximum height of a building on land identified as “Ettalong Village Centre” on the Height of Buildings Map is 17m if—
- (a) the site area is at least 1,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of at least 20m.
- (8) The maximum height of a building on land identified as “Erina Town Centre” on the Height of Buildings Map is 14.25m if—
- (a) the site area is at least 3,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of at least 40m.

4.3B Exceptions to height of buildings—Terrigal Village Centre

- (1) The objective of this clause is to establish the maximum height limit for certain buildings in the Terrigal Village Centre.
- (2) This clause applies to the land identified as “Terrigal Village Centre” on the Height of Buildings Map.
- (3) The maximum height of a building on land to which this clause applies is 2.75m less than the maximum height shown for the land on the Height of Buildings Map if—
 - (a) the site area is less than 2,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of less than 20m.
- (4) The maximum height of a building on land to which this clause applies is 2.75m more than the maximum height shown for the land on the Height of Buildings Map if—
 - (a) the site area is at least 2,000m², and
 - (b) the building has a street frontage as identified on the Height of Buildings Map of at least 20m, and
 - (c) the consent authority is satisfied the development will include at least 1 publicly accessible outdoor space facing a street or lane that—
 - (i) strengthens retail activity and contributes to the accessibility of existing pedestrian spaces, and
 - (ii) includes—

- (A) open alleyways that link existing laneways or streets, or
 - (B) open courtyards that receive satisfactory levels of mid-winter sunlight.
- (5) If subclause (4) applies to a building, the gross floor area of the part of the building that exceeds the maximum height shown on the Height of Buildings Map may increase the gross floor area of the building by a maximum of 25% of the site area.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
- (a) to establish standards for the maximum development density and land use intensity,
 - (b) to ensure the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located,
 - (c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,
 - (d) to facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design.
- (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) If a building, or part of a building, is a heritage item, the area comprising the heritage item must not be included in the gross floor area of the building for the purposes of calculating the floor space ratio for the building.

4.4A Exceptions to floor space ratio—general

- (1) The objectives of this clause are as follows—
- (a) to encourage the consolidation of smaller lots to—
 - (i) reduce the possibility of fragmented development, and
 - (ii) encourage shared facilities, and
 - (iii) manage traffic movements,
 - (b) to provide incentives for the development of health-related facilities for land identified as “Kanwal Enterprise Zone” on the Floor Space Ratio Map,
 - (c) to promote the provision of affordable housing,
 - (d) to encourage lot consolidation and new development forms in Zone R1 General Residential with car parking below ground level.
- (2) The floor space ratio for a building on any land may exceed the ratio shown for the land on the Floor Space Ratio Map by 0.1:1 if—
- (a) at least 75% of the dwellings in the building will be used for the purposes of affordable housing, and
 - (b) the dwellings used for the purposes of affordable housing have a gross floor area of—
 - (i) for a studio—at least 35m² but no more than 36.75m², and
 - (ii) for a dwelling with 1 bedroom—at least 50m² but no more than 52.5m², and
 - (iii) for a dwelling with 2 bedrooms—at least 70m² but no more than 73.5m², and
 - (iv) for a dwelling with 3 or more bedrooms—at least 95m² but no more than 99.75m².

- (3) A maximum floor space ratio of 2:1 applies to buildings on land identified as “Kanwal Enterprise Zone” on the Floor Space Ratio Map if—
 - (a) the site area is at least 2,000m², and
 - (b) the building is used for—
 - (i) the purposes of health services facilities, or
 - (ii) another land use that is permissible in the zone if the consent authority is satisfied the land use is complementary to health services facilities.
- (4) The maximum floor space ratio of a building on land identified as “Area 1” on the Floor Space Ratio Map is—
 - (a) 0.7:1, if all of the following applies—
 - (i) the building is to be used for the purposes of a residential flat building or multi dwelling housing,
 - (ii) all on-site parking is located in the basement of the building,
 - (iii) the site area is at least 1,000m², or
 - (b) 0.6:1, if all of the following applies—
 - (i) the building is to be used for the purposes of a residential flat building or multi dwelling housing,
 - (ii) all on-site parking is located in the basement of the building,
 - (iii) the site area is less than 1,000m².
- (5) The maximum floor space of a building on land identified as “Area 2” on the Floor Space Ratio Map is—
 - (a) 0.85:1, if all of the following applies—
 - (i) the building is to be used for the purposes of a residential flat building or multi dwelling housing,
 - (ii) all on-site parking is located in the basement of the building,
 - (iii) the site area is at least 1,000m², or
 - (b) 0.7:1, if all of the following applies—
 - (i) the building is to be used for the purposes of a residential flat building or multi dwelling housing,
 - (ii) all on-site parking is located in the basement of the building,
 - (iii) the site area is less than 1,000m², or
 - (c) 0.6:1, if subclause (a) or (b) do not apply to the building.

4.4B Exceptions to floor space ratio—town centres and village centres

- (1) The objectives of this clause are as follows—
 - (a) to encourage lot consolidation of smaller lots to—
 - (i) reduce the possibility of fragmented development, and
 - (ii) encourage shared facilities, and
 - (iii) manage traffic movements,
 - (b) to facilitate development, where appropriate, that contributes to economic growth.
- (2) A building on land identified as “Canton Beach Local Centre”, “The Entrance Local Centre”, “Toukley Local Centre” or “Wyong Local Centre” on the Floor Space Ratio Map with a site area specified in Column 1 of the table to this subclause may exceed the maximum floor space ratio shown on the Floor Space Ratio Map by the percentage shown in Column 2.

Column 1	Column 2
Site area	Percentage of maximum FSR
1,500m ² or more, but less than 2,000m ²	7.5%
2,000m ² or more, but less than 2,500m ²	10%
2,500m ² or more, but less than 3,000m ²	12.5%
3,000m ² or more, but less than 4,000m ²	15%
4,000m ² or more	20%

- (3) The maximum floor space ratio for a building on land identified as “Terrigal Village Centre” on the Floor Space Ratio Map is 1.8:1 if the building has a street frontage of at least 20m as identified on the Floor Space Ratio Map.
- (4) The maximum floor space ratio for a building on land identified as “Woy Woy Town Centre” on the Floor Space Ratio Map is—
- (a) 2.1:1 if—
 - (i) the site area is at least 1,000m², but less than 1,500m², and
 - (ii) the building has a street frontage of at least 20m as identified on the Floor Space Ratio Map, and
 - (b) 2.3:1 if—
 - (i) the site area is at least 1,500m², and
 - (ii) the building has a street frontage of at least 20m as identified on the Floor Space Ratio Map.
- (5) The maximum floor space ratio for a building on land identified as “Umina Village Centre” on the Floor Space Ratio Map is 1.8:1 if—
- (a) the site area is at least 1,000m², and
 - (b) the building has a street frontage of at least 20m as identified on the Floor Space Ratio Map.
- (6) The maximum floor space ratio for a building on land identified as “Ettalong Village Centre” on the Floor Space Ratio Map is 2:1 if—
- (a) the site area is at least 1,000m², and
 - (b) the building has a street frontage of at least 20m as identified on the Floor Space Ratio Map.
- (7) The maximum floor space ratio for a building on land identified as “Erina Town Centre” on the Floor Space Ratio Map is 1.3:1 if—
- (a) the site area is at least 3,000m², and
 - (b) the building has a street frontage of at least 40m as identified on the Floor Space Ratio Map.

4.5 Calculation of floor space ratio and site area

(1) Objectives

The objectives of this clause are as follows—

- (a) to define *floor space ratio*,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to—

- (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
- (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
- (iii) require community land and public places to be dealt with separately.

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

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

(3) **Site area**

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

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

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

(4) **Exclusions from site area**

The following land must be excluded from the site area—

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

(5) **Strata subdivisions**

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

(6) **Only significant development to be included**

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

(7) **Certain public land to be separately considered**

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

(8) **Existing buildings**

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

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

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

(10) **Covenants affect consolidated sites**

If—

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

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

(11) **Definition**

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

4.6 Exceptions to development standards

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

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

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

(3) Development consent must not be granted 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 Planning Secretary has been obtained.

- (5) In deciding whether to grant concurrence, the Planning Secretary 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 Planning Secretary 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 C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—
 - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- (7) 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,
 - (ba) clause 4.1A,
 - (bb) clause 4.1E,
 - (bc) clause 4.3A,
 - (bd) clause 4.3B,
 - (be) clause 4.4, but only in relation to land identified in clause 4.4A(3)–(5) and 4.4B(2)–(7),
 - (bf) clause 4.4A,
 - (bg) clause 4.4B,
 - (c) clause 5.4,
 - (caa) clause 5.5,
 - (ca) clause 6.1 or 6.2,
 - (cb) clause 7.22.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

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

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

Type of land shown on Map	Authority of the State
Zone B4 Mixed Use and marked “Car park”	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 2.5 of the Act
Zone SP2 Infrastructure and marked “Classified road”	Transport for NSW
Zone SP2 Infrastructure and marked “Health services facilities”	Health Administration Corporation
Zone SP2 Infrastructure and marked “Local road”	Council
Zone SP2 Infrastructure and marked “Sewer buffer”	Council
Zone SP2 Infrastructure and marked “Stormwater management”	Council
Zone C1 National Parks and Nature Reserves and marked “National Park”	Minister administering the <i>National Parks and Wildlife Act 1974</i>
Zone C2 Environmental Conservation and marked “Environmental conservation”	Council
Zone C2 Environmental Conservation and marked “Regional open space”	The corporation constituted under the Act, section 2.5
Zone C2 Environmental Conservation and marked “Stormwater management”	Council
Zone C3 Environmental Management and marked “Stormwater management”	Council

- (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 limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies to the following land at Manning Road, The Entrance that has not been acquired by the relevant authority of the State specified for the land in clause 5.1—
 - (a) Lots 3, 6, 8 and 11, DP 14527,
 - (b) Lot 12A, DP 408523.
- (3) Development consent must not be granted to development on land to which this clause applies other than development for the purposes of car parks.

5.2 Classification and reclassification of public land

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

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

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

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

5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.

- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20m.
- (3) This clause does not apply to—
 - (a) land in Zone RE1 Public Recreation, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (5) This clause does not prescribe a development standard that may be varied under this Plan.

5.4 Controls relating to miscellaneous permissible uses

(1) **Bed and breakfast accommodation**

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 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) 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 400 square metres,
- whichever is the lesser.

(5) **Farm stay accommodation**

If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms.

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 50 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 125 square metres.

(7AA) **Neighbourhood supermarkets**

If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.

(8) **Roadside stalls**

If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 30 square metres.

(9) **Secondary dwellings on land other than land in a rural zone**

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

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

(10) **Artisan food and drink industry exclusion**

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

- (a) 20% of the gross floor area of the industry, or
 - (b) 400 square metres,
- whichever is the lesser.

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

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

- (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—
 - (i) 60 square metres,
 - (ii) 30% of the total floor area of the principal dwelling, and
- (b) [Not adopted]

5.6 Architectural roof features

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

- (a) to permit variations to maximum building height standards for roof features of visual interest,
- (b) to ensure roof features are decorative elements and the majority of the roof is contained within the maximum building height standard.

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

5.7 Development below mean high water mark

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

5.8 Conversion of fire alarms

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

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

5.9 Dwelling house or secondary dwelling affected by natural disaster

- (1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwellings that have been damaged or destroyed by a natural disaster.
- (2) This clause applies to land in the following zones—
 - (a) RU1 Primary Production,
 - (b) RU2 Rural Landscape,
 - (c) RU3 Forestry,
 - (d) RU5 Village,
 - (e) RU6 Transition,
 - (f) R1 General Residential,
 - (g) R2 Low Density Residential,
 - (h) R3 Medium Density Residential,
 - (i) R5 Large Lot Residential,
 - (j) B1 Neighbourhood Centre,
 - (k) B2 Local Centre,
 - (l) B3 Commercial Core,
 - (m) B4 Mixed Use,
 - (n) B5 Business Development,
 - (o) B6 Enterprise Corridor,
 - (p) B7 Business Park,
 - (q) IN1 General Industrial,
 - (r) IN2 Light Industrial,
 - (s) IN4 Working Waterfront,
 - (t) SP1 Special Activities,
 - (u) SP2 Infrastructure,
 - (v) SP3 Tourist,
 - (w) RE1 Public Recreation,
 - (x) RE2 Private Recreation,
 - (y) C1 National Parks and Nature Reserves,
 - (z) C2 Environmental Conservation,
 - (za) C3 Environmental Management,
 - (zb) C4 Environmental Living,
 - (zc) W1 Natural Waterways,
 - (zd) W2 Recreational Waterways.
- (3) Despite the other provisions of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—
 - (a) the dwelling house or secondary dwelling was lawfully erected, and

- (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.

5.9AA (Repealed)

5.10 Heritage conservation

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

(1) Objectives

The objectives of this clause are as follows—

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

(2) Requirement for consent

Development consent is required for any of the following—

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

(3) When consent not required

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

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

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

(4) Effect of proposed development on heritage significance

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

(5) Heritage assessment

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

- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

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

(7) Archaeological sites

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

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

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

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

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

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

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

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

(10) **Conservation incentives**

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

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

5.11 Bush fire hazard reduction

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

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

5.13 Eco-tourist facilities

- (1) The objectives of this clause are as follows—
 - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
 - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- (2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.
- (3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—
 - (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and
 - (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and
 - (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and
 - (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and
 - (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and
 - (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and
 - (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and
 - (h) any infrastructure services to the site will be provided without significant modification to the environment, and
 - (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and
 - (j) the development will not adversely affect the agricultural productivity of adjoining land, and
 - (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment—
 - (i) measures to remove any threat of serious or irreversible environmental damage,
 - (ii) the maintenance (or regeneration where necessary) of habitats,
 - (iii) efficient and minimal energy and water use and waste output,
 - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
 - (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

5.14 Siding Spring Observatory—maintaining dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

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

[Not applicable]

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

[Not applicable]

5.18 Intensive livestock agriculture

- (1) The objectives of this clause are—
 - (a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and
 - (b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.
- (2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.
- (3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—
 - (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,
 - (b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,
 - (c) the potential for the pollution of surface water and ground water,
 - (d) the potential for the degradation of soils,
 - (e) the measures proposed to mitigate any potential adverse impacts,
 - (f) the suitability of the site in the circumstances,
 - (g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,
 - (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.
- (4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—
 - (a) the development is of a type specified in subclause (5), and
 - (b) the consent authority is satisfied that the development will not be located—

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

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

residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone C3 Environmental Management or Zone C4 Environmental Living.

5.19 Pond-based, tank-based and oyster aquaculture

(1) Objectives

The objectives of this clause are as follows—

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

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

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

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

- (i) pond-based aquaculture in Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use—that the development is for the purpose of small scale aquarium fish production, and
 - (ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive aquaculture, and
 - (iii) tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and
 - (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.
- (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.
- (4) **Extensive pond-based aquaculture permitted without consent in certain zones**

Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—

 - (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and
 - (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.
- (5) **Oyster aquaculture—additional matters that consent authority must consider in determining a development application**

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

 - (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and
 - (b) the *NSW Oyster Industry Sustainable Aquaculture Strategy*.
- (6) **Oyster aquaculture permitted without consent in priority oyster aquaculture areas**

Development for the purpose of oyster aquaculture may be carried out without development consent—

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

In this clause—

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

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

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

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

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

- (1) The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—
 - (a) the playing or performance of music, including the following—
 - (i) the genre of music played or performed, or
 - (ii) whether the music played or performed is live or amplified, or
 - (iii) whether the music played or performed is original music, or
 - (iv) the number of musicians or live entertainment acts playing or performing, or
 - (v) the type of instruments played,
 - (b) whether dancing occurs,
 - (c) the presence or use of a dance floor or another area ordinarily used for dancing,
 - (d) the direction in which a stage for players or performers faces,
 - (e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.
- (2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.
- (3) In this clause—

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

5.21 Flood planning

- (1) The objectives of this clause are as follows—
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
 - (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
 - (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.
- (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—
 - (a) is compatible with the flood function and behaviour on the land, and

- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
 - (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—
- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
 - (b) the intended design and scale of buildings resulting from the development,
 - (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
 - (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.
- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.
- (5) In this clause—
- Considering Flooding in Land Use Planning Guideline*** means the *Considering Flooding in Land Use Planning Guideline* published on the Department’s website on 14 July 2021.
- flood planning area*** has the same meaning as it has in the Floodplain Development Manual.
- Floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

5.22 Special flood considerations

[Not adopted]

Part 6 Urban release areas

6.1 Concurrence of Planning Secretary—urban release areas

- (1) This clause applies to the following development—
 - (a) subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before—
 - (i) for land identified as “Gwandalan (North)” on the Urban Release Area Map—1 September 2008, or
 - (ii) for land identified as “Louisiana Road, Hamlyn Terrace (West)” on the Urban Release Area Map—18 July 2008, or
 - (iii) for land identified as “Warnervale South (Part A)” on the Urban Release Area Map—23 December 2013, or
 - (iv) otherwise—immediately before the land became, or became part of, an urban release area, and
 - (b) subdivision of the following land in an urban release area—
 - (i) land identified as “Gwandalan (South)” on the Urban Release Area Map,
 - (ii) land identified as “Louisiana Road, Hamlyn Terrace (East)” on the Urban Release Area Map,
 - (iii) land identified as “Warnervale South (Part B)” on the Urban Release Area Map.
- (2) Development consent must not be granted to development to which this clause applies unless the consent authority has obtained the concurrence of the Planning Secretary.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) the impact of the development on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (b) the cumulative impact of the development with other development that has been, or is likely to be, carried out in surrounding areas on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.
- (4) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.
- (5) This clause does not apply in relation to—
 - (a) development if all or part of the land on which the development is to be carried out is in a special contributions area to which a determination under the Act, section 7.23 applies, or
 - (b) a lot identified in the certificate as a residue lot, or
 - (c) a lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with—

- (i) this clause, or
 - (ii) *Wyong Local Environmental Plan 2013*, clause 6.1, before its repeal, or
 - (iii) *Gosford Local Environmental Plan 2014*, clause 6.1, before its repeal, or
 - (d) a lot that is proposed to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or
 - (e) a subdivision for the purpose only of rectifying an encroachment on an existing lot.
- (6) In this clause—
- designated State public infrastructure*** means public facilities or services that are provided or financed by the State, or if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State, of the following kinds—
- (a) State and regional roads,
 - (b) bus interchanges and bus lanes,
 - (c) rail infrastructure and land,
 - (d) regional parks and public space,
 - (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

6.2 Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the consent authority is satisfied that—
 - (a) public utility infrastructure that is essential for the proposed development is available, or
 - (b) adequate arrangements have been made to make that infrastructure available when it is required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing public utility infrastructure.
- (3) In this clause—

public utility infrastructure, in relation to an urban release area, includes infrastructure for the following—

 - (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the disposal and management of sewage.

6.3 Relationship between Part and remainder of Plan

A provision of this Part prevails over the other provisions of this Plan to the extent of any inconsistency.

Part 7 Additional local provisions

7.1 Acid sulfate soils

- (1) The objective of this clause is to ensure 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 1m below the natural ground surface. Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.
4	Works more than 2m below the natural ground surface. Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.
5	Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been—
 - (a) prepared for the proposed works in accordance with the Acid Sulfate Soils Manual, and
 - (b) has been provided to the consent authority.
- (4) 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
 - (c) the consent authority has confirmed the assessment by written notice to the person proposing to carry out the works.
- (5) Development consent is not required under this clause for the carrying out 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 that involves the repair or replacement of the works of the public authority required to be carried out urgently because the works—
 - (i) have been damaged, or
 - (ii) have ceased to function, or
 - (iii) pose a risk to the environment or to public health and safety,

- (b) routine maintenance work that involves 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 that costs less than \$20,000, other than drainage work.
- (6) Development consent is not required under this clause to carry out works that—
 - (a) involve the disturbance of less than 1 tonne of soil, and
 - (b) are not likely to lower the watertable.

7.2 Drinking water catchments

- (1) The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.
- (2) This clause applies to land identified as “Drinking water catchment” on the Drinking Water Catchment 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) whether or not the development is likely to have an adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following—
 - (i) the distance between the development and any waterway that feeds into the drinking water storage,
 - (ii) the on-site use, storage and disposal of chemicals on the land,
 - (iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,
 - (b) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development, if any.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
 - (a) the development is designed, sited and will be managed to avoid significant adverse impacts on water quality and flows, or
 - (b) if an impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise the impact.

7.3 Limited development on foreshore area

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

- (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
 - (a) the development will contribute to achieving the objectives for the zone in which the land is located, and
 - (b) the appearance of proposed structures, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
 - (c) the development will not cause environmental harm, including—
 - (i) pollution or siltation of the waterway, or
 - (ii) an adverse impact on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or
 - (iii) an adverse impact on drainage patterns, and
 - (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
 - (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
 - (f) the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and
 - (g) for development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and
 - (h) sea level rise or change of flooding patterns as a result of climate change has been considered.

7.4 Airspace operations

- (1) The objectives of this clause are as follows—
 - (a) to provide for the effective and ongoing operation of Central Coast Airport by ensuring that its operation is not compromised by development that penetrates the Limitation or Operations Surface for Central Coast Airport,
 - (b) to protect the community from undue risk from that operation.
- (2) This clause applies to development that the consent authority is satisfied will penetrate the Limitation or Operations Surface.
- (3) Development consent must not be granted to development to which this clause applies unless—
 - (a) the consent authority has consulted with the relevant Commonwealth body about the development, and
 - (b) the relevant Commonwealth body advises the consent authority that—
 - (i) the development will penetrate the Limitation or Operations Surface but it does not object to the development, or
 - (ii) the development will not penetrate the Limitation or Operations Surface.
- (4) Development consent must not be granted to development to which this clause applies if the relevant Commonwealth body advises that the development—
 - (a) will penetrate the Limitation or Operations Surface, and

(b) should not be carried out.

(5) In this clause—

Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map for Central Coast Airport.

relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for Central Coast Airport.

7.5 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 Central Coast Airport and its flight paths,
- (b) to assist in minimising the impact of aircraft noise from Central Coast Airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,
- (c) to ensure land use and development in the vicinity of Central Coast Airport do not hinder or have other adverse impacts on the ongoing, safe and efficient operation of the airport.

(2) This clause applies to development—

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

(3) In deciding whether to grant development consent to development to which this clause applies, the consent authority—

- (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and
- (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and
- (c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.

(4) In this clause—

ANEF contour means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for Central Coast Airport prepared by the Department of the Commonwealth responsible for airports.

AS 2021:2015 means AS 2021:2015, *Acoustics—Aircraft noise intrusion—Building siting and construction*.

7.6 Essential services

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

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

7.7 Council infrastructure development

- (1) Development may be carried out by or on behalf of the Council without development consent on land other than—
 - (a) land in a heritage conservation area, or
 - (b) land containing a heritage item, or
 - (c) land that is an environmentally sensitive area for exempt or complying development within the meaning of clause 3.3.
- (2) Subclause (1) does not apply to the following development—
 - (a) the erection of a class 1–9 building under the *Building Code of Australia*,
 - (b) development that—
 - (i) is not exempt development under *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 2, and
 - (ii) has a capital value of more than \$1 million.

7.8 Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.
- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following—
 - (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land—
 - (i) in Zone R1 General Residential, Zone R2 Low Density Residential or Zone RE1 Public Recreation, or
 - (ii) used for the purposes of centre-based child care facilities, community facilities, schools or places of public worship,
 - (b) the impact of the proposed sex services premises and its hours of operation on places likely to be regularly frequented by children—
 - (i) that adjoin the premises, or
 - (ii) that can be viewed from the premises, or
 - (iii) from which a person can view the premises.
- (3) If the sex services premises are proposed to be located in a building that contains one or more dwellings, development consent must not be granted to development for the purposes of sex services premises unless the sex services premises can only be accessed by a separate street entrance that does not provide access to the rest of the building.

7.9 Caravan parks and manufactured home estates

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

- (a) to ensure the social and economic well-being of residents of caravan parks and manufactured home estates at risk of displacement due to the redevelopment of caravan parks and manufactured home estates,
 - (b) to encourage the retention of caravan parks and other forms of low-cost accommodation on certain land in the Central Coast,
 - (c) to prevent development that would result in a loss of low-cost accommodation on land unless sufficient comparable accommodation is available elsewhere in the Central Coast.
- (2) This clause applies to development on land identified as “Caravan Parks and Manufactured Home Estates” on the Manufactured Home Estate Map, other than development for the following purposes—
 - (a) caravan parks,
 - (b) camping grounds,
 - (c) manufactured home estates,
 - (d) public utility undertakings.
- (3) Development consent must not be granted for development to which this clause applies unless the consent authority has considered the following—
 - (a) whether the proposed development is likely to reduce the availability of low-cost accommodation on the land,
 - (b) whether sufficient comparable accommodation is available to meet the demand for low-cost accommodation in the Central Coast,
 - (c) whether the proposed development is likely to cause adverse social and economic impacts on existing residents or the general community of the Central Coast,
 - (d) whether adequate arrangements have been made to assist existing residents to find alternative and comparable accommodation in the Central Coast,
 - (e) whether the cumulative impact of the loss of low-cost accommodation is likely to significantly decrease the availability of low-cost accommodation in the Central Coast.
- (4) Development consent must not be granted for development to which this clause applies unless the consent authority is satisfied that—
 - (a) sufficient accommodation will be available to accommodate the maximum number of persons who could be accommodated by any existing development on the land from time to time in the 12 months before 27 February 2004, and
 - (b) the accommodation referred to in paragraph (a) will be comparable to that provided on the land in relation to price, facilities, services and type of tenure.
- (5) In this clause—

manufactured home estate has the same meaning as in the *Local Government Act 1993*.

7.10 Affordable housing at 85–93 Karalta Road, Erina

- (1) The objective of this clause is to increase the supply of affordable rental housing for very low, low and moderate income earning households by providing incentives for the development of new affordable rental housing.
- (2) This clause applies to development for the purposes of residential flat buildings on land identified as “85–93 Karalta Road” on the Key Sites Map if—
 - (a) the development will include at least 1 dwelling containing 2 bedrooms, and

- (b) at least 80m² of the gross floor area of the building resulting from the development will be used for the purposes of affordable housing.
- (3) The maximum building height for a building resulting from development to which this clause applies is 13.75m.
- (4) The maximum floor space ratio for a building resulting from development to which this clause applies is 1:1.
- (5) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that—
 - (a) for a period of at least 10 years from the issue of the occupation certificate—
 - (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
 - (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and
 - (b) a restriction will be registered in accordance with the *Conveyancing Act 1919*, section 88E, before the date of the issue of the occupation certificate, against the title of the property relating to the development that will ensure that the requirements of paragraph (a) are met.
- (6) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied the development is, or will be, serviced by a reticulated water supply system and sewerage system.
- (7) A word or expression used in this clause has the same meaning as in *State Environmental Planning Policy (Housing) 2021* unless it is otherwise defined in this Plan.

7.11 Shop top housing in certain business zones

- (1) This clause applies to land in the following zones—
 - (a) Zone B5 Business Development,
 - (b) Zone B6 Enterprise Corridor,
 - (c) Zone B7 Business Park.
- (2) Development consent must not be granted for development for the purposes of shop top housing on land to which this clause applies unless the floor area used for the purposes of shop top housing will not be greater than the floor area of the ground floor used for the purposes of business premises and retail premises.

7.12 Development in Somersby Business Park

- (1) This clause applies to land identified as “Somersby Business Park” on the Key Sites Map.
- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
 - (a) the development will maximise the opportunity for industrial development in Somersby Business Park to provide employment opportunities in the Central Coast, and
 - (b) the ecological and Aboriginal heritage characteristics of land in Somersby Business Park will be protected and appropriately managed, and
 - (c) the development is consistent with the *DRAFT Plan of Management—Somersby Industrial Park* dated June 2005 and published on the Council’s website.

- (3) In deciding whether to grant development consent to the subdivision of land to which this clause applies, the consent authority must consider the following—
 - (a) whether the proposed subdivision relates to land identified as “Ecologically Significant and Aboriginal Heritage Lands” on the Key Sites Map,
 - (b) the potential for the lots created from the proposed subdivision (the **resulting lots**) to accommodate future development that will not have an adverse impact on the protection of the ecological and Aboriginal heritage characteristics of the locality, having regard to—
 - (i) the size of the resulting lots, and
 - (ii) the configuration of the resulting lots, and
 - (iii) the topography of the land of the resulting lots.

7.13 Subdivision and erection of dwelling house on certain land at Wisemans Ferry Road, Somersby

- (1) The objectives of this clause are to—
 - (a) ensure that lot sizes and subdivision design conserve and protect the environmental, conservation and biodiversity values of land, and
 - (b) allow for flexibility in the size and arrangement of lots to facilitate appropriate development and improved environmental outcomes.
- (2) This clause applies to the part of Lot 41, DP 1046841 in—
 - (a) Zone C2 Environmental Conservation, or
 - (b) Zone C3 Environmental Management.
- (3) Land to which this clause applies may be subdivided to create lots smaller than the minimum lot size shown on the Lot Size Map if the consent authority is satisfied—
 - (a) the total number of lots created from the subdivision will not exceed 6, and
 - (b) one of the lots created will include—
 - (i) all of the land in Zone C2 Environmental Conservation, and
 - (ii) part of the land in Zone C3 Environmental Management, and
 - (c) the lots created from the subdivision will be used for the purposes of environmental conservation and protection of the environment, and
 - (d) the lots created from the subdivision will retain, and are complementary to, the environmental conservation and biodiversity values of the land, and
 - (e) the subdivision will not result in significant adverse environmental impacts on the land or on adjoining land, and
 - (f) vehicular access to Peats Ridge Road from the land will not adversely affect endangered flora on the land or on adjoining land.
- (4) Development consent must not be granted to the subdivision of a lot created under this clause unless the subdivision is for one or more of the following purposes—
 - (a) a minor realignment of its boundaries that does not create an additional lot,
 - (b) a subdivision creating or widening a public road or public reserve or for another public purpose,
 - (c) a consolidation of adjoining lots.
- (5) Development consent must not be granted for the erection of a dwelling house on a lot created by a subdivision under this clause unless the dwelling house will be erected on land solely in Zone C3 Environmental Management.

7.14 Office premises on land at Warnervale

- (1) The objectives of this clause are—
 - (a) to protect the viability of the Warnervale town centre, and
 - (b) to encourage a mix of uses in the town centre.
- (2) This clause applies to land at Warnervale in Zone B7 Business Park.
- (3) Development consent must not be granted for development for the purposes of stand-alone office premises on land to which this clause applies unless the gross floor area of the building resulting from the development is not more than 30% of the total area of the land to which this clause applies.
- (4) In this clause—
stand-alone office premises means a building predominantly used for the purposes of office premises.

7.15 Office premises and specialised retail premises on land at Kanwal

- (1) The objectives of this clause are—
 - (a) to protect the viability of existing and planned town centres, and
 - (b) to provide incentives for the development of health services facilities.
- (2) This clause applies to land at Kanwal identified as “Kanwal Enterprise Zone” on the Floor Space Ratio Map.
- (3) Development consent must not be granted for development for the purposes of stand-alone office premises on land to which this clause applies unless the gross floor area of the building resulting from the development is not more than 30% of the total area of the land to which this clause applies.
- (4) Development consent must not be granted for development for the purposes of specialised retail premises on land to which this clause applies if the gross floor area of the building resulting from the development is more than 1,000m².
- (5) In this clause—
stand-alone office premises—see clause 7.14(4).

7.16 Office premises and specialised retail premises at North Wyong Industrial Estate

- (1) The objective of this clause is to protect the viability of existing and planned town centres.
- (2) This clause applies to land in the North Wyong Industrial Estate, Pacific Highway, North Wyong in Zone B6 Enterprise Corridor.
- (3) Development consent must not be granted for development for the purposes of stand-alone office premises on land to which this clause applies unless—
 - (a) the gross floor area of the building resulting from the development is not more than 30% of the total area of the land to which this clause applies, and
 - (b) the gross floor area of the building resulting from the development is at least 200m².
- (4) Development consent must not be granted for development for the purposes of specialised retail premises on land to which this clause applies unless the gross floor space of the building resulting from the development is not greater than 2,000m².
- (5) In this clause—
stand-alone office premises—see clause 7.14(4).

7.17 Managed resort facilities at 50 Summerland Road, Summerland Point

- (1) This clause applies to land identified as “50 Summerland Road—Part A” and “50 Summerland Road—Part B” on the Key Sites Map.
- (2) Development for the purposes of a managed resort facility is permitted with development consent on land to which this clause applies.
- (3) Development consent may be granted to subdivision under the *Community Land Development Act 2021* to create lots of any size on land identified as “50 Summerland Road—Part A” on the Key Sites Map if—
 - (a) the land is within a managed resort facility, and
 - (b) no more than 75% of the dwellings in the managed resort facility are used as permanent residences, and
 - (c) the consent authority is satisfied the use of the dwellings as permanent residences will not result in the dominant use of the land to which this clause applies being for a purpose other than a managed resort facility.
- (4) In this clause—

managed resort facility means a building or place used for development—

 - (a) for the purposes of tourist and visitor accommodation and associated recreation facilities (indoor) and recreation facilities (outdoor), and
 - (b) for at least 1 of the following purposes—
 - (i) boat launching ramps,
 - (ii) boat sheds,
 - (iii) entertainment facilities,
 - (iv) function centres,
 - (v) marinas,
 - (vi) registered clubs,
 - (vii) residential accommodation,
 - (viii) retail premises.

7.18 Certain development at Avoca Drive, Avoca Beach

- (1) This clause applies to Lot 140, DP 9359 and Lot 651, DP 16791, Avoca Drive, Avoca Beach, identified as “Avoca Beach Theatre” on the Key Sites Map.
- (2) Development for the following purposes is permitted with development consent on land to which this clause applies—
 - (a) entertainment facilities,
 - (b) residential flat buildings,
 - (c) restaurants or cafes.
- (3) Development consent must not be granted to development referred to in subclause (2) unless the design of the development has been reviewed by a design review panel.
- (4) In deciding whether to grant development consent, the consent authority must consider the following—
 - (a) whether the development retains the existing theatre building,
 - (b) whether the design of the development complements the heritage character of the existing theatre building,
 - (c) whether the design of development achieves a high standard of urban design and architectural quality, including in relation to the interface between the development and the adjoining public park,

- (d) whether the design of the development is appropriate for the location of the land on the coast,
 - (e) whether adequate car parking is provided,
 - (f) whether the development provides measures to conserve water usage and increase water efficiency,
 - (g) if applicable, the outcome of the review by the design review panel.
- (5) Subclause (3) does not apply to development if the Planning Secretary provides a written statement to the consent authority stating that the Planning Secretary considers the development is of a minor nature.
- (6) A building on land to which this clause applies resulting from development for the purposes of entertainment facilities may exceed the maximum height shown on the Height of Buildings Map if the consent authority is satisfied the part of the building that exceeds the maximum height is an integral part of the design of the building.
- (7) In this clause—
design review panel means a panel of 2 or more persons established by the consent authority for the purposes of this clause.

7.19 Subdivision at Goldsmith Road and Tallara Road, Somersby

- (1) This clause applies to the following land at Somersby—
- (a) Lot 416, DP 1265173, Goldsmith Road, identified as “Goldsmith Road” on the Key Sites Map,
 - (b) Lot 4, DP 261507, Tallara Road, identified as “Tallara Road” on the Key Sites Map.
- (2) Land to which this clause applies may be subdivided with development consent—
- (a) for land identified as “Goldsmith Road”—to create 3 or fewer lots, and
 - (b) for land identified as “Tallara Road”—to create 2 lots.
- (3) Development consent must not be granted unless the consent authority is satisfied the development—
- (a) will retain, and be complementary to, the biodiversity values of the land, and
 - (b) will not have a significant adverse effect on threatened species or endangered ecological communities or their habitats, and
 - (c) will not involve, or will involve only minimal, clearing of native vegetation, and
 - (d) will not result in other significant adverse environmental impacts on the land or adjoining land.
- (4) In this clause—
biodiversity values has the same meaning as in the *Biodiversity Conservation Act 2016*.

7.20 Subdivision at Marana Road, Springfield

- (1) This clause applies to Lot 3, DP 1273246, Marana Road, Springfield, identified as “Marana Road” on the Key Sites Map.
- (2) Development consent may be granted to the subdivision of land to which this clause applies if the subdivision would result in no more than 3 lots.

7.21 Certain development in Zone C2 Environmental Conservation

- (1) This clause applies to land in Zone C2 Environmental Conservation—

- (a) identified as “Dwelling Opportunity” on the Dwelling Opportunity Map, and
 - (b) on which development for the purposes of dwelling houses was permissible immediately before the commencement of this Plan.
- (2) Development consent may be granted to development for the following purposes on land to which this clause applies—
- (a) dwelling houses,
 - (b) home occupations,
 - (c) bed and breakfast accommodation.
- (3) Clauses 4.1AA, 4.2A and 4.2C apply to land to which this clause applies.

7.22 Development near Zone C3 Environmental Management boundaries

- (1) This clause applies to land that is within 20m of land that is—
- (a) identified as “Dwelling Density” on the Dwelling Density Map, and
 - (b) within Zone C3 Environmental Management, and
 - (c) on or adjacent to the boundary of another zone.
- (2) Development consent may be granted to development of land to which this clause applies for a purpose that may be carried out in a zone adjoining the land if the consent authority is satisfied—
- (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

7.23 Transitional provision for floodplain risk management

- (1) Despite the repeal of *Gosford Local Environmental Plan 2014*, clause 7.3 of that Plan continues to apply, during the transition period, to the land to which the clause applied immediately before its repeal.
- (2) Despite the repeal of *Wyang Local Environmental Plan 2013*, clause 7.3 of that Plan continues to apply, during the transition period, to the land to which the clause applied immediately before its repeal.
- (3) In this clause—
- transition period*** means the period—
- (a) starting at the beginning of the day on which this Plan commences, and
 - (b) ending at the end of 1 August 2024.
- (4) This clause is repealed at the end of 1 August 2024.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at Avoca Beach and Kincumber South

- (1) This clause applies to the following land—
 - (a) Lot 241, DP 237227, 160 The Round Drive, Avoca Beach, identified as “160 The Round Drive” on the Additional Permitted Uses Map,
 - (b) Lot 6, DP 826812, 1 Bowtells Drive, Avoca Beach, identified as “Avoca Beach Caravan Park” on the Additional Permitted Uses Map,
 - (c) Lot 1, DP 742084, 57 Empire Bay Drive, Kincumber South, identified as “Kincumber Nautical Village” on the Additional Permitted Uses Map.
- (2) Development for the following purposes is permitted with development consent—
 - (a) backpackers’ accommodation,
 - (b) camping grounds,
 - (c) caravan parks,
 - (d) farm stay accommodation,
 - (e) hotel or motel accommodation,
 - (f) pubs,
 - (g) recreation facilities (indoor),
 - (h) recreation facilities (outdoor),
 - (i) registered clubs,
 - (j) restaurants or cafes,
 - (k) serviced apartments.

2 Use of certain land at Crangan Bay

- (1) This clause applies to Lots 2–7, DP 249281 and Lot 11, DP 598580, identified as “Crangan Bay Quarry” on the Additional Permitted Uses Map.
- (2) Development for the purposes of extractive industries is permitted with development consent.

3 Use of certain land at Wisemans Ferry Road, Gunderman

- (1) This clause applies to Lot 3, DP 607726, Wisemans Ferry Road, Gunderman, identified as “Rosevale” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a caravan park with a maximum of 118 short-term caravan sites and 12 camping sites is permitted with development consent.

4 Use of certain land at 2–8 Aldinga Road, Gwandalan

- (1) This clause applies to Lots 1–4, Section 22, DP 28961, 2–8 Aldinga Road, Gwandalan, identified as “2–8 Aldinga Road” on the Additional Permitted Uses Map.
- (2) Development for the purposes of the following is permitted with development consent—
 - (a) backpackers’ accommodation,
 - (b) farm stay accommodation,
 - (c) hotel or motel accommodation,

- (d) serviced apartments.

5 Use of certain land at Kanwal

- (1) This clause applies to land at Kanwal identified as “Craigie Avenue Precinct” on the Additional Permitted Uses Map.
- (2) Development for the purposes of seniors housing is permitted with development consent.

6 Use of certain land at 211–217 Wallarah Road, Kanwal

- (1) This clause applies to Lots 100 and 101, DP 1247812, 211–217 Wallarah Road, Kanwal, identified as “211–217 Wallarah Road” on the Additional Permitted Uses Map.
- (2) Development for the purposes of service stations is permitted with development consent.

7 Use of certain land at Pacific Highway, Lisarow

- (1) This clause applies to SP 101841, Lots 3 and 4, DP 1258275 and Lot 2, DP 1251577, Pacific Highway, Lisarow, identified as “Lisarow Heights Business Park” on the Additional Permitted Uses Map.
- (2) Development for the purposes of specialised retail premises and office premises is permitted with development consent if the gross floor area of the buildings resulting from the development is not greater than 5,500m².

8 Use of certain land at 40–60 Niclins Road, Mangrove Mountain

- (1) This clause applies to Lot 981, DP 862346, 40–60 Niclins Road, Mangrove Mountain, identified as “40–60 Niclins Road, Mangrove Mountain” on the Additional Permitted Uses Map.
- (2) Development for the purposes of medical centres is permitted with development consent.

9 Use of certain land at 355 Ruttleys Road, Mannering Park

- (1) This clause applies to Lot 1, DP 603830, 355 Ruttleys Road, Mannering Park, identified as “355 Ruttleys Road” on the Additional Permitted Uses Map.
- (2) Development for the purposes of self-storage units is permitted with development consent.

10 Use of certain land at Peats Ridge Road, Peats Ridge

- (1) This clause applies to Lot 165, DP 755253, Peats Ridge Road, Peats Ridge, identified as “The Springs” on the Additional Permitted Uses Map.
- (2) Development for the purposes of tourist and visitor accommodation is permitted with development consent.

11 Use of certain land at 945 Old Pacific Highway and 66 Myoora Road, Somersby

- (1) This clause applies to the following land at Somersby identified as “945 Old Pacific Hwy and 66 Myoora Rd, Somersby” on the Additional Permitted Uses Map—
 - (a) Lot 21, DP 859538 and Lots 204 and 205, DP 747845, 945 Old Pacific Highway,
 - (b) Lot 20, DP 859538, 66 Myoora Road.
- (2) Development for the following purposes is permitted with development consent—

- (a) backpackers' accommodation,
- (b) camping grounds,
- (c) caravan parks,
- (d) farm stay accommodation,
- (e) hotel or motel accommodation,
- (f) pubs,
- (g) recreation facilities (indoor),
- (h) recreation facilities (outdoor),
- (i) registered clubs,
- (j) restaurants or cafes,
- (k) serviced apartments.

12 Use of land at 163 Reeves Street, Somersby

- (1) This clause applies to Lot 422, DP 40341, 163 Reeves Street, Somersby, identified as "Driver Training Facility" on the Additional Permitted Uses Map.
- (2) Development for the purposes of business premises is permitted with development consent, but only if the development is for the purposes of a driver training facility.

13 Use of certain land at Wisemans Ferry Road, Spencer

- (1) This clause applies to Lot 26, DP 1021911, Wisemans Ferry Road, Spencer, identified as "Malaluka" on the Additional Permitted Uses Map.
- (2) Development for the purposes of a caravan park with a maximum of 18 short-term caravan sites and 6 long-term caravan sites is permitted with development consent.

14 Use of certain land at 8–18B Painters Lane, Terrigal

- (1) This clause applies to the following land at Painters Lane, Terrigal, identified as "Rapedo Painters Lane Land" on the Additional Permitted Uses Map—
 - (a) Part of SP 99401,
 - (b) Part of Lot 31, DP 1248324,
 - (c) Lot 8B, DP 412722,
 - (d) Lot B, DP 347709,
 - (e) Lot 2, DP 349187,
 - (f) Lot 23, DP 1204364,
 - (g) Lots 1 and 2, DP 1228478,
 - (h) Lot C, DP 433631.
- (2) Development for the following purposes is permitted with development consent—
 - (a) dual occupancies,
 - (b) multi dwelling housing,
 - (c) residential flat buildings.

15 Use of certain land at 8 Warrigal Street, The Entrance

- (1) This clause applies to Lot 6, DP 22914, 8 Warrigal Street, The Entrance, identified as "8 Warrigal Street" on the Additional Permitted Uses Map.
- (2) Development for the purposes of residential flat buildings is permitted with development consent.

16 Use of certain land at The Entrance North and Wyong

- (1) This clause applies to land identified as “Magenta Shores” and “Kooindah Waters” on the Additional Permitted Uses Map.
- (2) Development for the purposes of residential accommodation is permitted with development consent if the consent authority is satisfied that tourist and visitor accommodation will remain the dominant use on the land as a whole.

17 Use of certain land at 121 Church Road, Tuggerah

- (1) This clause applies to Lots 80–84, DP 4008, 121 Church Road, Tuggerah, identified as “121 Church Road” on the Additional Permitted Uses Map.
- (2) Development for the purposes of recreation areas and recreation facilities (outdoor) is permitted with development consent.

18 Use of certain land at Mingara Drive, Tumbi Umbi

- (1) This clause applies to the following land at Tumbi Umbi, identified as “Mingara Recreation Club” on the Additional Permitted Uses Map—
 - (a) Lot 13, DP 1204397,
 - (b) Lot 71, DP 1011971,
 - (c) Lots 1 and 2, DP 1010532,
 - (d) Lot 721, DP 1184902.
- (2) Development for the purposes of centre-based child care facilities and health services facilities is permitted with development consent.
- (3) Development for the following purposes is permitted with development consent if the development is integrated with an existing registered club—
 - (a) hotel or motel accommodation,
 - (b) seniors housing,
 - (c) serviced apartments.

19 Use of certain land at Manns Road, West Gosford

- (1) This clause applies to part of Lot 1 and Lots 19–21, DP 270678, and part of SP 84324, Manns Road, West Gosford, identified as “Riverside” on the Additional Permitted Uses Map.
- (2) Development for the following purposes is permitted with development consent—
 - (a) specialised retail premises, if the gross floor area of the premises is not greater than 32,870m²,
 - (b) business premises, if the gross floor area of the premises is not greater than 1,560m².

20 Use of certain land at 356 Manns Road, West Gosford

- (1) This clause applies to Lot 30, DP 1172968, 356 Manns Road, West Gosford, identified as “Hometown” on the Additional Permitted Uses Map.
- (2) Development for the purposes of specialised retail premises is permitted with development consent if the gross floor area of the premises is not greater than 16,000m².

21 Use of certain land at 3–13 Stockyard Place, West Gosford

- (1) This clause applies to Lot 32, DP 1171389, 3–13 Stockyard Place, West Gosford, identified as “Stockyard Place” on the Additional Permitted Uses Map.
- (2) Development for the purposes of specialised retail premises is permitted with development consent if the gross floor area of the premises is not greater than 10,800m².

22 Use of certain land at registered clubs

- (1) This clause applies to the land identified as follows on the Additional Permitted Uses Map—
 - (a) “Canton Beach Sports Club”,
 - (b) “Diggers at The Entrance”,
 - (c) “Doyalson RSL Club”,
 - (d) “Gwandalan Bowling Club”,
 - (e) “Halekulani Bowling Club”,
 - (f) “Lake Munmorah Bowling Club”,
 - (g) “Norah Head Bowling and Sports Club”,
 - (h) “Old Bowling Club, Killarney Vale”,
 - (i) “Ourimbah RSL Club”,
 - (j) “Shelly Beach Golf Club”,
 - (k) “The Bay Sports Club”,
 - (l) “The Entrance Bowling Club”,
 - (m) “Toukley Golf Club”,
 - (n) “Toukley RSL Club”,
 - (o) “Wallarah Bay Recreation Club”,
 - (p) “Wyong Bowling Club”,
 - (q) “Wyong Golf Club”,
 - (r) “Wyong Leagues Club”,
 - (s) “Wyong RSL Club”.
- (2) Development for the following purposes is permitted with development consent if the development is associated with a registered club—
 - (a) hotel or motel accommodation,
 - (b) seniors housing,
 - (c) serviced apartments.

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.

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
Avoca Beach	Avenue of Norfolk Island and Cook pine trees	Avoca Beach foreshore	Part of Lot 7319, DP 1168424	Local	I1
Avoca Beach	Avenue of Norfolk Island and Cook pine trees	Avoca Drive, opposite Heazlett Park	Adjacent to Lot 4, DP 22051 and SP 56435	Local	I2
Avoca Beach	House	10 Hillside Road	Lot 2, DP 1239773	Local	I3
Bensville	Hastings Wharf	2 Kalua Drive and Crown Reserve	Part of Lot 7311, DP 1146701	Local	I4
Bensville	Boat shed	Wharf Parade, near Hastings Wharf	Part of Lot 7321, DP 1166048	Local	I5
Blackwall	House of Rock Davis, also known as Blackwall House	21 Cedar Crescent	Lot 5, DP 1210421	Local	I6
Blackwall	Sandstone memorials	17 Kitchener Avenue	Lot 114, DP 11071	Local	I7
Blackwall	Stone wall and steps, "Fenton"	369 Orange Grove Road	Lot 29, DP 15390	Local	I8
Booker Bay	2 Norfolk Island pine trees (former Booker Bay Cemetery site)	44 and 44A Bogan Road	Lots 201 and 202, DP 856323	Local	I9
Booker Bay	Booker Bay Store	72 Booker Bay Road	Lot A, DP 338628	Local	I10
Booker Bay	Shop, "Kings Store"	78 Booker Bay Road	Lot 119A, DP 416609	Local	I11
Cedar Brush Creek	Stone house, timber slab barn and fencing	611 Brush Creek Road	Lot 8, DP 543157	Local	I12
Chittaway Bay	Aboriginal Scar Tree	Crown Reserve; 2 Kalua Drive		Local	I13
Chittaway Bay	Dwelling house	24 Moloki Avenue	Lot 107, DP 27887	Local	I14

Suburb	Item name	Address	Property description	Significance	Item no
Davistown	Central Wharf, plaque and shelter	End of Davistown Road, adjacent to Illoura Reserve	Adjacent to Lot 7328, DP 1166009	Local	I15
Davistown	House	19 Davistown Road	Lot 9, DP 7356	Local	I16
Davistown	House, "Emoh-ruo et al"	8 Lenora Avenue	Lot 1, DP 945028	Local	I17
Davistown	Davistown Store	1 McCauley Street	Lot 1, DP 12932	Local	I18
Davistown	Davistown Progress Hall	5 McCauley Street	Lot 3, DP 12932	Local	I19
Davistown	Scandrett's boat shed and wharf	End of Mirreen Avenue, adjacent to Illoura Reserve	Adjacent to Lot 7037, DP 1075591	Local	I20
Davistown	Davistown Baths	Off Pine Avenue (foreshore reserve)	Lot 7034, DP 1125784	Local	I21
Dooralong	Dooralong Community Hall	1020 Dooralong Road	Lot 275, DP 875029	Local	I22
Dooralong	Dwelling house	1021 Dooralong Road (opposite Hall)	Lot 1, DP 166426	Local	I23
Dooralong	Dooralong Public School	1046 Dooralong Road	Lots 218 and 219, DP 755271	Local	I24
Dooralong	Former St Anne's Church	1052 Dooralong Road	Lot 13, DP 6635	Local	I25
Dooralong	Post office and attached residence	1053 Dooralong Road (opposite school)	Lot 1, DP 550080	Local	I26
Dooralong	Livestock farm buildings	905 Jilliby Road	Lot 13, DP 841815	Local	I27
East Gosford	Quarry	60 Bay View Avenue and 45 White Street	Lot 21, DP 701179; Lot 20, DP 701179	Local	I419
East Gosford	House, "Mona Vale"	13 Frederick Street	Part of Lot 50, DP 1256058	Local	I28
East Gosford	House, "Stonehurst"	64 George Street	Lot 6, DP 227878	Local	I29
East Gosford	House	100 Lushington Street	Lot 44, DP 614225	Local	I30
East Gosford	Remains of old Punt Bridge	The Entrance Road (north-western corner of Punt Bridge)	Adjacent to Lot 26, DP 227878	Local	I31
East Gosford	House, "Neringla"	39 York Street	Lot 16, DP 500460	Local	I32

Suburb	Item name	Address	Property description	Significance	Item no
Empire Bay	Merritt's Wharf	Off Merritt's Road		Local	I33
Empire Bay	Anglican church	47 Rosella Road	Lot 201, DP 7029	Local	I34
Empire Bay	War memorial	Corner of Sorrento and Kendall Roads		Local	I35
Empire Bay	House, former boarding house, "Empire House"	8 Sorrento Road	Lot B, DP 102620	Local	I36
Empire Bay	Empire Bay Store and residence	12A Sorrento Road	Lot 12, DP 1130259	Local	I37
Empire Bay	Boat shed	16B Sorrento Road	Lot 486, DP 727270	Local	I38
Empire Bay	House	24 Sorrento Road	Lot 14, DP 4707	Local	I39
Erina	Original Erina West Public School buildings	148 The Entrance Road	Lot 1, DP 123747	Local	I40
Erina Heights	Original Erina Heights Public School	2 Serpentine Road	Lot 21, DP 1027214	Local	I41
Ettalong Beach	Vietnam veterans' memorial	Ettalong Foreshore Reserve, The Esplanade	Part Lot 7308, DP 1159098	Local	I42
Ettalong Beach	House	42 The Esplanade	Lot B, DP 347800	Local	I43
Glenning Valley	Dwelling house	90 Glenning Road (corner Livistona Lane)	Lot B, DP 355956	Local	I44
Glenning Valley	Dwelling house, "The Palms"	12-14 Palm Springs Avenue	Lot 8, DP 401042	Local	I45
Glenworth Valley	Grave of Owen Maloney	69 Cooks Road	Lot 19, DP 755221	Local	I46
Glenworth Valley	House, "Glenworth Valley"	69 Cooks Road	Lot 89, DP 755221	Local	I47
Glenworth Valley	Remains of stone walling	69 Cooks Road	Lot 37, DP 755221	Local	I48
Gorokan	Dwelling house	19 Nichols Avenue	Lot 121, DP 1146695	Local	I49
Gorokan	Dwelling house	1 The Corso	Lot 1, DP 781786	Local	I50
Gosford	Gosford State Forest Nursery	14 Racecourse Road	Lot 42, DP 755227	Local	I51
Gosford	Dwyer Pavilion	Showground Road (Gosford Showground)	Lot 245, DP 755227	Local	I52

Suburb	Item name	Address	Property description	Significance	Item no
Green Point	Foreshore land and structures	14 Elfin Hill Road	Lot 1, DP 571548	State	I53
Green Point	House, "Mulhollands"	9 Pixie Avenue	Lot 2, DP 571548	State	I54
Green Point	Farmhouse, "Kenmare"	4 Roslyn Gardens	Lot 9, DP 236432	Local	I55
Greengrove	St Peter's cemetery	Mangrove Creek Road	Lot 51, DP 755253	Local	I56
Greengrove	Grave of John Donovan	1 Mangrove Creek Road	Lot 37, DP 755253	Local	I57
Gunderman	Roadworks known as Finch's Ascent	From Roses Creek to The Great North Road	Dharug National Park; Part of Lot 41 and Lot 139, DP 755257; Part of Lot 1, DP 511946	Local	I58
Gunderman	Cable ferry	Wisemans Ferry Road	Hawkesbury River adjacent to Lot 2, DP 511946	Local	I59
Gunderman	Timber and steel bridge over Mill Creek	Wisemans Ferry Road	Road reserve adjacent to Lot 1, DP 24303	Local	I60
Gunderman	Lower Hawkesbury Wesleyan Chapel and site	6445 Wisemans Ferry Road	Lot 118, DP 755257	Local	I61
Gunderman	Lower Hawkesbury Wesleyan Chapel and site	6445 Wisemans Ferry Road	Lot 4, DP 599807	State	I62
Gunderman	Old cable	6566 Wisemans Ferry Road	Lot 99, DP 854274	Local	I63
Gunderman	Stone house and shed	7118 Wisemans Ferry Road	Lot 1, DP 921011	Local	I64

Suburb	Item name	Address	Property description	Significance	Item no
Gunderman, Ten Mile Hollow, Kulnura	Roadworks	The Great North Road (between Hawkesbury River, Devine's Hill, Mount Manning and Kulnura)	Dharug National Park; Part of Lot 49, Lots 74, 75, 77, and 78, DP755239; Part of Lot 15, DP 1188844; Part of Lot 139, DP 755257; Part of Lots 5, 31, 48, 49, 50, 51 and 55, DP 755256; Part of Lot 7001, DP 1117405; Part of Lot 7001, DP 93091; Part of Lot 7002, DP 1117864	State	I65
Hamlyn Terrace	Warnervale Regional Uniting Church	271 Warnervale Road	Part of Lot 100, DP 1242086	Local	I66
Hardys Bay	Hardys Bay Wharf and timber toilet blocks	Opposite Araluen Drive		Local	I67
Hardys Bay	Old cottage and garden, "Segenhoe"	134 Araluen Drive	Lot 73, DP 7524	Local	I68
Hardys Bay	Boat shed	Opposite 182 Araluen Drive		Local	I69
Horsfield Bay	Boatshed/house, "Melita"	Opposite 28 Horsfield Road		Local	I70
Jilliby	Jilliby Cemetery	15 Jilliby Road, Corner Hue Hue Road	Lot 7005, DP 1030922	Local	I71
Jilliby	Jilliby Public School	352 Jilliby Road	Lot 1, DP 578580; Lot 179, DP 755271	Local	I72
Jilliby	Silos and dairy shed	2 Watagan Forest Drive	Lot 43, DP 755271	Local	I73
Kangy Angy	Felton Mathew's Tree	Old Maitland Road	Road reserve	Local	I74
Kangy Angy Mountain	Old Maitland Road	Old Maitland Road	Road reserve	Local	I75
Kanwal	Former church—dwelling	685 Pacific Highway	Lot 1, DP 307558	Local	I76
Kariong	Two groups of scribbly gums	Central Coast Highway	Lot 10, DP 1149050	Local	I77

Suburb	Item name	Address	Property description	Significance	Item no
Kariong	Entry drive with perimeter brush box and eucalypt plantings	1 and 1A Central Coast Highway and 5 The Avenue	Road reserve (The Avenue); Part of Lot 1022, DP 1268228; Part of Lot 101, DP 1256044	State	I78
Kariong	Administration and service buildings—maintenance store, cultural centre, admissions/operations annex and theatre, school house, Girrakool House, occasional child care, flats	1A Central Coast Highway	Part of Lot 1022, DP 1268228	State	I79
Kariong	Built landscape elements—gazebo, stone walls, sculpture park	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I80
Kariong	Dam	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I81
Kariong	Dormitories—“Carinya”, “Sobraon”, “Walpole”, “Vernon” and “The Wood Building”	1A Central Coast Highway	Part of Lot 1022, DP 1268228	State	I82
Kariong	Eastern bushland	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I83
Kariong	McCabe Complex—two cottages, McCabe Conference Centre	1A Central Coast Highway	Part of Lot 1022, DP 1268228	State	I84
Kariong	Old pine tree group	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I85
Kariong	Residential buildings—six residential cottages, deputy superintendent’s cottage	1A Central Coast Highway	Part of Lot 1022, DP 1268228	State	I86

Suburb	Item name	Address	Property description	Significance	Item no
Kariong	Service and amenity buildings—art room and ablutions block, former officers' dining room, dining room, main kitchen and laundry	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I87
Kariong	Sports field perimeter brush box and eucalypt plantings	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I88
Kariong	Sports fields—three sports fields, sports oval	1A Central Coast Highway	Part of Lot 1022, DP 1268228	State	I89
Kariong	White poplar avenue	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I90
Kariong	International Sculpture Symposium II (1988)	1A Central Coast Highway	Part of Lot 1022, DP 1268228	Local	I91
Kariong	Mature cultural plantings	1A Central Coast Highway and 10 Festival Drive	Part of Lot 1022, DP 1268228; Part of Lot 702, DP 1128417	Local	I92
Kariong	Remnant farm buildings—the barn, storage shed and dairy	3 Central Coast Highway	Lot 521, DP 1017539	Local	I93
Kariong	Mature cultural plantings, including coral trees, brush box, camphor laurels, white poplars, hoop pines, an oak and a larch	10 Festive Drive	Part of Lot 702, DP 1128417	Local	I94
Kariong	International Sculpture Symposium (1987)	Mt Penang Parklands, Parklands Road	Part of Lot 10, DP 1149050	Local	I95
Killcare	Killcare Wharf and stone seawalls	Parallel to Araluen Drive between Heath Road and Killcare Road		Local	I96
Killcare	Garden	30 Araluen Drive	Lot 54, DP 8830	Local	I97

Suburb	Item name	Address	Property description	Significance	Item no
Killcare	Killcare Marina site	39 Araluen Drive	Lot 495, DP 822113	Local	I98
Killcare	House, "Capri"	40 Araluen Drive	Lot 1, DP 302278	Local	I99
Killcare	House, "Bayview"	42 Araluen Drive	Lot 1, DP 171147	Local	I100
Killcare	Killcare Store	54 Araluen Drive	Lot 43, DP 8830	Local	I101
Killcare	Grave of John Menton	15-17 Blythe Street	Lots 81 and 82, DP 8830	Local	I102
Killcare Heights	"The Maitland Store"	174 The Scenic Road	Lot A, DP 102544	Local	I103
Kincumber	Manasseh Frost's House	152 Avoca Drive	Lot 112, DP 1124060	Local	I104
Kincumber	Post and rail fence	152-154 Avoca Drive	Lot 112, DP 1124060	Local	I105
Kincumber	War memorials	155 Avoca Drive	Part of Lot 10, DP 1053127	Local	I106
Kincumber	George Frost's House	Unit 10, 168 Avoca Drive	Lot 10, DP 270585	Local	I107
Kincumber	Post and rail fence	170 Avoca Drive	Lot 1, DP 781105	Local	I108
Kincumber	St Paul's church and graveyard	172 Avoca Drive	Lot 1, DP 666699; Lot 11, DP 1045816	Local	I109
Kincumber	School of Arts	172A Avoca Drive	Lot 2, Section 6, DP 758569	Local	I110
Kincumber	House, "Boora Boora"	33 Figtree Bay Drive	Lot 1, DP 1088224	Local	I111
Kincumber	House, "The Lavender Patch"	7 Joseph Place	Lot 1, DP 870536	Local	I112
Kincumber	House of Burns family	20 Kincumber Street	Lot 11, DP 719717	Local	I113
Kincumber South	Convent and chapel, Kincumber Orphanage	8 Humphreys Road	Lot 22, DP 1186526	Local	I114
Kincumber South	Holy Cross Church and graveyard	10 Humphreys Road	Lot 21, DP 1186526	Local	I115
Koolewong	House	15 Brisbane Water Drive	Lot 2, DP 1133997	Local	I116

Suburb	Item name	Address	Property description	Significance	Item no
Koolewong	House and wharf, "Glenrock"	12 Couche Crescent and Brisbane Water	Lot 2, DP 387962; wharf at end of pathway off Couche Crescent to Brisbane Water	Local	I117
Koolewong	House, "Sunny Haven"	154 Glenrock Parade	Lot 181, DP 204140	Local	I118
Koolewong	Moreton Bay fig tree	14 Johns Road	Lot 132, DP 835761	Local	I119
Koolewong	House	30 Lara Street	Lot 4, DP 332224	Local	I120
Koolewong	House	80 Lara Street	Lot 412, DP 833320	Local	I121
Kulnura	House of George Downes	1709 George Downes Drive	Lot 1, DP 525350	Local	I122
Kulnura to Jilliby	Simpsons Track	Off Great North Road	Road reserve	Local	I123
Lake Munmorah	Farm homestead complex	89 Carters Road	Lot 42, DP 801076	Local	I124
Lisarow	Cemetery	960 Pacific Highway	Lot 1, DP 1122707	Local	I125
Lisarow	Post office, shop and outbuilding (Pryor Brothers)	12A Railway Crescent	Lot 1, DP 590606	Local	I126
Lisarow	Original steps and fence of former "Mrs Pryor's House"	24 Railway Crescent	Part of Lot 6, DP 1120209	Local	I127
Long Jetty	Group of trees (<i>Araucaria heterophylla</i>)	160 Bay Road (Swadling Reserve)	Lot 197, DP 755263	Local	I128
Long Jetty	Dwelling house	20 Elsiemer Street	Lot 2, DP 518226	Local	I129
Long Jetty	Water reservoir	61–67 Gilbert Street	Lots 69–71, DP 20749	Local	I130
Long Jetty	Dwelling house	6 Gordon Road	Lot 3A, DP 397515	Local	I131
Long Jetty	Dwelling house	24 Pacific Street	Lot 29, Section 6, DP 10984	Local	I132
Long Jetty	Dwelling house	25–27 Surf Street	Lots 140 and 141, DP 17030	Local	I133
Long Jetty	Dwelling house	58 Swadling Street	Lot 107, DP 17030	Local	I134
Long Jetty	Shop	264–266 The Entrance Road	Lot 11, DP9304	Local	I135

Suburb	Item name	Address	Property description	Significance	Item no
Long Jetty	Former Savoy Theatre	391 The Entrance Road (corner Thompson Street)	Lot 8, Section 1, DP 13225	Local	I136
Long Jetty	Long Jetty Hotel	407 The Entrance Road, Corner Pacific Street	Lots 22, 26 and 27, Section 1, DP 13225	Local	I137
Long Jetty	Long jetty	Tuggerah Parade		Local	I138
Long Jetty	Mr Parry's jetty	Tuggerah Parade (opposite Gladstan Avenue)		Local	I139
Long Jetty	Dwellings, "Amaroo"	16 Tuggerah Parade	Lot 1, DP 528165	Local	I140
Long Jetty	Dwellings	129 Tuggerah Parade	Lot 13, Section 1, DP 13225	Local	I141
Long Jetty	Dwelling house	142 Tuggerah Parade	Lots 61 and 62, Section 1, DP 13225	Local	I142
MacMasters Beach	Grave of Allan MacMasters	26 Tudibaring Parade	Lots 7–10, DP 12921	Local	I143
Mangrove Creek	Part of Oystershell Road	Part of Oystershell Road		Local	I144
Mangrove Creek	Part of Simpson's Track	Continuation of Ten Mile Hollow Road	Part of Lots 1–3, 8, 18 and 35, DP 755239	Local	I145
Mangrove Creek	Part of Ten Mile Hollow Road	Part of Ten Mile Hollow Road		Local	I146
Mangrove Creek	St Thomas' Cemetery	Ten Mile Hollow Road	Lot 7001, DP 1073448; Lot 7003, DP 1073461; Lot 79, DP 755239	Local	I147
Mangrove Creek	Fairview Homestead	481 Ten Mile Hollow Road	Lot 38, DP 755239	Local	I148
Mangrove Mountain	Public hall	2–4 Waratah Road	Lots 21 and 22, DP 856351	Local	I149
Mangrove Mountain	Fire station	6 Waratah Road	Lot 1, DP 600207	Local	I150
Mangrove Mountain	"Waratah House"	223 Waratah Road	Lot 1, DP 245129	Local	I151
Mangrove Mountain	House, "Bundeena"	435 Waratah Road	Lot 72, DP 755235	Local	I152
Mangrove Mountain	Union Church	2154 Wisemans Ferry Road	Lot 78, DP 755235	Local	I153
Mannering Park	Bulk store building	464 Rutleys Road	Lot 11, DP 1091396	Local	I154

Suburb	Item name	Address	Property description	Significance	Item no
Mardi	Dwelling house	30 Mardi Road	Lot 188, DP 755263	Local	I155
Mardi	Woodbury's Inn Park	62 Yarramalong Road	Lot 1, DP 587932; Lot B, DP 363291	Local	I156
Marlow	House and wharf, formerly Greenmans Inn	233 Morgans Road	Lot 36, DP 755221	Local	I157
Mooney Mooney	Grave of Frances Peat	Pacific Highway	Lot 9, DP 863305	Local	I158
Mooney Mooney	Winch	110–112 Point Road (water's edge)	Lots 76 and 77, DP 8282	Local	I159
Narara	House, "Holcombes"	21 Bellbowrie Avenue	Lot 1, DP 700106	Local	I160
Narara	Main entrance gate posts	Gugandi Road	Adjacent to Lot 1, DP 270882	Local	I161
Narara	Former grafting shed/administration block and curtilage	17 Gugandi Road	Lot 50, DP 270882	Local	I162
Narara	Specimen of <i>Syncarpia glomulifera</i> (turpentine)	17 Gugandi Road	Lot 50, DP 270882	Local	I163
Narara	Group of <i>Araucaria cunninghamii</i> (hoop pines)	30 Gugandi Road	Lot 38, DP 270882	Local	I164
Narara	Plantation of <i>Carya illinoensis</i> (pecan)	30 Gugandi Road	Lots 38 and 39, DP 270882	Local	I165
Narara	Row of <i>Pyrus calleryana</i> (Callery pear)	30 Gugandi Road	Lot 38, DP 270882	Local	I166
Narara	Group of <i>Taxodium distichum</i> (bald cypress)	47 Gugandi Road	Lot 1, DP 270882	Local	I167
Narara	Specimen of <i>Pyrus calleryana</i> (Callery pear), strain D6	47 Gugandi Road	Lot 1, DP 270882	Local	I168
Narara	House, "White Gates"	18 Hanlan Street	Lot 2, DP 1128998	Local	I169
Narara	House, "Valley View"	95 Hanlan Street	Lot 4, DP 612752	Local	I170

Suburb	Item name	Address	Property description	Significance	Item no
Narara	Former Narara Primary School building	651 Pacific Highway	Lot 36, SP 67013	Local	I171
Narara	House “Everingham’s”	39 Pearson Street	Lot A, DP 420450	Local	I172
Narara	Old railway dams and environs	240 and 274–278 Reeves Street	Lots 1–3, DP 104216; Lot 1, DP 104190; Lot 30, DP 1169069	Local	I173
Narara	House	81 Showground Road	Lot 6, DP 221053	Local	I174
Narara	Manager’s cottage, hen house (former shower block) and curtilage	5 Syncarpia Crescent	Lot 15, DP 270882	Local	I175
Norah Head	Norah Head Lightstation Precinct	40 Bush Street	Lots 1–4, DP 847750	State	I176
Norah Head	Norah Head Reserve	40 Bush Street	Lot 4, DP 847750	Local	I177
Noraville	Noraville, house and garden	3 Elizabeth Drive	Lot 72, DP 27889	State	I178
Noraville	Noraville General Store	446 Main Street (corner Pandora Parade)	Lot 1, DP 533976	Local	I179
Noraville	Noraville Cemetery and Edward Hargraves’ grave	105 Oleander Street	Lot 7304, DP 1146150	Local	I180
North Gosford	Former cemetery, “Bradys Gully”	231 Henry Parry Drive	Lot 7042, DP 1020641; Lots 1–3, Section 77, DP 158466	Local	I181
Ourimbah	Dwelling house	2 Burns Road	Lot 18, DP 663083	Local	I182
Ourimbah	Dwelling house, “Sunnybank”	16 Chittaway Road	Lot 422, DP 731394	Local	I183
Ourimbah	Group of Araucaria trees	31 and 35 Chittaway Road	Lot 15, DP 658434; Lot 151, DP 736245	Local	I184
Ourimbah	Dwelling house, “Nellie Ville”	35 Chittaway Road	Lot 15, DP 658434	Local	I185
Ourimbah	Farm house. “Bangalow Creek”	119 Cutrock Road	Lot 118, DP 705847	Local	I186
Ourimbah	Homestead complex	37 Howes Road	Lot 22, DP 2244	Local	I187

Suburb	Item name	Address	Property description	Significance	Item no
Ourimbah	Utility structure	1A Jaques Street (corner Glen Road)	Lot 7, DP 20283	Local	I188
Ourimbah	Ourimbah Railway Station and stationmaster's house	1 Mill Street	Lot 100, DP 1119697	Local	I189
Ourimbah	WWI monument	1 Mill Street (near railway station)	Lot 100, DP 1119697	Local	I190
Ourimbah	Shop	21 Pacific Highway	Lot 5, DP 20283	Local	I191
Ourimbah	Dwelling house	23 Pacific Highway	Lot 4, DP 20283	Local	I192
Ourimbah	Dwelling house	25 Pacific Highway	Lot 14, DP 1112458	Local	I193
Ourimbah	Dwelling house	27 Pacific Highway	Lot 13, DP 1112458	Local	I194
Ourimbah	Dwelling house	29 Pacific Highway	Lot 12, DP 1112458	Local	I195
Ourimbah	Ourimbah Methodist Church	111 Pacific Highway	Lot 10, DP 1102355	Local	I196
Ourimbah	Ourimbah Public School	121 Pacific Highway	Lot 13, DP 1097319; Lot 100, DP 1129450	Local	I197
Ourimbah	Dwelling house	133 Pacific Highway	Lot 1, DP 1033687	Local	I198
Ourimbah	Dwelling house, "Hillside"	7 Peach Orchard Road (RMB 5035)	Lot 2, DP 553513	Local	I199
Ourimbah	Dwelling house	100 Shirley Street	Lot 1, DP 823716; Lot 101, DP 871404	Local	I200
Ourimbah	Post office and residence	1 Station Street	Lot 1, DP 431282	Local	I201
Palm Grove	Former Ourimbah Post Office	700 Ourimbah Creek Road	Part Lot 49, DP 2244	Local	I202
Palm Grove	Hoop pines	700 Ourimbah Creek Road	Part Lot 49, DP 2244	Local	I203
Palmdale	Palmdale Road Bunya pines	Palmdale Road	Road Reserve	Local	I204
Palmdale	"Palmdale House" including grounds	148 Palmdale Road	Lot 64, DP 739592	Local	I205

Suburb	Item name	Address	Property description	Significance	Item no
Patonga	Norfolk Island pine trees	Foreshore reserve, adjacent to Bay Street	Part of Lot 7176, DP 1057461	Local	I206
Patonga	Shop	13 Bay Street	Lot 16, DP 9408	Local	I207
Patonga	Garage	17 Bay Street	Lot 18, DP 9408	Local	I208
Patonga	Patonga Progress Hall	6 Brisk Street	Lot 1, Section 2, DP 758831	Local	I209
Patonga	Juno Point military site	Adjacent to Hawkesbury River	Lots 1 and 2, DP 755251; Lot 7003, DP 1109383; Lot 7051, DP 1109410	Local	I210
Patonga	The Old School House	10 Jacaranda Avenue	Lot 1, DP 327447	Local	I211
Patonga	War memorial	Intersection of Patonga Drive, Bay Street and Jacaranda Avenue	Road reserve	Local	I212
Patonga	Remains of Patonga Store	8 Patonga Drive	Lot 58, DP 1247465	Local	I213
Patonga	Seven houses	19 Patonga Drive	Lot 7307, DP 1159203	Local	I214
Patonga	Boat shed	Patonga Creek Reserve, adjacent to 8 Patonga Street	Part of Lot 7177, DP 1057461	Local	I215
Patonga	House	102 Patonga Street	Lot 10, Section 6, DP 758831	Local	I216
Pearl Beach	Roadworks, old Pearl Beach Road	Base of Mount Ettalong, off Coral Crescent	Adjacent to Lot 7039, DP 1066789	Local	I217
Pearl Beach	House, "Yamba"	13 Crystal Avenue	Lot 480, DP 14592	Local	I218
Pearl Beach	House, "Noonameena"	26 Crystal Avenue	Lot 535, DP 14592	Local	I219
Pearl Beach	Crommelin Biological Research Station	75 Crystal Avenue	Lot 218, DP 755251	Local	I220
Pearl Beach	Pearl Beach Hall and memorial	9 Diamond Road	Lot 324, DP 14592	Local	I221
Pearl Beach	Pearl Beach rock pool	20 Green Point Road	Lot 209, DP 755251	Local	I222
Pearl Beach	House and garage, "Coolabah"	2 Pearl Beach Drive	Lot 1, DP 706423	Local	I223

Suburb	Item name	Address	Property description	Significance	Item no
Pearl Beach	House, "Valedon"	11 Tourmaline Avenue	Lot 470, DP 14592	Local	I224
Peats Ridge	Club rooms/church	1184 Peats Ridge Road	Lot 1, DP 1146636	Local	I225
Peats Ridge	Peats Ridge Public School	1231 Peats Ridge Road	Lot 1, DP 122497	Local	I226
Peats Ridge	House and gardens	1540 Peats Ridge Road	Lot 79, DP 665343	Local	I227
Phegans Bay	Phegans Walking Track	80–92 Monastir Road	Lots 40–46, DP 8421	Local	I228
Phegans Bay	Boathouse and wharf	Phegans Bay Road	Adjacent to Lot 7031, DP 1019865	Local	I229
Phegans Bay	House, "Geebung"	92 Phegans Bay Road	Lots 9 and 10, DP 3904	Local	I230
Point Clare	House, "Katie Dawson's"	15 Alukea Avenue	Lot 5, DP 4090	Local	I231
Point Clare	House, "Martha Scott's"	27 Brisbane Water Drive	Lot 1, DP 38240	Local	I232
Point Clare	House, "Keiraville"	156 Brisbane Water Drive	Lot 4, DP 613722	Local	I233
Point Clare	Chapel shelter (Church of England)	Coolarn Avenue	Lots 7012 and 7013, DP 1021274	Local	I234
Point Frederick	Former cemetery	Pioneer Park, Albany Street	Lot 7041, DP 1019814	Local	I235
Pretty Beach	Araluen Drive walking track	Araluen Drive Road Reserve	Road reserve	Local	I236
Pretty Beach	Historic boat shed	Araluen Drive walking track	Adjacent to Lot 16, DP 7524	Local	I237
Pretty Beach	Historic boat shed	Araluen Drive walking track	Adjacent to Lot 312, DP 608648	Local	I238
Pretty Beach	Pretty Beach Wharf	End of Heath Road	Adjacent to Lot 1, DP 126807	Local	I239
Pretty Beach	House	106 Heath Road	Lot 135, DP 7524	Local	I240
Pretty Beach	House	118 Heath Road	Lot 141, DP 7524	Local	I241
Pretty Beach	House	130 Heath Road	Lot 146, DP 7524	Local	I242
Pretty Beach	House	136 Heath Road	Lot 147, DP 7524; Lot 1, DP 958739	Local	I243
Pretty Beach	House	140 Heath Road	Lots 148 and 149, DP 1103490	Local	I244

Suburb	Item name	Address	Property description	Significance	Item no
Pretty Beach	House, "Weona"	66 High View Road	Lot 35, Section 2, DP 6552	Local	I245
Pretty Beach	Pretty Beach Baths and change rooms	Pretty Beach Road	Part of Lot 1, DP 126807	Local	I246
Pretty Beach	Pretty Beach Public School	4 Pretty Beach Road	Lots 150, 151, 152, 153, 154 and 154A, DP 7524	Local	I247
Pretty Beach	Former Pretty Beach Store	38 Pretty Beach Road	Lot 12, Section 1, DP 6552	Local	I248
Ravensdale	Dwelling house	25 Ravensdale Road	Lot 47, DP 665330	Local	I249
Ravensdale	Old Ravensdale Road	25–99 Ravensdale Road	Road reserve	Local	I250
Ravensdale	Former Ravensdale Public School	227 Ravensdale Road	Lot 273, DP 755271	Local	I251
Ravensdale	Silos	457 Ravensdale Road (4.2km north of junction)	Lots 1011–1015, DP 876511	Local	I252
Saratoga	Gravestone of John Campbell	Brooklyn Road	Road reserve adjacent to Lot 13, DP 216113	Local	I253
Saratoga	Veteran Hall Cemetery	63 Henderson Road	Lot 1, DP 572652	Local	I254
Saratoga	House	52 Steyne Road	Lot A, DP 401203	Local	I255
Saratoga	Former Buena Vista Boarding House	76 Steyne Road	Lot 15, DP 561989	Local	I256
Saratoga	House	171 Steyne Road	Lots 13 and 14, DP 5180	Local	I257
Saratoga	House, "Rosemount"	36 Village Road	Lot 52, DP 236445	State	I258
Somersby	House, "Belbourie"	92 Howes Road	Lot 162, DP 543099	Local	I259
Somersby	"Ploddy the Dinosaur"	945 Old Pacific Highway	Lot 205, DP 747845; Road reserve	Local	I260
Somersby	Lower Mooney Dam	255 Reservoir Road	Lot 1, DP 715164; Lots 1 and 2, DP 186787	Local	I261
Somersby	House and gardens, "Linton Park"	611 Wisemans Ferry Road	Lot 3, DP 1027884	Local	I262

Suburb	Item name	Address	Property description	Significance	Item no
Somersby	House, "Woodlands"	691 Wisemans Ferry Road	Lot 1, DP 135540	Local	I263
Somersby	Somersby School of Arts	830 Wisemans Ferry Road	Lot 3, DP 505745	Local	I264
Somersby	Somersby Public School	840 Wisemans Ferry Road	Lot 1, DP 505745	Local	I265
South Tacoma	Dwelling house	11 South Tacoma Road	Lot 3, DP 261746	Local	I266
South Tacoma	Dwelling house	13 South Tacoma Road	Lot 1, DP 261746	Local	I267
South Tacoma	Boat shed and landing	14–15 South Tacoma Road	Lot 3, DP 4065; Lot 14, DP 11202	Local	I268
South Tacoma	Dwelling house, "Tarella"	14–15 South Tacoma Road	Lot 3, DP 4065; Lot 14, DP 11202	Local	I269
South Tacoma	Former South Tacoma Public School	Rear 40 South Tacoma Road	Lot 14, DP 4065	Local	I270
Spencer	House	3 Collington Road	Lot 4, DP 377437	Local	I271
Spencer	Holy Trinity Church, graveyard and wharf	Wisemans Ferry Road	Lot 1, DP 782346	Local	I272
Spencer	Well	Wisemans Ferry Road	Reserve west of Lot 135, DP 755257	Local	I273
Spencer	Woodbury's House	4352 Wisemans Ferry Road	Part Lot 113, DP 1082966	Local	I274
Spencer	Part of Spencer Public School	4684 Wisemans Ferry Road	Lot 1, DP 171241	Local	I275
Tascott	Graves of Scott family	15 Melaleuca Crescent	Lot 33, DP 27767	Local	I276
Terrigal	Old post office	4 Ash Street	Lot 28, DP 7914	Local	I277
Terrigal	Norfolk Island pine trees	1 Terrigal Drive	Part of Lot 1, DP 1060783	Local	I278
Terrigal	Significant trees	1 Terrigal Drive	Part of Lot 1, DP 1060783	Local	I279
Terrigal	War memorial	1 Terrigal Drive	Part of Lot 1, DP 1060783	Local	I280
Terrigal	House, "The Gonyah"	168 Terrigal Drive	Lot B, DP 347541	Local	I281
Terrigal	House, "Seville"	394 Terrigal Drive	Lot 21, DP 1178742	Local	I282

Suburb	Item name	Address	Property description	Significance	Item no
Terrigal	Erina District War Memorial	Terrigal Beach Foreshore, Terrigal Esplanade	Lot 1, DP 1060783	Local	I283
The Entrance	Dwelling house	5 Bent Street	Lot 1, DP 507785	Local	I284
The Entrance	Shop and residence	1 Coral Street	Lot A, DP 387728	Local	I285
The Entrance	Police station	12 Denning Street (corner Short Street)	Lot 17, DP 17377	Local	I286
The Entrance	Concrete groyne	Off Marine Parade	Lot 7035, DP 1074341	Local	I287
The Entrance	WWI monument	1 Marine Parade (corner The Entrance Road)	Lots 7038 and 7039, DP 1030098	Local	I288
The Entrance	Drinking fountain	44 Marine Parade	Lot 1, DP 348428	Local	I289
The Entrance	The Entrance Surf Club	44 Marine Parade	Lot 1, DP 348428	Local	I290
The Entrance	Carnival including carousel and Alfred Bruder organ	46 Marine Parade	Lot 7040, DP 1030784	Local	I291
The Entrance	Edith Ring Rest	Ocean Parade	Lot 366, DP 755263; Lot 7035, DP 1074950	Local	I292
The Entrance	The Entrance ocean pools	Crown Reserve, Ocean Parade	Lot 366, DP 755263	State	I293
The Entrance	Boat shed and Norfolk Island pines	10 The Entrance Road	Lot 395, DP 39469	Local	I294
The Entrance	Restaurant/residence	11–29 The Entrance Road	Lot 2, DP 571197	Local	I295
The Entrance	Catholic School House	40–48 The Entrance Road	Lot 1, DP 31794; Lots G, H and J, DP 103807; Lot K, DP 395161	Local	I296
The Entrance	The Entrance Hotel	71–87 The Entrance Road	Lot 10, DP 1133880	Local	I297
The Entrance	St Andrew's Presbyterian Church	134–136 The Entrance Road	Lots 22 and 23, DP 10294	Local	I298
The Entrance	The Lakes Hotel	199–209 The Entrance Road	Lot 1, DP 854737	Local	I299

Suburb	Item name	Address	Property description	Significance	Item no
The Entrance	Our Lady of the Rosary Catholic Church	239–243 The Entrance Road	Lot 100, DP 1020271	Local	I300
The Entrance North	Group of trees	Crown Reserve, Hutton Road	Lot 7313, DP 1147369	Local	I301
The Entrance North	Dwelling house	27 Hutton Road	Lot 104, DP 1018917	Local	I302
The Entrance North	Dwelling house	33 Hutton Road	Lot 101, DP 1018917	Local	I303
The Entrance North	Church	74A Hutton Road	Lot 43, DP 17615	Local	I304
Toukley	Old Toukley Bridge		Lot 7314, DP 1169401; Lot 7315, DP 1169401; Lot 11, DP 1209844; Lot 7317, DP 1169401	Local	I305
Tuggerah	Former Tuggerah Pioneer Dairy	1897 South Tacoma Road	Lot 3, DP 1186260; Lot 1, DP 585323	Local	I306
Tuggerawong	Dwelling house	229 Tuggerawong Road	Lot 37, Section 2, DP 11710	Local	I307
Tumbi Umbi	Former church—dwelling	44 Tumbi Road	Lot 2, DP 866378	Local	I308
Tumbi Umbi	Dwelling house	212 Tumbi Road (corner Eric Malouf Close)	Lot 1, DP 748413	Local	I309
Umina Beach	Cottage and garden	127 Mount Ettalong Road	Lot 215, DP 11184	Local	I310
Umina Beach	Umina CWA	2 Sydney Avenue (corner of Ocean Beach Road)	Lot 1, DP 405007	Local	I311
Umina Beach	Ocean Beach Hotel	259 West Street	Lot 1, DP 532245	Local	I312
Wadalba	Dwelling house	70 Jensen Road (opposite Braithwaite Road)	Lot B, DP 33532	Local	I313
Wagstaffe	House and significant tree	17 Mulhall Street	Lot C, DP 420103	Local	I314
Wagstaffe	House	25 Mulhall Street	Lot 1, DP 536105	Local	I315
Wagstaffe	House, “Arrowville”	1 Wagstaffe Avenue	Lots U and V, DP 4961	Local	I316

Suburb	Item name	Address	Property description	Significance	Item no
Wagstaffe	Boat shed	7 Wagstaffe Avenue (waterfront)	Lots O and P, DP 4961	Local	I317
Wagstaffe	Former St Peter's Church	12 Wagstaffe Avenue	Lot 682, DP 737089	Local	I318
Wagstaffe	Boat shed and Norfolk Island pines	43 Wagstaffe Avenue	Lot 222, DP 514964	Local	I319
Wagstaffe	Wagstaffe Store	46 Wagstaffe Avenue	Lots 1 and 2, DP 7041	Local	I320
Wagstaffe	Wagstaffe Memorial Hall	55 Wagstaffe Avenue	Lot 17, DP 4961	Local	I321
Wagstaffe	House and boatshed, "Harlaxton"	89 Wagstaffe Avenue	Lot 1, DP 856686	Local	I322
Wagstaffe	House	93 Wagstaffe Avenue	Lot A, DP 303453	Local	I323
Wagstaffe	House	18 Wagstaffe Road	Lot 1, DP 211343	Local	I324
Wamberal	Memorial Hall	182 Ocean View Drive	Lot 1, DP 707133	Local	I325
Wamberal	Former Uniting Church	600 The Entrance Road	Lots 501 and 502, DP 1272214	Local	I326
Wamberal	Cemetery	4/830 The Entrance Road	Lots 170–173, 199, 303 and 304, DP 755234	Local	I327
Warnervale	Warnies Railway Cafe and General Store	1–13 Warnervale Road	Lot 1, DP 958084	Local	I328
West Gosford	"Kendalls Glen" Reserve, Rock and Memorial	232 Central Coast Highway	Lot 1, DP 716236 and road reserve	Local	I329
West Gosford	Roadworks known as "Devils Elbow"	Debenham Road (previously Old Gosford Road)		Local	I330
West Gosford	Henry Kendall Museum (former house of Peter Fagan and Red Cow Inn)	25–27 Henry Kendall Street	Lot A, DP 398172; Lot 12, DP 24491	Local	I331
Wondabyne	Nine huts at Mullet Creek	Brisbane Water National Park	Lots 257, 259–262, 266, 268, 273 and 344, DP 755251	Local	I332

Suburb	Item name	Address	Property description	Significance	Item no
Wondabyne	Hawkesbury River railway bridge, including pylons of former Hawkesbury River railway bridge	Hawkesbury River	Part of Lot A, DP 191003; Lot 100, DP 1184087	State	I333
Wondabyne	Wondabyne Quarry	Adjacent to Wondabyne Railway Station	Part of Lot 177, DP 755251	Local	I334
Woy Woy	Woy Woy demolition tunnel and chamber	Above the northern portal of Woy Woy Tunnel	Part of Lot 106, DP 1184501	Local	I335
Woy Woy	Public wharf remains	Western side of Woy Woy Railway Station	Adjacent to Lot 1, DP 1057640	Local	I336
Woy Woy	Two shops, "Noonans"	6–10 Blackwall Road	Lot 2, DP 204415; Lot 10, DP 235753	Local	I337
Woy Woy	Part of former Alecia Tea Rooms	18 Blackwall Road	Lot C, DP 400718	Local	I338
Woy Woy	Former Rural Bank	32 Blackwall Road	Lot 137, DP 6774	Local	I339
Woy Woy	Fire station and residence	42–46 Blackwall Road	Lot 1, DP 1038859	Local	I340
Woy Woy	Former council chambers	42–46 Blackwall Road	Lot 1, DP 1038859	Local	I341
Woy Woy	Former council garage and storeroom	42–46 Blackwall Road	Lot 1, DP 1038859	Local	I342
Woy Woy	St John the Baptist Church	96–98 Blackwall Road	Lot 50, DP 1124529	Local	I343
Woy Woy	St David's Church	118–120 Blackwall Road	Lot 1, DP 1078856	Local	I344
Woy Woy	Part of Woy Woy Public School	136 Blackwall Road (corner of Park Road)	Lot 1, DP 194217	Local	I345
Woy Woy	House, "Wyworrie"	157 Blackwall Road	Lot 86, DP 6774	Local	I346
Woy Woy	Former St Luke's Church	267 Blackwall Road	Lot 316, DP 10172	Local	I347
Woy Woy	Woy Woy Memorial Park and wall	Brick Wharf Road	Part Lot 7302, DP 1162176	Local	I348

Suburb	Item name	Address	Property description	Significance	Item no
Woy Woy	House	77 Brick Wharf Road	Lot 38, DP 238232	Local	I349
Woy Woy	House	85 Brick Wharf Road	Lot 36, DP 238232	Local	I350
Woy Woy	Woy Woy Masonic Hall	42 Railway Street	Lot 331, DP 547025	Local	I351
Woy Woy	Former shop, "Mrs Wilson's"	68 Railway Street	Lot 12, DP 1009830	Local	I352
Woy Woy	House	146 Railway Street	SP 39309	Local	I353
Woy Woy	Bay View Hotel	2–16 The Boulevarde	Lot 1, DP 877881	Local	I354
Woy Woy	Woy Woy Hotel	33–39 The Boulevarde	Lot 1, DP 657247	Local	I355
Woy Woy	Woy Woy Railway Tunnel	Woy Woy Road	Part of Lot 105, DP 1184403; Part of Lot 106, DP 1184501	State	I356
Woy Woy Bay	House	6 Taylor Street	Lot 26, DP 19469	Local	I357
Woy Woy Bay	Waterfall Bay rock carving	Waterfall Bay, off Woy Woy Bay		Local	I358
Wyoming	House	10 Akora Road	Lot 5, Section 4, DP 1905	Local	I359
Wyoming	House	9 Maidens Brush Road	Lot 5, DP 203148	Local	I360
Wyoming	House	83 Maidens Brush Road	Lot 12, DP 602143	Local	I361
Wyoming	Grave of F A Hely	555 Pacific Highway	Lot D, DP 346298; Lot 1, DP 546958	State	I362
Wyoming	House, "Wyoming Cottage"	567 Pacific Highway	Lot 1, DP 20870	State	I363
Wyoming	Church	647 Pacific Highway	Lot 5, Section A, DP 2350	Local	I364
Wyoming	House, "The Grange"	47 Renwick Street	Lot 10, DP 882347	State	I365
Wyong	Wyong underbridge			Local	I366
Wyong	Police station and quarters	10–12 Alison Road	Lots 4 and 5, Section 2, DP 3136	Local	I367
Wyong	Chapman's Store	14–16 Alison Road (corner Hely Street)	Lots 6 and 7, Section 2, DP 3136	Local	I368
Wyong	Former court house	17 Alison Road	Lot 10, DP 838107	Local	I369

Suburb	Item name	Address	Property description	Significance	Item no
Wyong	Dwelling house	46 Alison Road	Lot 4, Section 9, DP 3136	Local	I370
Wyong	Former Wyong Dairy Co-Operative	141–155 Alison Road	Lot 100, DP 1181923	Local	I371
Wyong	Guest house, Strathavon Country Club	31 Boyce Avenue	Lot 42, DP 551571	Local	I372
Wyong	St Cecilia's Catholic Church Group	23 Byron Street	Lot 37, Section 1, DP 4361	Local	I373
Wyong	Dwelling house	37 Byron Street	Lot A, DP 372004	Local	I374
Wyong	Alison Homestead	1 Cape Road	Lot 51, DP 788246	Local	I375
Wyong	Fire station	5 Hely Street	Lot 1, DP 203172	Local	I376
Wyong	Robely House—Eye Surgery	24–26 Hely Street	Lots 1 and 2, DP 133369; Lot 15, Section 7, DP 3136	Local	I377
Wyong	Dwelling house	8 Hope Street	Lot 1, DP 1015344	Local	I378
Wyong	Dwelling house	28A Hope Street	Lot 51, DP 838300	Local	I379
Wyong	Dwelling house	33 Margaret Street (corner North Road)	Lot B, DP 346046	Local	I380
Wyong	Dwelling house	34 Margaret Street	Lot 15, Section 8, DP 3136	Local	I381
Wyong	Milepost	Pacific Highway (opposite railway station)	Road reserve	Local	I382
Wyong	Former stationmaster's cottage	1 Pacific Highway	Lot 13, DP 1012870	Local	I383
Wyong	Shops, including Turton Building	54, 56–64, 66–68, 70 and 72 Pacific Highway (corner Church Street)	Lot 81, DP 801747; Lots 1–3, DP 24475; SP 32653	Local	I384
Wyong	Streetscape	64–70 and 78 Pacific Highway	Lots 1–3, DP 24475; Part Lot 9, Section 3, DP 3136; Lot 1, DP 654662	Local	I385
Wyong	Shop	74 Pacific Highway	Lot 1, DP 654662	Local	I386

Suburb	Item name	Address	Property description	Significance	Item no
Wyong	Former Rural Bank	98 Pacific Highway (corner Bakers Lane)	Lot 1, DP 1119567	Local	I387
Wyong	Brisbane Water Ambulance Station	128 Pacific Highway	Lot 2, DP 203172	Local	I388
Wyong	Dwellings	8 Panonia Road	Lot 35, DP 522480	Local	I389
Wyong	Dwelling house	127 Pollock Avenue	Lot 7, DP 1056384	Local	I390
Wyong	Shopping complex	1-4 Railway Square	Lot 103, DP 816247	Local	I391
Wyong	Wyong Railway Station and stationmaster's cottage	7 Railway Square	Lot 1, DP 1225795	Local	I392
Wyong	Dwelling house	6 Rankens Court	Lot 1, DP 942380; Lot 1, DP 663618	Local	I393
Wyong	Former Wyong Public School	8 Rankens Court	Lot 11, DP 838107; Lot 1, DP 940960; Lot 172, DP 727765	Local	I394
Wyong	WWI and WWII Monument	10 Rankens Court	Lot 171, DP 727765	Local	I395
Wyong	McKinnon Hall	19 Rankens Court	Part Lot 16, Section 3, DP 3136	Local	I396
Wyong	Commercial office building	21 Rankens Court (corner Bakers Lane)	Lot 1, DP 319879	Local	I397
Wyong	General store	6 Warner Avenue	Lot 10, DP 10813	Local	I398
Wyong Creek	Dwelling house, "Bangalow"	64 Boyds Lane	Lot 170, DP 755271; Lots 1 and 2, DP 1279435	Local	I399
Wyong Creek	Dwelling house, "Gracemere"	20 Kidmans Lane	Lot 91, DP 755271; Lot 1, 198963	Local	I400
Wyong Creek	Wyong Creek Public School	583 Yarramalong Road	Lots 1 and 2, DP 795369	Local	I401
Wyong Creek	"Fernbank"	756 Yarramalong Road	Lot 1, DP 562175	Local	I402
Wyong Creek	Wyong Creek Community Hall	791 Yarramalong Road	Lot 1, DP 945671	Local	I403

Suburb	Item name	Address	Property description	Significance	Item no
Wyong Creek	Farm house, silos and farm shed	798 Yarramalong Road	Lot 2321, DP 1035727	Local	I404
Wyong Creek	Former dwelling and sawmill, "Ebenezer's Cottage"	1036 Yarramalong Road	Lots 401 and 402, DP 838393	Local	I405
Wyong Creek	Dwelling house, "Hillview house"	1376 Yarramalong Road	Lot 622, DP 1115049	Local	I406
Wyongah	Dwelling house	88 Tuggerawong Road	Lot 20, DP 18766	Local	I407
Yarramalong	Former dwelling, "Salmon House"	1208 Yarramalong Road	Lot 310, DP 854680	Local	I408
Yarramalong	Yarramalong Cemetery	1474 Yarramalong Road	Lot 16, DP 4222	Local	I409
Yarramalong	Former Yarramalong Public School	1560 Yarramalong Road	Lots 15, 16, 60 and 91, DP 755224; Lot 1, DP 782407	Local	I410
Yarramalong	Former guest house, "Linga Longa"	1614 Yarramalong Road	Lot 3, DP 1020527	Local	I411
Yarramalong	Retail store and residence	1629A Yarramalong Road (opposite Bumble Hill Road)	Lot 4, DP 870128	Local	I412
Yarramalong	Yarramalong School of Arts	1640 Yarramalong Road (corner Leewood Close)	Lot 12, DP 1151293	Local	I413
Yarramalong	Dwelling house, "Homeleigh"	1650 Yarramalong Road	Lot 111, DP 1050930	Local	I414
Yarramalong	St Barnabas' Church and cemetery	1669 and 1671 (RMB 1359) Yarramalong Road	Lot 12, DP 613900; Lot 7006, DP 1021292	State	I415
Yattalunga	Yattalunga Baths and Jetty	Yattalunga Public Wharf, Mundoora Avenue	Adjacent to Lot 7047, DP 93727	Local	I416
Yattalunga	House	22 Mundoora Avenue	Lot 30, DP 14420	Local	I417
Yattalunga	Cottage	23 Mundoora Avenue	Lot 44, DP 14420	Local	I418

Part 2 Heritage conservation areas

Description	Identification on heritage map	Significance	Item no
Mount Penang Parklands Heritage Conservation Area	Shown by a heavy red line and hatching and labelled "C1"	State	C1
Oakland Avenue Heritage Conservation Area	Shown by red hatching and labelled "C2"	Local	C2
Wyong Town Centre Heritage Conservation Area	Shown by red hatching and labelled "C3"	Local	C3

Part 3 Archaeological sites

Suburb	Item name	Address	Property description	Significance	Item no
Avoca Beach	Remains of Corduroy Road	Parallel to Avoca Drive, between The Round Drive and bridge across Avoca Lake		Local	A1
Bar Point	Shipwreck, HMAS Parramatta	Cascade Gully, Hawkesbury River	Adjacent to Lot 47, DP 755221	State	A2
Bensville	Palmers Wharf site	Palmers Lane		Local	A3
Blackwall	Site of former public wharf	Blackwall Point, Blackwall Road		Local	A4
Booker Bay	Site of house, "Ettalong Hall"	Between Orange Grove Road and Maitland Bay Drive		Local	A5
Calga	Calga Aboriginal Cultural Landscape	Peats Ridge Road	Lot 1, DP 1006218; Part Lot 40, DP 1087374; Part Lot 45, DP 1197008; Part Lot 108, DP 755221; Lot 1, DP 805358; Part Lot 2, DP 805358; Part Lot 235, DP 822125	State	A6
Daleys Point	Ruins of house	Rileys Bay	Lot 4, DP 863379	Local	A7
East Gosford	Site of former public wharf	Adjacent to 11–13 Wharf Street	Adjacent to Lots 9 and 10, DP 17434	Local	A8

Suburb	Item name	Address	Property description	Significance	Item no
Erina	First public wharf	Southern bank of Erina Creek, at the end of Lingi Street where it joins with Winani Road	Lot 21, Section 19, DP 2163	Local	A9
Erina	Nerissa Avenue Reserve	18–28 Nerissa Road	Lots 11–16, Section 20, DP 2163	Local	A10
Erina	Site of former public wharf	205A The Entrance Road and Erina Creek	Lot 1, DP 1062620	Local	A11
Ettalong Beach	Remains of boat shed	Ettalong Beach foreshore, end of Ferry Road		Local	A12
Green Point	Site of former public wharf	Lexington Parade	Adjacent to Lot 7032, DP 1019817	Local	A13
Green Point	Wharf Reserve	11 Merindah Avenue and 19 Lexington Parade	Lot 8, DP 218544; Lot 7032, DP 1019817	Local	A14
Greengrove	Former public wharf remains	Mangrove Creek at mouth of Bedlam Creek	Adjacent to Lot 207, DP 755253	Local	A15
Gunderman	Ruins of Bailey's Mill	Wisemans Ferry Road	Road reserve adjacent to Lot 1, DP 24303	Local	A16
Gunderman	Ruins of Singleton's Mill	6746 Wisemans Ferry Road	Lot 18, DP 24303	Local	A17
Killcare	Rickards Wharf	Stanley Street		Local	A18
Kincumber	Wards Wharf	Kincumber Broadwater	Adjacent to Lot 503, DP 722244	Local	A19
Kincumber	Site of former public wharf	Kincumber Creek	Adjacent to Lots 1006 and 1007, DP 1239890	Local	A20
Koolewong	Former Glenrock Wharf and access	Right of way between 19 and 21 Couche Crescent	Between Lot 30, DP 14946; Lot 274, DP 755251 and Lot 29, DP 14946; Lot 213, DP 755251	Local	A21
Little Wobby	Shipwreck, HMAS Swan	Hawkesbury River	Adjacent to Lots 29–34, DP 7842	Local	A22
Mangrove Creek	Ruins of house	Mangrove Creek Road	Part Lot 1700, DP 1127833	Local	A23
Mangrove Creek	Site of Pembertons Wharf	Mangrove Creek Road	Adjacent to Lot 121, DP 755253	Local	A24

Suburb	Item name	Address	Property description	Significance	Item no
Marlow	Old Government Wharf	Hawkesbury River	Lot 62, DP 755221	Local	A25
Mooney Mooney	Site of George Peat's Inn	Mooney Mooney Point	Lot 12, DP 1158746	Local	A26
Mooney Mooney	Peats Ferry docking point	Deerubbin Reserve, Peats Ferry Road	Lot 7302, DP 1151629	Local	A27
Narara	Venus Wharf site	Narara Creek	Adjacent to Lot 3, DP 527553	Local	A28
Point Clare	Goodawang Wharf and Langley House footings	Kurrawa Avenue	Lot 7301, DP 1158002	Local	A29
Somersby	Remains of house, "Belltrees"	278 Wisemans Ferry Road	Lot 5, DP 207951	Local	A30
South Woy Woy	Basalt Quarries Ltd Railway	Brisbane Water National Park		Local	A31
Ten Mile Hollow	Footings of the Inn of Samuel Paley	Dharug National Park	Lot 49, DP 755239	Local	A32
Upper Mangrove	Site of John Ferguson's Inn	Ten Mile Hollow Road	Lot 37, DP 755239	Local	A33
Woy Woy	Site of brick wharf	Adjacent to reserve, eastern end of Brick Wharf Road	Adjacent to Lot 7303, DP 1162281	Local	A34

Schedule 6 Pond-based and tank-based aquaculture

(Clause 5.19)

Part 1 Pond-based and tank-based aquaculture

Division 1 Site location requirements

1 Conservation exclusion zones

- (1) Must not be carried out on the following land, except to the extent necessary to gain access to water—
 - (a) land declared an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,
 - (b) vacant Crown land,
 - (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.
- (2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned—
 - (a) land declared as an aquatic reserve under the *Marine Estate Management Act 2014*,
 - (b) land declared as a marine park under the *Marine Estate Management Act 2014*.

Note— Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

Division 2 Operational requirements

2 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

3 Pond-based aquaculture that is also intensive aquaculture—pond design

For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.

4 Pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—freshwater discharges

For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.

5 Outlets from culture ponds etc

All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.

6 Definition

In this Division—

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

Part 2 Extensive pond-based aquaculture

Division 1 Site location requirements

7 Conservation exclusion zones

- (1) Must not be carried out on the following land, except to the extent necessary to gain access to water—
 - (a) land declared an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,
 - (b) vacant Crown land,
 - (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

Note— Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

8 Flood liability

Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.

Division 2 Operational requirements

9 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

10 Pond design

- (1) Must not require the construction of new ponds, water storages, dams or buildings.
- (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers.
- (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.

11 Culture water

Must use freshwater.

Dictionary

(Clause 1.4)

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 Central Coast Local Environmental Plan 2022 Acid Sulfate Soils Map.

Additional Permitted Uses Map means the Central Coast Local Environmental Plan 2022 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*. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

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

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

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note— See clause 5.4 for controls in certain zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of **light industry**—see the definition of that term in this Dictionary.

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

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

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

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

backpackers' accommodation means a building or place that—

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

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

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

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

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note— See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

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

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

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

biodiversity or **biological diversity** means the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems.

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

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

boarding house means a building or place—

- (a) that provides residents with a principal place of residence for at least 3 months, and
- (b) that contains shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (c) that contains rooms, some or all of which may have private kitchen and bathroom facilities, and
- (d) used to provide affordable housing, and
- (e) if not carried out by or on behalf of the Land and Housing Corporation—managed by a registered community housing provider,

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

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

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

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

brothel has the same meaning as in the Act.

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

building has the same meaning as in the Act.

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

building height (or **height of building**) means—

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

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

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

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

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

whichever distance is the shortest.

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

Note— The term is defined as follows—

bush fire hazard reduction work means—

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

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

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

Note— The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 10.3(2) of the Act.

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

business identification sign means a sign—

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

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

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

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

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

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

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

camping ground means an area of land 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.

centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Note— An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided.

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

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

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

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

Note— The term is defined as follows—

classified road means any of the following—

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

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

clearing native vegetation has the same meaning as in Part 5A of the *Local Land Services Act 2013*.

clearing vegetation has the same meaning as in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2.

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

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

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

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

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

co-living housing means a building or place that—

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and
- (b) provides occupants with a principal place of residence for at least 3 months, and
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,

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

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

commercial 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 Central Coast Council.

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

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

crematorium means a building or place in which deceased persons or pets are cremated or processed by alkaline hydrolysis, whether or not the building or place contains an associated building for conducting memorial services.

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

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

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

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

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

data centre means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.

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

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

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

drainage means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening,

extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

Drinking Water Catchment Map means the Central Coast Local Environmental Plan 2022 Drinking Water Catchment Map.

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 Density Map means the Central Coast Local Environmental Plan 2022 Dwelling Density Map.

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.

Dwelling Opportunity Map means the Central Coast Local Environmental Plan 2022 Dwelling Opportunity Map.

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

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that—

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

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

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

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

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

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

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

- (a) making or generating electricity, or

(b) electricity storage.

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

emergency services organisation means any of the following—

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

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

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

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

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

Note— The term is defined as follows—

estuary means—

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
 - (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
 - (c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,
- but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

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

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

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

extensive agriculture means any of the following—

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,
- (c) bee keeping,

- (d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the animals.

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

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

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

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

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

farm 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, but does not include a poultry farm, dairy or pig farm.

Note— Feedlots are a type of **intensive livestock agriculture**. Intensive livestock agriculture does not include **extensive agriculture**. See the definitions of those terms in this Dictionary.

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

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

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

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

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

Note— The term is defined as follows—

Definition of “fish”

- (1) **Fish** means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).
- (2) **Fish** includes—
 - (a) oysters and other aquatic molluscs, and
 - (b) crustaceans, and
 - (c) echinoderms, and
 - (d) beachworms and other aquatic polychaetes.

- (3) **Fish** also includes any part of a fish.
- (4) However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act 1994*.

flood mitigation work means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Central Coast Local Environmental Plan 2022 Floor Space Ratio Map.

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

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

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

Foreshore Building Line Map means the Central Coast Local Environmental Plan 2022 Foreshore Building Line Map.

forestry means forestry operations within the meaning of the *Forestry Act 2012* or Part 5B of the *Local Land Services Act 2013*.

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

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

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

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

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following—

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

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

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

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

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

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

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

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

but excludes—

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

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

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

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

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

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

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

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

but does not include development to which *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5 applies.

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

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

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

but does not include development to which *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5 applies.

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

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

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

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

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

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

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

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

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

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

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

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

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

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

heavy industrial storage establishment means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following—

- (a) a hazardous storage establishment,
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes—

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

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

Height of Buildings Map means the Central Coast Local Environmental Plan 2022 Height of Buildings Map.

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

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

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

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

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

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

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

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

heritage impact statement means a document consisting of—

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

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

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

heritage management document means—

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

Heritage Map means the Central Coast Local Environmental Plan 2022 Heritage Map.

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

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

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),

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

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

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

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

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

home-based child care means a family day care residence (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) at which the education and care service is provided at any one time to no more than 7 children (including any child of the person providing the service) all of whom are under the age of 13 years and no more than 4 of whom are children who do not ordinarily attend school.

Note 1— A family day care residence is a residence at which a family day care educator educates and cares for children as part of a family day care service—see the *Children (Education and Care Services) National Law (NSW)*.

Note 2— Home-based child care is a type of *early education and care facility*—see the definition of that term in this Dictionary.

home business means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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

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

home industry means an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,

- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

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

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

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

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

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

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

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

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

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

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

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

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

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,

- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

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

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

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

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

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

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

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

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

independent living unit means a dwelling or part of a building, whether or not attached to another dwelling—

- (a) used to house seniors or people with a disability, and
- (b) containing private facilities for cooking, sleeping and bathing, and
- (c) where clothes washing facilities or other facilities for use in connection with the dwelling or part of a building may be provided on a shared basis,

but does not include a hostel.

Note—Independent living units are a type of **seniors housing**—see the definition of that term in this Dictionary.

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

industrial retail outlet means a building or place that—

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

but does not include a warehouse or distribution centre.

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

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

industry means any of the following—

- (a) general industry,
 - (b) heavy industry,
 - (c) light industry,
- but does not include—
- (d) rural industry, or
 - (e) extractive industry, or
 - (f) mining.

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

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—

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

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

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

intensive plant agriculture means any of the following—

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

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

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

Key Sites Map means the Central Coast Local Environmental Plan 2022 Key Sites Map.

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

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

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

Land Application Map means the Central Coast Local Environmental Plan 2022 Land Application Map.

Land Reservation Acquisition Map means the Central Coast Local Environmental Plan 2022 Land Reservation Acquisition Map.

Land Zoning Map means the Central Coast Local Environmental Plan 2022 Land Zoning Map.

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

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

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

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes,

smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

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

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

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

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

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

local distribution premises means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

Note— Local distribution premises are a type of **warehouse or distribution centre**—see the definition of that term in this Dictionary.

Lot Amalgamation Map means the Central Coast Local Environmental Plan 2022 Lot Amalgamation Map.

Lot Size Map means the Central Coast Local Environmental Plan 2022 Lot Size Map.

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

Manufactured Home Estate Map means the Central Coast Local Environmental Plan 2022 Manufactured Home Estate Map.

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

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

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

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

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

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

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

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

mezzanine means an intermediate floor within a room.

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

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

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

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

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

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

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

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

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

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

Note— The term is defined as follows—

moveable dwelling means—

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

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

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

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

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

native vegetation has the same meaning as in Part 5A of the *Local Land Services Act 2013*.

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

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

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

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

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

Note— See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets.

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

nominated State heritage item means a heritage item that—

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

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

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

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

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

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

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

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

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

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

oyster aquaculture means the cultivation of any species of edible oyster for a commercial purpose.

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

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

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

people who are socially disadvantaged means—

- (a) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or
- (b) people who require protection because of domestic violence or upheaval.

people with a disability means people of any age who, as a result of having an intellectual, psychiatric, sensory, physical or similar impairment, or a combination of such impairments, either permanently or for an extended period, have substantially limited opportunities to enjoy full and active lives.

pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

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

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

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

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

pond-based aquaculture means aquaculture undertaken predominantly in ponds, raceways or dams (including any part of the aquaculture undertaken in tanks such as during the hatchery or depuration phases), but not including natural water-based aquaculture.

Note— Pond-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

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

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

potable water means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

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

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

property vegetation plan mean a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* before the repeal of that Act (as continued in force by the regulations under the *Biodiversity Conservation Act 2016*).

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

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

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

public authority has the same meaning as in the Act.

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

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

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act—

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

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

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

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

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

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

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

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

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

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

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

registered community housing provider has the same meaning as in the *Community Housing Providers (Adoption of National Law) Act 2012*, section 13.

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

Note— The term is defined as follows—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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) (Repealed)
- (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,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

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

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

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

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

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

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

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

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

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

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

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

rural worker's dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

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

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note— Sawmill or log processing works are a type of **rural industry**—see the definition of that term in this Dictionary.

school means a government school or non-government school within the meaning of the *Education Act 1990*.

Note— Schools are a type of **educational establishment**—see the definition of that term in this Dictionary.

school-based child care means a building or place within a school that is used to provide out-of-school-hours care (including vacation care) for school children only.

Note 1— Accordingly, a building or place within a school that is used to provide out-of-school-hours care for both school children and pre-school children is not school-based child care.

Note 2— School-based child care is a type of **early education and care facility**—see the definition of that term in this Dictionary.

secondary dwelling means a self-contained dwelling that—

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

Note— See clauses 5.4 and 5.5 for controls relating to the total floor area of secondary dwellings.

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

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

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

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

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

seniors housing means a building or place that is—

- (a) a residential care facility, or
- (b) a hostel within the meaning of *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5, or
- (c) a group of independent living units, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for—
 - (e) seniors or people who have a disability, or
 - (f) people who live in the same household with seniors or people who have a disability, or
 - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

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

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

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

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

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

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

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

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

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

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

sewerage system means any of the following—

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

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

shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

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

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

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

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

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

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

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

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

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

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

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

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

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

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

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note— Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

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

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

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

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

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

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

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

Note— The term is defined as follows—

swimming pool means an excavation, structure or vessel—

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act.

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

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

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note— Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

telecommunications facility means—

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

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

temporary structure has the same meaning as in the Act.

Note— The term is defined as follows—

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

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

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

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

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

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

but does not include—

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

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

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

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

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

underground mining means—

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

but does not include open cut mining.

urban release area means an area of land identified as “Urban Release Area” on the Urban Release Area Map.

Urban Release Area Map means the Central Coast Local Environmental Plan 2022 Urban Release Area Map.

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

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

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

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

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

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

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

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

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

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

waste or resource management facility means any of the following—

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note— Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

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

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

Note— Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note— Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following—

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note— Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means—

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres

in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or

- (b) artificial wetland, including marshes, swamps, wet meadows, sedgeland or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

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

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

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth.