

# Illawarra Regional Environmental Plan No 1 (1986 EPI 11)

[1986-11]



New South Wales

## Status Information

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### Provisions in force

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### Authorisation

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# Illawarra Regional Environmental Plan No 1 (1986 EPI 11)



New South Wales

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# Illawarra Regional Environmental Plan No 1 (1986 EPI 11)



New South Wales

## Part 1 Preliminary

### 1 Name of plan

This plan may be cited as *Illawarra Regional Environmental Plan No 1*.

### 2 Commencement

This plan shall take effect on and from the day that is 28 days after the date on which this plan is published in the Gazette.

### 3 Aims, objectives etc

The aim of this plan is to maximise the opportunities for the people of the region and the State to meet their individual and community economic and social needs with particular reference to the way in which these needs are related to the allocation, availability, accessibility and management of the region's land resources having regard to the objectives specified in Parts 2-16, by:

- (a) identifying regional planning issues and provisions applicable or potentially applicable:
  - (i) to actual development which may be carried out on land within the region, and
  - (ii) to the overall planning of the region consistent with the policies for draft local environmental plan preparation specified in Part 2-16,
- (b) advising Government, public authorities and other persons in determining the way in which they may:
  - (i) manage their land resources,
  - (ii) exercise their functions,
  - (iii) order their priorities and allocation of their funds in relation to the planning of the region, having regard to the principles specified in Parts 2-16, and
- (c) establishing parameters and controls relating to development, particularly as they

relate to the environmental quality and social well-being of residents of the region.

#### 4 Region to which plan applies

This plan applies to the land, declared to be a region by the Minister under section 4 (6) of the Act, being all land within the Cities of Shoalhaven and Wollongong, the Municipalities of Kiama and Shellharbour and the Shire of Wingecarribee. This plan does not apply to the land to which the *Jervis Bay Regional Environmental Plan 1996* applies.

#### 5 Relationship to other environmental planning instruments

- (1) In the event of any inconsistency between this plan and any other environmental planning instrument, other than a State environmental planning policy, the provisions of this plan shall, to the extent of the inconsistency, prevail.
- (2) Except as provided by clause 129, nothing in this plan shall be read or construed as authorizing the carrying out of any development that is prohibited in accordance with a provision in any other environmental planning instrument applying to the land.

#### 6 Definitions

In this plan, except in so far as the context or subject-matter otherwise indicates or requires:

**appointed day** means the day on which this plan takes effect.

**region** means land within the Wollongong Plain Subregion, the Shoalhaven Subregion and the Tablelands Subregion.

**subregion** means the Wollongong Plain Subregion, the Shoalhaven Subregion or the Tablelands Subregion.

**Shoalhaven Subregion** means the land within the City of Shoalhaven.

**Tablelands Subregion** means the land within the Shire of Wingecarribee.

**Wollongong Plains Subregion** means the land within the City of Wollongong, the Municipality of Shellharbour and the Municipality of Kiama.

**the map** means sheets 1-17 of the map marked “*Illawarra Regional Environmental Plan No 1*” the original of which is deposited in the office of the Department and a copy of which is deposited in the office of each consent authority as amended by the maps so deposited and marked as follows:

**Editorial note—**

The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

*City of Shoalhaven Local Environmental Plan 1985 (Amendment No 14)—Sheet 2,*

*City of Shoalhaven Local Environmental Plan 1985 (Amendment No 126)—Sheet 2.*

## **7 Model Provisions**

- (1) Clauses 4 and 6 of the *Environmental Planning and Assessment Model Provisions 1980* are adopted for the purposes of this plan.
- (2) For the purposes of subclause (1), a reference in clause 4 of the *Environmental Planning and Assessment Model Provisions 1980* to a local environmental plan shall be read and construed as a reference to a regional environmental plan.

## **8 Consent authority**

In this plan, the consent authority is, in respect of:

- (a) land within the City of Shoalhaven—the Shoalhaven City Council,
- (b) land within the City of Wollongong—the Wollongong City Council,
- (c) land within the Municipality of Kiama—the Kiama Municipal Council,
- (d) land within the Municipality of Shellharbour—the Shellharbour Municipal Council, and
- (e) land within the Shire of Wingecarribee—the Wingecarribee Shire Council.

## **9 Preparation of draft local environmental plans**

A consent authority shall, in the preparation of a draft local environmental plan, give effect, in so far as is possible, to the objectives, policies and principles specified in Parts 2–16.

## **10 Consultation with a public authority**

Where a provision of this plan requires that a consent authority consult with a public authority before determining a development application, the consent authority may determine the application if the public authority has not responded within a period of 28 days after receipt by it of notice of such an application.

# **Part 2 Provisions relating to rural lands**

## **Division 1 Objectives relating to rural lands**

### **11 Objectives**

The objectives relating to rural lands are:

- (a) to retain the productive capacity of prime crop and pasture lands,
- (b) to protect valuable natural environments, as identified on sheets 1–10, 14, 15 and 17 of the map,

- (c) to provide for wildlife movement between major protected wildlife habitats,
- (d) to effectively manage the development of rural lands having regard to flood potential, bushfire risks, salinisation, soil degradation, erosion and weed infestation,
- (e) to allow for the development of small rural holdings in appropriate locations,
- (f) to prevent uneconomic demand for State Government services,
- (g) to allow for future urban expansion,
- (h) to retain the scenic attributes of rural areas, and
- (i) to provide for developments which by virtue of their character require siting away from urban areas.

## **Division 2 Development applications—rural lands**

### **12 Subdivision of land for agriculture**

- (1) Where an environmental planning instrument provides that land, the whole or any part of which is identified on the map as land of prime crop and pasture potential, may be subdivided to create an allotment of less than 40 hectares to be used for the purpose of agriculture, before granting development consent to subdivide the land for that purpose the consent authority:
  - (a) shall consult with the Director-General of the Department of Agriculture, and
  - (b) shall be satisfied that the land, when subdivided, will be capable of supporting, and will be used to support, a viable crop or pasture farming enterprise.
- (2) For the purposes of subclause (1), intensive undercover livestock rearing, mushroom growing, hydroponic crop raising and similar enterprises not dependent upon the productive capacity of the soil are not crop or pasture farming enterprises.
- (3) This clause does not apply to the land shown edged heavy black (other than the land bounded by a black line edged by a broken line) on Sheet 1 of the map marked "*Illawarra Regional Environmental Plan No 2—Jamberoo Valley*", the original of which is deposited in the office of the Department, copies of which are deposited in the offices of the Councils of the Municipalities of Kiama and Shellharbour.

### **13 Subdivision of land for dwelling-houses**

Where an environmental planning instrument provides that land, the whole or any part of which is identified on the map as land of prime crop and pasture potential, may be subdivided to create an allotment of less than 40 hectares to be used for the purposes of erecting:

- (a) a dwelling-house for the owner of the land,

- (b) a dwelling-house for a relative of the owner of the land, or
- (c) a dwelling-house for a person employed or engaged by the owner of the land in the use for the purpose of agriculture of land belonging to the owner which adjoins or is adjacent to the land,

the consent authority shall not grant development consent for any such subdivision unless it is satisfied that the creation of the new allotment will not significantly reduce the agricultural viability of the land from which it is subdivided.

#### **14 Land supporting rainforest vegetation species**

- (1) This clause applies to land identified on the map as land supporting rainforest vegetation species and to adjacent land, other than land in the control of the National Parks and Wildlife Service or the Forestry Commission.
- (2) A person shall not carry out development for the purposes of forestry on land to which this clause applies without the consent of the consent authority.
- (3) The consent authority shall not grant consent as referred to in subclause (2) unless the consent authority has consulted with the Director of the National Parks and Wildlife Service and the Forestry Commission and is satisfied that the development will be so managed as not to have any long term detrimental effect on the rainforest or rainforest species.
- (4) A person shall not clear vegetation or remove trees on land to which this clause applies without the consent of the consent authority.
- (5) The consent authority shall not grant consent as referred to in subclause (4) unless it has consulted the Director of the National Parks and Wildlife Service and is satisfied that the clearing or tree removal will not have any detrimental effect on the rainforest or rainforest species, or any detrimental effect can be justified by other factors.
- (6) The consent authority shall not grant development consent to an application to carry out development, other than that referred to in subclause (2), on land to which this clause applies unless, after consultation with the Director of the National Parks and Wildlife Service, it is satisfied that:
  - (a) the development will not have a detrimental effect on the rainforest or rainforest species, or
  - (b) any detrimental effect on the rainforest or rainforest species can be justified by other factors.

#### **15 Wildlife corridors**

- (1) The consent authority shall not grant consent to the carrying out of development having the effect of bridging, obstructing or otherwise affecting waterways on land

shown on the map as a wildlife corridor unless it has consulted the Director of the National Parks and Wildlife Service, the Executive Director, Fisheries, Department of Agriculture, or both, and is satisfied that reasonable opportunities for wildlife movement will be maintained.

- (2) The consent authority shall not grant development consent to an application to carry out development on land shown on the map as a wildlife corridor which, in the opinion of the consent authority, will involve significant tree felling or vegetation clearance unless it has consulted:
- (a) the Director of the National Parks and Wildlife Service,
  - (b) if the land is within a watercourse, the Executive Director, Fisheries, Department of Agriculture, and
  - (c) if the application is for forestry purposes, the Forestry Commission,
- and is satisfied that:
- (d) the development will be so managed as to not have any long term detrimental impact on opportunities for wildlife movement, or
  - (e) any detrimental effect on opportunities for wildlife movement can be justified by other factors.
- (3) Subclause (2) does not apply to land zoned for urban purposes.

### **Division 3 Draft local environmental plans—rural lands**

#### **16 Land of prime crop and pasture potential**

- (1) A draft local environmental plan applying to land identified on the map as land of prime crop and pasture potential shall be prepared only after the consent authority has consulted, and taken into consideration the views of, the Director-General of the Department of Agriculture.
- (2) The consent authority should review minimum subdivision sizes applying to land identified on the map as land of prime crop and pasture potential.
- (3) Subclause (1) does not apply to the land shown edged heavy black (other than the land bounded by a black line edged by a broken line) on Sheet 1 of the map marked "*Illawarra Regional Environmental Plan No 2—Jamberoo Valley*", the original of which is deposited in the office of the Department, copies of which are deposited in the offices of the Councils of the Municipalities of Kiama and Shellharbour.

#### **17 Wildlife corridors**

A draft local environmental plan applying to land shown on the map as wildlife corridor



shall not alter the provisions in existing planning instruments applying to the land if, in the opinion of the Director, such new provisions would jeopardise the function of the corridor.

## **18 Valuable natural environments**

A draft local environmental plan applying to land shown on the map as land with landscape or environmental attributes shall be prepared having regard to recommendations contained in the *Illawarra Region Landscape and Environmental Study* published by the Department of Environment and Planning in August 1981.

## **19 Forests**

A draft local environmental plan affecting productive forest lands shall be prepared only after the consent authority has consulted the Forestry Commission.

## **20 Environmental protection zones**

A draft local environmental plan shall not remove land from an environmental protection zone or introduce provisions relating to land so identified which are incompatible with the objectives of such a zone except if:

- (a) such action is justified by an environmental study, or
- (b) the consent authority can satisfy the Director that the area of land affected is of relatively minor significance.

## **21 Small rural holdings**

(1) A draft local environmental plan may make provision for small rural holdings, being holdings of less than 40 hectares which are not necessarily to be used for agricultural purposes, provided it does not apply to land identified on the map as:

- (a) land of prime crop and pasture potential,
- (b) land supporting rainforest vegetation species,
- (c) wildlife corridor,
- (d) land containing extractive materials,
- (e) land potentially suitable for urban use,
- (f) service corridor,
- (g) airport buffer area,
- (h) escarpment area,

or its effect on such land is of relatively minor significance, or is demonstrated not to be inconsistent with the objectives for that land.

- (2) A draft local environmental plan to provide for small rural holdings shall be prepared only after the consent authority has considered:
  - (a) demand,
  - (b) accessibility,
  - (c) proximity to urban centres,
  - (d) provision of services,
  - (e) bushfire risk, and
  - (f) land capability.
- (3) Subclause (1) does not apply to the land shown edged heavy black (other than the land bounded by a black line edged by a broken line) on Sheet 1 of the map marked "*Illawarra Regional Environmental Plan No 2—Jamberoo Valley*", the original of which is deposited in the office of the Department, copies of which are deposited in the offices of the Councils of the Municipalities of Kiama and Shellharbour.

## **22 Subdivision for agricultural purposes**

- (1) A draft local environmental plan to control subdivision for agricultural purposes shall provide for a minimum allotment size:
  - (a) of at least 40 hectares, or
  - (b) as otherwise justified by an environmental study which assesses the productive capacity of the land and proposes an alternative minimum area or areas which will allow economically viable farming enterprises to be pursued.
- (2) Subclause (1) does not apply to the land shown edged heavy black (other than the land bounded by a black line edged by a broken line) on Sheet 1 of the map marked "*Illawarra Regional Environmental Plan No 2—Jamberoo Valley*", the original of which is deposited in the office of the Department, copies of which are deposited in the offices of the Councils of the Municipalities of Kiama and Shellharbour.

## **23 Subdivision for purposes other than agriculture**

A draft local environmental plan may make provision for subdivision to enable development for purposes other than agriculture which will be permissible in the proposed zone.

## **24 Dwelling-houses on rural land**

- (1) A draft local environmental plan shall not contain provisions for the erection of dwelling-houses on rural lands other than in accordance with one or more of the following principles:

- (a) the dwelling-house may be erected on an allotment created according to the requirements set out in clauses 21 or 22,
  - (b) a dwelling-house may be erected on a parcel of land 40 hectares or more in area,
  - (c) a worker's dwelling may be erected on land on which there is already a dwelling-house if the consent authority is satisfied that it will be occupied by a person employed or engaged by the owner of the land in the pursuit of agriculture on that land or on land belonging to the owner which adjoins or is adjacent to that land,
  - (d) a dwelling-house may be erected on an allotment legally created and approved for that purpose under the previous planning provisions applying to the land,
  - (e) a dwelling-house may be erected on an "existing holding" or "existing parcel" as defined in the relevant environmental planning instrument applying to the land at the appointed day, and
  - (f) a dwelling-house may be converted or extended to form 2 separate dwellings.
- (2) Subclause (1) does not apply to the land shown edged heavy black (other than the land bounded by a black line edged by a broken line) on Sheet 1 of the map marked "*Illawarra Regional Environmental Plan No 2—Jamberoo Valley*", the original of which is deposited in the office of the Department, copies of which are deposited in the offices of the Councils of the Municipalities of Kiama and Shellharbour.

## **25 Existing provisions relating to subdivision of rural lands**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary, a draft local environmental plan shall not extend the entitlements contained in existing environmental planning instruments relating to subdivision of rural land required for the erection and use of a dwelling-house for occupation by:

- (a) the owner of the land contained in the allotment,
- (b) a relative of that owner, or
- (c) a person employed or engaged by that owner in the use of land of the owner adjoining or adjacent to the allotment, for the purpose of agriculture.

## **26 Rezoning of rural land for urban purposes**

A draft local environmental plan shall not rezone rural land for urban purposes unless:

- (a) such action is justified by an environmental study,
- (b) the draft local environmental plan is for land identified on the map as potentially suitable for urban use, or

- (c) the rezoning is of relatively minor significance.

## **27 Multiple occupancy of farms**

- (1) Notwithstanding clause 24, a draft local environmental plan may make provision for multiple occupancy of farms for occupation by people wishing to pursue a communal life style in accordance with the following principles:
  - (a) holdings to which multiple occupancy status is granted have a minimum area of 40 hectares,
  - (b) future subdivision of any holding granted multiple occupancy status is prohibited as long as it retains that status,
  - (c) any applicant for multiple occupancy status on a holding made up of more than one parcel, portion or part portion shall at the time of application also make application for consolidation of title,
  - (d) any holding subject to an application for multiple occupancy status must be owned in its entirety in common by at least two-thirds of all adults residing on the land or be otherwise owned on behalf of those persons,
  - (e) approval for multiple occupancy status shall only be granted to those communities on which existing or proposed building densities do not exceed that reasonably required to house one person for each hectare of the holding in question,
  - (f) the likely impact on the environmental attributes of the land is considered,
  - (g) holdings granted multiple occupancy status are used only for permanent residential purposes and should not be used for hotel, motel, caravan park or any other type of holiday, tourist or weekend residential accommodation, and
  - (h) dwellings shall not be situated on prime crop and pasture land.
- (2) In this clause, **multiple occupancy** means development for the purpose of 2 or more dwellings.

## **28 Flood prone lands**

A draft local environmental plan to control development on rural land which has a history of flooding shall be prepared only after the consent authority has, where adequate information exists, identified lands subject to inundation, and considered the need to introduce development standards or other controls in order to ensure that the effects of any flooding or development will be minimal.

## **Division 4 Principles—rural lands**

### **29 Wildlife corridors**

Owners of land identified on the map as being within a wildlife corridor may seek the advice of the National Parks and Wildlife Service so as to manage that land in such a way that it does not preclude wildlife movement.

### **30 Forests**

The functions of forests as essential ingredients of the landscape playing a significant role in recreation, nature, conservation and water catchment areas and providing an important resource for the major and minor industries of the region should be taken into account in making planning decisions.

### **31 Soil erosion**

A consent authority, when considering an application for consent to any subdivision or to development which, in its opinion, will involve significant tree felling or vegetation clearance, on land with greater than 20 per cent slopes should consult, and take into account the views of, the Commissioner of the Soil Conservation Service.

## **Part 3 Provisions relating to extractive materials**

### **Division 1 Objectives relating to extractive materials**

#### **32 Objectives**

The objectives relating to extractive materials are:

- (a) to manage the extractive resources of the region in a co-ordinated manner so as to meet community needs while ensuring that adverse impact on the environment and the community is minimal,
- (b) to ensure that development proposals for land containing extractive resources are assessed in relation to the potential problem of rendering those resources unavailable, and
- (c) to ensure that the transportation of extractive materials has a minimal adverse impact on the community and that the transportation of large volumes of extractive materials shall by-pass urban areas where possible.

### **Division 2 Development applications—extractive materials**

#### **33 Development applications**

- (1) The consent authority shall not consent to a development application for consent to carry out development on land identified on the map as land containing extractive

materials otherwise than for the purposes of:

- (a) extractive industries and related purposes,
- (b) agriculture and associated purposes,
- (c) local roads, or
- (d) home industries,

without the concurrence of the Director.

- (2) In deciding whether to grant concurrence under subclause (1), the Director shall take into account:
  - (a) the impact the proposed development, if carried out, would have on the availability of extractive materials, and
  - (b) whether the benefit to the community of the proposed development, if carried out, is greater than the costs to the community of refusing consent to the development application, redesigning or relocating the development or rendering the extractive materials unavailable.

## **Division 3 Draft local environmental plans—extractive materials**

### **34 Draft local environmental plans**

A draft local environmental plan for urban development on land identified on the map as containing extractive materials or for adjacent land shall be prepared only after the consent authority has consulted the Secretary of the Department of Mineral Resources and considered:

- (a) the impact the proposed development is likely to have on the availability of the particular resource, or on any current resource extraction operations,
- (b) whether the development would render that resource unavailable, and considered this cost to the community when compared with costs to the community of not permitting the development, and
- (c) whether provision can be made for compatible land uses adjacent to areas of present or likely future resource extraction.

## **Division 4 Principles—extractive materials**

### **35 Transport of extractive materials**

When practicable, the consent authority should consider attaching to appropriate development consents a condition requiring the transport of extractive materials or other bulk freight by other than road haulage.

## **Part 4 Provisions relating to coal**

### **Division 1 Objectives relating to coal**

#### **36 Objectives**

The objectives relating to coal are:

- (a) to ensure that proposed development is assessed in relation to the feasibility of its rendering coal resources unavailable,
- (b) to eliminate haulage of coal on public roads as far as practicable in order to overcome conflict with other road users and the adverse environmental impact of such haulage, and
- (c) to provide guidelines for ensuring coal washery refuse emplacements are located and designed with minimum adverse environmental impact.

### **Division 2 Development applications—coal**

#### **37 Coal mines**

The consent authority shall not grant development consent to a new coal mine, the expansion of an existing coal mine or other major coal industry unless it is satisfied that:

- (a) there is a proposed environmentally acceptable mode of transport associated with the development which is, or is capable of being, integrated into a comprehensive system for handling all coal movements within the region, and
- (b) if public road haulage is the only feasible mode of transport, it is restricted to the most environmentally acceptable route.

### **Division 3 Draft local environmental plans—coal**

#### **38 Draft local environmental plans**

A draft local environmental plan to allow development on land identified on the map as land containing coal resources shall be prepared only after the consent authority has:

- (a) consulted the Secretary of the Department of Mineral Resources so as to assess the implications of rendering that resource unavailable, and
- (b) if the development would render that resource unavailable, considered this cost to the community when compared with the cost to the community of not permitting development for urban purposes on that land.

## **Division 4 Principles—coal**

### **39 Coal transport**

- (1) A comprehensive and integrated coal transport system which will reduce, to a practical minimum, the usage of public roads should be developed for the total handling of coal produced or transported in the region.
- (2) A coal transport system developed in accordance with subclause (1) should be capable of handling both domestic and export coal movements to the Port Kembla Coal Loader, the steelworks and power stations in the region, and potential variations between sources of supply and destination.

### **40 Port Kembla Coal Loader**

Any extension of the Port Kembla Coal Loader beyond Stage 1 will be assessed in the light of its economic importance to the State, its potential economic and social impact on the region, the geography of the area, access across the land shown on the map as escarpment area, space constraints at the port and the development and use of an integrated transport system and will minimise, within the limits of practicability and economy, the usage of public roadways for the haulage of coal to the loader.

### **41 Coal washery refuse emplacements**

The location and design of coal washery refuse emplacements shall be determined after consideration of the following criteria:

- (a) the emplacement will be stable and will not create any problems of instability in the emplacement area or the underlying foundation material,
- (b) the emplacement will be so designed and managed as to prevent water pollution,
- (c) the coal washery refuse will be placed where it will ultimately blend with the existing landscape or will be placed behind tree screen barriers or berms so as to reduce the visual impact of the emplacement on surrounding areas,
- (d) the emplacement will be adequately compacted and sealed to prevent fire risk,
- (e) the site of the emplacement will be the subject of a progressive revegetation program using species indigenous to the region,
- (f) adequate dust control measures will be employed,
- (g) the manner of emplacement so as to allow future accessibility and resource recovery should there be a demand for the material has been considered,
- (h) the site is not adjacent to urban areas,
- (i) a system of transportation of the coal washery refuse will be utilised which will



minimise potential conflicts with public road users and have a minimal adverse environmental impact, and

- (j) the site is the most suitable of a number of alternative sites and that disused quarries and joint user emplacement have been taken into consideration in the selection of the site.

## **42 Activities**

A determining authority (within the meaning of Part 5 of the Act) should, when considering a proposal for roads, gas or water pipelines, railways, reservoir or transmission lines, consult the Secretary of the Department of Mineral Resources and take into consideration:

- (a) the impact the proposal would have, or is likely to have, on the availability of coal resources, and
- (b) the cost to the community of not proceeding with the proposal or redesigning or relocating the development the subject of the proposal compared with the cost to the community of rendering the coal resources unavailable.

## **Part 5 Provisions relating to energy**

### **Division 1 Objectives relating to energy**

#### **43 Objectives**

The objectives relating to energy are:

- (a) to ensure that planning decisions take into account the need to safeguard energy resources for future use and to reduce or limit energy use in new development,
- (b) to facilitate, with respect to transport and power generation, a reduction from dependence on petroleum to greater dependence on coal resources, and
- (c) to ensure that planning decisions are made having regard to the need to provide electricity generating and transmission facilities to satisfy present and future needs for electrical energy.

### **Division 2 Principles relating to energy**

#### **44 Reduction of use of non-renewable energy resources**

The consent authority should, whenever practicable, encourage subdivision and building design which will achieve a reduction in the use of non-renewable energy resources.

#### **45 Provision of sites for generation of electricity**

Adequate provision of suitable sites for the generation of electricity, drawing on reliable water resources, and for transmission of power to centres of demand, is necessary and

should be facilitated by the planning system.

#### **46 Use of renewable energy resources**

The responsible authorities should, where practicable, facilitate the use of renewable energy resources in new development.

#### **47 Use of methane gas as energy source**

The use of methane gas as an energy source should be considered in all planning decisions relating to coal industry in the region.

### **Part 6 Provisions relating to industry**

#### **Division 1 Objectives relating to industry**

##### **48 Objectives**

The objectives relating to industry are:

- (a) to ensure that there is sufficient industrially zoned land to meet industrial requirements,
- (b) to encourage industries and other enterprises to locate within the region to diversify the economic base or act as stimuli to the local economy or both, and so provide new employment opportunities, and
- (c) to locate industrial land where it will meet the particular requirements of industry while having a minimal adverse impact on the natural environment and the amenity of living areas.

#### **Division 2 Draft local environmental plans—industry**

##### **49 Committed industrial land**

A draft local environmental plan applying to land in the vicinity of land shown on the map as committed industrial land shall be prepared only after the consent authority:

- (a) has taken into consideration the uses likely to be permissible on the committed industrial land, and
- (b) is satisfied that the provisions in the draft plan are compatible with those likely uses.

##### **50 Supply of industrial land**

A draft local environmental plan to substantially reduce the amount of land zoned for industrial purposes shall be prepared only after the consent authority has:

- (a) made an assessment of land availability, land value, servicing and the location and size of industrial lots within the relevant areas, and

- (b) can satisfy the Director that the reduction will not jeopardise the economy or job opportunities within the relevant subregion.

## **51 Services**

A draft local environmental plan to provide new land for industrial purposes shall be prepared only when adequate water, sewerage and power services are available, or can be provided, to meet the demands of any industrial development which may be permissible under the provisions of that plan.

## **52 Large scale or offensive industry**

A draft local environmental plan to allow for the development of large scale, heavy or offensive industry shall be prepared only after the consent authority has made an assessment of workforce accessibility, the visual impact of the development when viewed from a public place, the adequacy of buffer zones between the proposed industrial land and residential or commercial areas, prevailing winds, and the need to avoid the intrusion into residential areas of major new traffic routes.

## **Division 3 Principles—industry**

### **53 Economic base**

In order that the economic base of the region is strengthened and diversified there should be State and local government locational assistance to industries and other enterprises determined to be of long term benefit to the region.

### **54 Coal and steel industries**

- (1) The maintenance of the coal and steel industries is vital to the region's economy and should be facilitated by the planning process.
- (2) Opportunities to develop and expand the coal and steel industries through the production and marketing of high tensile and high alloy steels, the establishment of a mini steel mill using scrap metal, or through the design, production and marketing of mining equipment should be explored.

### **55 Regional technology centre**

The establishment of a regional technology centre in close association with the University of Wollongong and other tertiary education institutions is supported and should be actively promoted.

### **56 Register of serviced industrial land**

The consent authority, in conjunction with the Department of Industrial Development and Decentralisation, should keep a register of all available serviced industrial land in its area.

## **57 Development of committed industrial land**

Planning and development on, and in the vicinity of, land shown on the map as committed industrial land should not be incompatible with the future use of that land for industrial purposes.

## **Part 7 Provisions relating to living areas**

### **Division 1 Objectives relating to living areas**

#### **58 Objectives**

The objectives relating to living areas are:

- (a) to ensure that urban expansion is orderly and efficient having regard to the constraints of the natural environment and that sufficient land is available to prevent price rises resulting from scarcity of land,
- (b) to ensure that new residential land or land for higher density development is only developed where there are adequate utility and community services available or there is a commitment from the relevant authorities or developer to provide those services,
- (c) to provide for a range of lot sizes, dwelling types and tenure forms to cater for varying household needs in all local government areas,
- (d) to ensure that residential development does not take place on hazard-prone lands, and
- (e) to minimise bush fire risks to urban development.

### **Division 2 Development applications—living areas**

#### **59 Land suitable for future urban use**

In deciding whether to grant consent to a development application to carry out development on land identified on the map as potentially suitable for urban use, the consent authority shall take into consideration:

- (a) whether the proposed development is likely to prejudice the future use of the land for urban purposes, and
- (b) if the proposed development is likely to prejudice the future use of the land for urban purposes, whether the benefit to the community of the proposed development if carried out, is greater than the costs to the community of refusing consent to the development application.

## **Division 3 Draft local environmental plans—living areas**

### **60 Rezoning for new living areas**

A draft local environmental plan providing for a substantial increase in the area of residentially zoned land shall only be prepared when the consent authority has made an assessment of land availability and take-up rates and is satisfied that there is insufficient land in the relevant area to cater for projected household growth for a period of 10 years having regard to the submarkets applying in the area or is land identified for release in an urban development programme.

### **61 Extension of villages and small settlements**

Planning for the extension of villages and small settlements should have regard to the following criteria:

- (a) whether at least 50 per cent of the optimum residential development of the existing area zoned for that purpose has been developed,
- (b) whether the type of development proposed cannot be provided in existing larger urban centres,
- (c) whether an assessment of the physical proximity of the area to other small settlements and their capacity to absorb similar development has been made,
- (d) whether preference should be given to the expansion of areas which have been the subject of past subdivision on which development for dwelling-houses is not permitted,
- (e) whether the proximity of the area to subregional urban resources has been considered,
- (f) whether an assessment has been made of the desirability of establishing new small settlements as an alternative to expansion of existing small settlement, and
- (g) whether the need to preserve the character of existing small settlement has been determined.

### **62 Services**

A draft local environmental plan providing for the development of land for residential purposes or for an increase in residential densities shall be prepared only when:

- (a) adequate water, electricity and sewage disposal facilities can be provided, and
- (b) the appropriate public authorities are satisfied that adequate community services and facilities, including schools and health services to cater for demand which will, or is likely to be, generated by the development, can be provided.

### **63 Bus service**

A draft local environmental plan involving rezoning of land which is likely to give rise to the need for additional bus services shall be prepared only after the consent authority has:

- (a) taken into consideration the guidelines set out in Technical Circular No 7 dated 20 October 1982, and
- (b) consulted with the Urban Transit Authority and taken into account any recommendations which it makes.

### **64 Residential densities**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary:

- (a) a draft local environmental plan shall not contain provisions which result in a reduction of the overall permissible residential densities within the local government area, and
- (b) a draft local environmental plan for residential areas should, in as far as is practical and compatible with the environmental quality of the area, increase permissible densities and provide for a variety of housing forms.

### **65 Flood liable land**

A draft local environmental plan shall not rezone land from rural to urban if it is flood liable land unless the consent authority:

- (a) has consulted with the Director of the Department of Public Works with respect to the tidal reaches of rivers, or the Secretary of the Water Resources Commission with respect to other waters,
- (b) has prepared a plan of management for the area, and
- (c) is satisfied that the potential for flood losses is contained.

### **66 Management of land subject to flooding**

- (1) A draft local environmental plan to control development on land in existing urban areas which have a history of flooding shall be prepared only when the consent authority has identified the flood behaviour on that land and associated flood risk.
- (2) A plan of management for the land referred to in subclause (1) shall indicate appropriate controls or development standards relating to floor heights, building materials, access, infill, land clearing and the like to ensure the effects of any flooding on the development shall be minimal.

## **67 Instability**

A draft local environmental plan providing for additional urban development on land adjacent to the land identified on the map as escarpment area, or other land of doubtful stability, shall be prepared only after the consent authority has consulted the Commissioner of the Soil Conservation Service and is satisfied that the plan can economically be rendered stable for the proposed development.

## **68 Community use of education facilities**

A draft local environmental plan, which provides for the carrying out of development for the purposes of schools, colleges or other educational institutions, shall contain provisions that:

- (a) allow community use of the facilities and site of schools, colleges or other educational institutions,
- (b) allow commercial operation of those facilities and sites, and
- (c) allow any person to carry put development for the purposes of community uses on land used for the purposes of schools, colleges or other educational institutions whether or not the development is ancillary to that purpose.

## **Division 4 Principles—living areas**

### **69 New areas for urban development**

An assessment of new areas of land for major urban development, based in part on the relative efficiency of service provision and other costs to the community, shall be made in relation to alternative areas which may be in an adjoining local government area.

### **70 Identification of housing demand**

In carrying out its residential planning responsibilities, the consent authority should periodically identify the present and projected population characteristics of its area, and determine priorities in relation to demand for any housing types not currently met.

### **71 Identification of requirements for community services and facilities**

The consent authority, in consultation with the Department of Youth and Community Services, should determine the range, scale, and staging for community services and facilities required in new residential subdivisions.

### **72 Underground utility services**

The consent authority is encouraged to require undergrounding of all utility services in new residential subdivisions, wherever appropriate and practical.

### **73 Bushfire management**

Subdivision design for land adjacent to bush areas should facilitate bush fire management.

## **Part 8 Provisions relating to commercial centres**

### **Division 1 Objectives relating to commercial centres**

#### **74 Objectives**

The objectives relating to commercial centres are:

- (a) to ensure that commercial service centres are developed to suit the convenience of consumers and to optimise private and public investment, and
- (b) to promote shopping and pedestrian amenity in all commercial centres.

### **Division 2 Draft local environmental plans—commercial centres**

#### **75 Supply of commercial land**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary, a draft local environmental plan shall not contain provisions for an increase in commercial or retail development if the development is likely to have a detrimental impact on the existing or potential function of land shown on the map as a subregional or regional commercial centre.

### **Division 3 Principles—commercial centres**

#### **76 Wollongong central business district**

- (1) The Wollongong central business district shall be promoted as the major regional commercial and service centre.
- (2) A wide range of office and entertainment facilities and establishments providing high quality goods and services as well as convenience shopping should be encouraged to locate there in order to counteract escape spending from the region.

#### **77 Nowra and Bowral commercial centres**

The Nowra and Bowral commercial centres should be developed to serve as the prime business and retail areas for their subregions.

#### **78 Traffic control in commercial centres**

Planning for existing commercial centres affected by through traffic should attempt to improve shopping and pedestrian amenity by rerouting traffic or consolidating development on one side of the through traffic route.



## **79 Residential uses in business zones**

The consent authority should consider permitting residential uses in mixed development in business zones, above commercial property.

## **Part 9 Provisions relating to transport and service corridors**

### **Division 1 Objectives relating to transport and service corridors**

#### **80 Objectives**

The objectives relating to transport and service corridors are:

- (a) to facilitate the development of a public transport system which enhances the mobility of those without access to private vehicles and provides a reasonable alternative to the private car on key routes,
- (b) to encourage the development of a satisfactory system of urban, inter-urban and inter-regional links to meet existing and future communication and utility installation needs,
- (c) to improve road safety and protect public investment in main and arterial roads by the control of adjacent land uses,
- (d) to facilitate the development of air transport opportunities in the region,
- (e) to accommodate private vehicles which are expected to remain an important mode of passenger transport in the region, in planning provisions, and
- (f) to reduce the adverse environmental impact of road haulage of extractive materials and other bulk freight.

### **Division 2 Development applications—transport and service corridors**

#### **81 Airport buffer areas**

In deciding whether to grant consent to a development application to carry out development on land identified on the map as an airport buffer area the consent authority shall have regard to the need to restrict development which may:

- (a) be subject to inappropriate noise levels,
- (b) because of its height, restrict the operation of the airport, or
- (c) subject occupants of the land to an unnecessary safety risk.

#### **82 Service corridors**

- (1) This clause applies to land identified on the map as a service corridor.

- (2) A person shall not develop land to which this clause applies except for the purposes of:
  - (a) agriculture and associated purposes,
  - (b) forestry,
  - (c) public utility installations,
  - (d) roads, or
  - (e) any other purpose which, in the opinion of the consent authority, does not conflict with the use of the land to which this clause applies as a service corridor.

### **Division 3 Draft local environmental plans—transport and service corridors**

#### **83 Ribbon development**

- (1) A draft local environmental plan applying to land adjacent to a main or arterial road in a rural area shall retain existing provisions limiting permissible uses to low traffic generating development.
- (2) A draft local environmental plan applying to land adjacent to a main or arterial road in an urban area shall not provide for an increase in traffic generating uses unless access to the road can be satisfactorily catered for in accordance with Traffic Authority guidelines.

#### **84 Airport noise**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary:

- (a) a draft local environmental plan shall not rezone land:
  - (i) for residential purposes, or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF), as from time to time advised by the Department of Aviation, exceeds 25,
  - (ii) for schools, hospitals, churches and theatres where the ANEF, as so advised, exceeds 20, or
  - (iii) for hotels, motels, offices or public buildings where the ANEF, as so advised, exceeds 30,
- (b) a draft local environmental plan to rezone land:
  - (i) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25,

(ii) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or

(iii) for commercial or industrial purposes where the ANEF is above 30,

shall include a provision to ensure that development meets Australian Standard AS 2021 regarding interior noise levels.

#### **85 Development for urban purposes**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary, a draft local environmental plan applying to land shown on the map as being within a service corridor shall not contain provisions enabling the land to be developed for urban purposes.

### **Division 4 Principles—transport and service corridors**

#### **86 Wollongong Region Transport Improvement Programme**

- (1) Action under the New South Wales Government's Wollongong Region Transport Improvement Programme, as described in the brochure released by the Minister for Transport in June 1981, to progressively upgrade public transport and related services should continue.
- (2) Improved co-ordination of transport services and modes is required to improve the convenience of the existing network for its users.
- (3) Similar initiatives should be taken for the remainder of the region.

#### **87 Transport of extractive materials etc**

The consent authority should consider attaching conditions requiring transport of extractive materials or other bulk freight by other than road transport to appropriate development consents.

#### **88 Utility infrastructure services**

In developing proposals for the routing of utility infrastructure services the responsible authorities should, where appropriate, locate those services in the corridors identified on the map as Service Corridors.

#### **89 Bicycles etc**

- (1) The consent authority should, where feasible, construct segregated cycleways or establish safe route networks for bicycle users in appropriate locations.
- (2) The consent authority should consider requiring bicycle parking to be included with car parking requirements as part of normal development control.

- (3) The responsible authorities should consider reviewing carriage fees for bicycles being transported by public transport and provide bicycle racks at major public transport interchanges and shopping centres where possible.

## **Part 10 Provisions relating to ports and harbours**

### **Division 1 Objectives relating to ports and harbours**

#### **90 Objectives**

The objectives relating to ports and harbours are:

- (a) to strengthen and expand the existing economic and functional roles of the port of Port Kembla,
- (b) to ensure that the conflict in the use of recreation and fishing harbours is minimised without reducing their potential enjoyment by a wide section of the community, and
- (c) to ensure that the landscape and environmental attributes of the Jervis Bay area are conserved.

### **Division 2 Draft local environmental plans—ports and harbours**

#### **91 Port Kembla**

A draft local environmental plan affecting land bounded by the Southern Railway, Ellen Street, Bank Street, Corrimal Street, Springhill Road and Bridge Street, Wollongong, shall be prepared only after Wollongong City Council has considered the need to provide for warehouses and other facilities to support the diversification of the port of Port Kembla.

#### **92 Jervis Bay**

A draft local environmental plan applying to land bounded by Currarong Road, the Princes Highway and Jervis Bay Road, shall not substantially alter the provisions in existing instruments applying to the land unless the consent authority can satisfy the Director that the alterations will not jeopardise the overall conservation and recreation attributes of the land and the bay.

### **Division 3 Principles—ports and harbours**

#### **93 Port Kembla**

- (1) A strategy plan for the utilization of the port of Port Kembla, including the outer harbour, should be developed as a matter of priority.
- (2) The plan referred to in subclause (1) should address the potential of the port for further expansion of its function beyond the handling of coal, steel and related bulk products.

- (3) The advantages of the port which led to the decision to build the new Grain Terminal there and the opportunities associated with the Maldon/Dombarton rail link which will directly connect the port to the rural areas of the State should be promoted.
- (4) The opportunities provided by the general cargo wharf, with adjacent undeveloped land, for promoting export trade for local manufacturers should be highlighted.

#### **94 Recreation fishing harbours**

The Director of the Public Works Department, in the preparation of overall management or development plans for the region's recreation and fishing harbours, should consider:

- (a) the separation of pedestrian and vehicular traffic on adjoining lands, and
- (b) the potential use and enjoyment of the harbours by all sections of the community.

### **Part 11 Provisions relating to waste disposal**

#### **Division 1 Objectives relating to waste disposal**

##### **95 Objectives**

The objectives relating to waste disposal are:

- (a) to dispose of waste materials in a manner which positively contributes to the environment or does least environmental harm, and
- (b) to encourage the most efficient use of resources by recycling or alternative use.

#### **Division 2 Principles—waste disposal**

##### **96 Storage of waste for recycling**

- (1) The consent authority should encourage contracts for resource recovery to operate at all waste disposal sites, and encourage the community to separate paper, aluminium, glass and other waste materials for which there may be a demand.
- (2) Separate storage of these materials at disposal sites for potential future use should be considered.

##### **97 Register of wastes**

The consent authority should maintain a register of wastes produced in its area to facilitate the exchange, use and recycling of waste products and, if possible, co-ordinate with the similar service administered by the Metropolitan Waste Disposal Authority.

##### **98 Use of industrial waste**

Public authorities should consider using appropriate industrial waste for construction, road building works, earth filling, flood mitigation and the like.

## **99 Disposal of industrial waste**

Industries in the region should, wherever practical, treat their own liquid industrial waste so that it is suitable for disposal in the sewerage system.

## **100 Ocean dumping of waste**

Consideration should be given to discontinuing ocean dumping of wastes except for those wastes which can be demonstrated to be beneficial, or of no harm, to the ocean ecology.

# **Part 12 Provisions relating to the escarpment**

## **Division 1 Objective relating to the escarpment**

### **101 Objective**

The objective relating to the escarpment is to protect the natural environmental and scenic amenity of land shown on the map as escarpment area, while promoting its use for recreational purposes and accommodating the needs of the coal industry.

## **Division 2 Development applications—the escarpment**

### **102 Escarpment area**

In deciding whether to grant consent to a development application to carry out development of any land shown on the map as escarpment area the consent authority shall:

- (a) consider the visual impact of the proposed development when viewed from a public place, and take such measures that will, in its opinion, minimise any visual impact,
- (b) consult with the Director of the National Parks and Wildlife Service, the Executive Director, Fisheries, Department of Agriculture and the Forestry Commission in accordance with clause 15, and
- (c) be satisfied that the development will not be subject to slip hazard.

## **Division 3 Draft local environmental plans—the escarpment**

### **103 Alterations to instruments relating to the escarpment**

A draft local environmental plan applying to land identified on the map as escarpment area shall not alter the provisions in existing instruments otherwise than to include the land in an environmental protection zone unless:

- (a) the alterations are justified by an environmental study, or
- (b) the consent authority can satisfy the Director that the alteration is of relatively minor significance.

#### **104 Coal industry works**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary, a draft local environmental plan applying to the land identified on the map as escarpment area shall include a provision enabling coal industry works to be developed with the consent of the consent authority.

### **Part 13 Provisions relating to coastal lands, wetlands and other water bodies**

#### **Division 1 Objectives relating to coastal lands, wetlands and other water bodies**

##### **105 Objectives**

The objectives relating to coastal lands, wetlands and other water bodies are:

- (a) to protect beach systems and conserve their scenic, recreation and natural values,
- (b) to maintain and improve public access to waterways, lakes and the sea front, and
- (c) to protect the productive ecosystems and natural habitats of the region's estuaries, wetlands, lakes and lagoons and their scenic attributes.

#### **Division 2 Development applications—coastal lands, wetlands and other water bodies**

##### **106 Sand dune systems**

In deciding whether to grant consent to a development application for development on frontal or dynamic sand dunes other than for beach restoration purposes, the consent authority shall consult with the Commissioner of the Soil Conservation Service and the Director of Public Works and consider whether:

- (a) the development is unlikely to have a detrimental impact on the sand dune systems,
- (b) the development is unlikely to be detrimentally affected by the natural characteristics of the beach system, and
- (c) public access to the beach is maintained.

##### **107 Development generally**

In deciding whether to grant consent to a development application to carry out development on land adjacent to, or in close proximity to, a lake, lagoon, river or the coast, the consent authority shall take into consideration the need to facilitate public access to the waterfront by requiring dedication of appropriate land, for open space purposes.

### **108 Lake Illawarra Catchment Area**

In deciding whether to grant consent to any application to carry out development of land shown on the map as the Lake Illawarra Catchment Area which in its opinion may have a potential adverse impact on the lake, the consent authority shall:

- (a) consult with the council of any other local government area whose area is partly or wholly within the Lake Illawarra Catchment Area, and
- (b) take into consideration the effect of the proposed development on the water quality and ecology of Lake Illawarra and the need to prevent excessive sedimentation of the lake.

### **109 Reclamation of Lake Illawarra**

In deciding whether to grant consent to a development application to carry out reclamation of any land forming part of Lake Illawarra the consent authority shall consider:

- (a) the likely effect of the reclamation on:
  - (i) the ecology of Lake Illawarra and its peripheral vegetation,
  - (ii) the hydrodynamics of the lake,
  - (iii) the community use and enjoyment of the lake, and
  - (iv) the amenity of adjoining lands, and
- (b) whether the proposals for the disposal of dredged materials are adequate.

### **110 Development of Lake Illawarra foreshores**

- (1) This clause applies to land owned or leased by the consent authority and on the foreshores of Lake Illawarra.
- (2) The consent authority shall not grant consent to the development of land to which this clause applies unless:
  - (a) the development, by virtue of its scale and character, is consistent with the enjoyment of the lake and its foreshores by the general public, or
  - (b) the development is for a purpose which requires access to the lake and public access is maintained.

## **Division 3 Draft local environmental plans—coastal lands, wetlands**



## **and other water bodies**

### **111 Coastal protection**

A draft local environmental plan shall not introduce provisions relating to land zoned Environmental Protection or Rural Environmental Protection or coastal, reservation or foreshore protection, which are incompatible with the objectives of:

- (a) protecting and preserving visual and coastal amenity,
- (b) ensuring development enhances the visual and coastal amenity,
- (c) providing public access to coastal areas, and
- (d) providing opportunities for passive and active recreational activities associated with the coastal area.

### **112 Estuaries and wetlands**

A draft local environmental plan affecting the estuaries and wetlands identified in the *Illawarra Region Wetlands Study* published by the New South Wales Planning and Environment Commission in 1979 shall be prepared having regard to the recommendations of that study.

### **113 Lake Illawarra Catchment Area**

A draft local environmental plan to rezone land identified on the map as Lake Illawarra Catchment Area shall be prepared only after the consent authority has considered:

- (a) the likelihood of excessive sedimentation or over-enrichment of the nutrient level of the lake associated with new development, and
- (b) ways of mitigating any potential adverse impact on the water quality of the lake.

## **Division 4 Principles—coastal lands, wetlands, and other water bodies**

### **114 Foreshores**

In order to maintain public access to foreshores, development on land adjacent to the ocean, or to any lake, river or lagoon, should be limited to agriculture, open space, ports, harbours, surf life-saving clubs, boat launching ramps, beach amenities, boat clubs, water related industries and development which requires direct access to the water.

### **115 Life-saving clubs and beach amenities**

Surf life-saving clubs or beach amenities should not be erected on or in front of frontal sand dunes or an unstable dune system unless no reasonable alternative location is available.

### **116 Coastal wetlands**

The responsible authorities should consider progressively acquiring the foreshores of important wetlands and estuaries identified in the *Illawarra Region Wetlands Study* referred to in clause 112.

### **117 Lake Illawarra**

- (1) Adequate facilities should be established for monitoring the water quality, especially as it may be affected by industrial fallout, of Lake Illawarra.
- (2) The responsible authorities should, where possible, progressively extend the public ownership of the lake foreshores.

## **Part 14 Provisions relating to recreation and tourism**

### **Division 1 Objectives relating to recreation and tourism**

#### **118 Objectives**

The objectives relating to recreation and tourism are:

- (a) to promote a wide range of leisure opportunities,
- (b) to conserve and promote the region's natural, historical and cultural features which are the bases of the tourist industry, and
- (c) to preserve access to natural resources and public lands which have recreational value.

### **Division 2 Draft local environmental plans—recreation and tourism**

#### **119 Open space**

A draft local environmental plan shall not substantially reduce an area zoned for public open space unless the consent authority can satisfy the director that this is justifiable having regard to the availability of alternative areas of open space which fulfil, or are capable of fulfilling, the function of the open space area proposed to be reduced, or the land is to be included in an appropriate environmental protection zone.

### **Division 3 Principles—recreation and tourism**

#### **120 Caravan parks**

Caravan parks should not be established on flood liable land unless the applicant for development consent has demonstrated that adequate safeguards to life and property have been incorporated into the proposed development.

### **121 Public open space**

Development which is permitted on land which is in public ownership and zoned open space or recreation should be available for use by the general public.

### **122 Recreation and tourism**

Development of recreation and tourism facilities which can be demonstrated will result in a net inflow of money to the region and which will be environmentally acceptable should be encouraged.

### **123 Tourist driving and walking trails**

Tourist driving and walking trails linking scenic, natural and historical areas, with appropriate signposting should be promoted.

## **Part 15 Provisions relating to environmental heritage**

### **Division 1 Objectives relating to environmental heritage**

#### **124 Objectives**

The objectives relating to environmental heritage are:

- (a) to encourage the conservation of the environmental heritage of the region, and
- (b) to control the demolition and renovation of items identified by this plan as items of the environmental heritage of the region.

### **Division 2 Development applications—environmental heritage**

#### **125 Definitions**

In this part:

**demolition**, in relation to a building or work, means the damaging, defacing, destruction, pulling down or removal of that building or work, in whole or in part.

**item of the environmental heritage** means a building, work, relic, or place of historic, scientific, cultural, social, architectural, archaeological, natural or aesthetic significance described in Schedule 1.

**relic** means any deposit, object or material evidence relating to the settlement of land to which this plan applies (including aboriginal habitation) prior to 1 January 1900.

**renovation**, in relation to a building or work, means:

- (a) the making of structural changes to the outside of the building or work, or
- (b) the making of non-structural changes to the fabric or appearance of the outside of the

building or work, including changes that involve the repair or the painting, plastering or other decoration of the outside of the building or work.

## **126 Conservation of items of the environmental heritage**

- (1) A person shall not, in respect of a building, work, or relic or place that is an item of the environmental heritage:
  - (a) demolish, renovate or extend that building or work,
  - (b) damage or despoil that relic or place or any part of that relic or place,
  - (c) excavate any land for the purpose of exposing or removing that relic,
  - (d) erect a building on the land on which that building, work or relic is situated or the land which comprises the place, or
  - (e) subdivide the land on which that building, work or relic is situated or the land which comprises that place,except with the consent of the consent authority.
- (2) The consent authority shall not grant consent pursuant to subclause (1) in respect of an item of the environmental heritage unless it has made an assessment of:
  - (a) the significance of the item as an item of the environmental heritage of the local government area in which the item is situated,
  - (b) the extent to which the carrying out of development in accordance with the consent would affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the item and its site,
  - (c) whether the setting of the item, and in particular, whether any stylistic, horticultural or archaeological features of the setting should be retained, and
  - (d) whether the item constitutes a danger to the users or occupiers of that item or to the public.
- (3) The consent authority shall not grant consent pursuant to subclause (1) to the renovation of a building that is an item of the environmental heritage unless it has made an assessment of:
  - (a) the colour, texture, style, size and type of finish of any materials to be used on the exterior of the building and the effect which the use of these materials will have on the appearance of the exterior of the building and of any other building in its vicinity,
  - (b) the style, size, proportion and position of openings for any windows and doors which will result from, or be affected by, the carrying out of the development, and

- (c) the pitch and form of the roof, it any.

### **127 Advertising of heritage applications**

- (1) Subject to subclause (2), the provisions of sections 84, 85, 86, 87 (1) and 90 of the Act apply to and in respect of:
  - (a) the demolition of a building or work that is an item of the environmental heritage, and
  - (b) the use of a building or land referred to in clause 129 (1) for a purpose which, but for that clause, would be prohibited under this plan,in the same way as those provisions apply to and in respect of designated development.
- (2) Subclause (1) does not apply to the partial demolition of a building or work where, in the opinion of the consent authority, the partial demolition is of a minor nature and does not adversely affect the significance of the building or work as part of the environmental heritage of the local government area in which the item is situated.

### **128 Development in the vicinity of an item of the environmental heritage**

The consent authority shall not consent to the carrying out of development in the vicinity of an item of the environmental heritage unless it has made an assessment of the effect which the carrying out of that development would have on the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the item of the environmental heritage and its setting.

### **129 Conservation incentives relating to heritage items**

- (1) Nothing in this plan or any local environmental planning instrument or deemed local environmental plan prevents the consent authority from granting consent to the use for any purpose of a building that is an item of the environmental heritage or of the land on which that building is erected where the consent authority is satisfied that:
  - (a) the use would have little or no adverse effect on the amenity of the area, and
  - (b) conservation of the building depends on the consent authority granting consent in pursuance of this subclause.
- (2) The consent authority, when considering an application to erect a building on land upon which there is a building which is an item of the environmental heritage, may exclude from its calculation of the floor space of the buildings erected on the land the floor space of the item of the environmental heritage:
  - (a) for the purposes of determining the floor space ratio, and
  - (b) for the purposes of determining the number of parking spaces to be provided on

the site,

but only if the consent authority is satisfied that the conservation of the building depends upon the consent authority granting consent in pursuance of this subclause.

### **Division 3 Draft local environmental plans—environmental heritage**

#### **130 Conservation of heritage items**

Unless the consent authority, having regard to the provisions of section 5 of the Act, can satisfy the Director to the contrary, a draft local environmental plan applying to land on which a building, work, relic or place of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for the local government area, other than those listed in Schedule 1, shall contain provisions to facilitate the conservation of that building, work, relic, place or area.

### **Division 4 Principles—environmental heritage**

#### **131 Illawarra Region Aboriginal Resources Study**

The consent authority and determining authorities shall have regard to the findings and recommendations of the *Illawarra Region Aboriginal Resources Study* published by the Department of Environment and Planning in 1980 when considering development proposals or activities for the region.

### **Part 16 Provisions relating to the interest and co-ordination of other public authorities**

#### **Division 1 Objectives relating to the interest and co-ordination of other public authorities**

##### **132 Objectives**

The objectives relating to the interest and co-ordination of public authorities other than the consent authorities are:

- (a) to ensure that the interests of public authorities are protected or implemented, or both, through the planning system, and
- (b) to require public authorities to have regard to the aims and objectives of this plan when making decisions which do not require development consent.

### **Division 2 Draft local environmental plans—interest and co-ordination of other public authorities**

#### **133 General provisions**

A draft local environmental plan shall not alter provisions in existing planning instruments

relating to the following matters without the agreement of the specified public authority:

- (a) flood liable land—Public Works Department or Water Resources Commission,
- (b) water catchment areas—Metropolitan Water Sewerage and Drainage Board or Water Resources Commission, or
- (c) heritage items and conservation areas—Heritage Branch of the Department.

#### **134 Land required for public purposes**

- (1) A draft local environmental plan shall not alter an existing reservation or zoning for a “Special Use”, Regional or County Open Space or for a main or arterial road without the agreement of the relevant public authority or the Minister for Planning and Environment.
- (2) A draft local environmental plan shall include Open Space, Special Uses or other zonings and reservations which are requested by public authorities and are relevant to those authorities’ functions unless the Minister for Planning and Environment decides otherwise.

#### **135 Ministerial or public authority approval or concurrence**

- (1) A draft local environmental plan shall not remove an existing requirement to obtain the approval or concurrence of a Minister or a public authority without the agreement of the relevant Minister or public authority.
- (2) A draft local environmental plan shall include a consultation, approval or concurrence provision, where requested by a Minister or public authority, unless the Minister for Planning and Environment directs otherwise.
- (3) A draft local environmental plan shall not introduce a requirement to obtain the approval or concurrence of a Minister or public authority without the approval of that Minister or public authority.

#### **136 Model Provisions**

A draft local environmental plan shall, so far as possible, adopt the provisions of any set of Model Provisions made under section 33 of the Act in so far as those provisions are relevant to the aims, objectives, policies and strategies of that plan.

### **Division 3 Principle—interest and co-ordination of other public authorities**

#### **137 Activities**

The determining authority shall have regard to the objectives of this plan when considering proposals for activities within the meaning of Part 5 of the Act.

## Part 17 Provisions relating to high rise buildings

### 138 Objectives relating to high rise buildings

The objectives relating to high rise buildings are:

- (a) to enhance the amenity and design quality of the Wollongong urban centre and of buildings within that centre, and
- (b) to preserve the landscape quality of coastal and foreshore land by encouraging the erection of buildings which are designed in harmony with that landscape.

### 139 Development applications—concurrence of the Director

- (1) In this clause, unless the context or subject-matter otherwise indicates or requires:

**ground level** means natural ground level.

**height**, in relation to a building which has ceilings, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point.

- (2) The consent authority shall not consent to a development application to erect a building or to alter an existing building by increasing its height, where the building after erection or alteration will have a height:
- (a) in the case of land shown on the map as regional commercial centre and land zoned 2 (c) Residential “C” under [Wollongong Local Environmental Plan No 38](#) (other than that north of Bourke Street or east of Corrimal Street)—of more than 20 metres, or
  - (b) in the case of other land in the Wollongong Plain subregion and the Shoalhaven subregion—of more than 11 metres,
- without the concurrence of the Director.
- (3) In deciding whether to grant concurrence to a development application in respect of development referred to in subclause (2), the Director shall take into consideration:
- (a) the height, scale, bulk and density of the proposed building,
  - (b) the external appearance and materials used on the exterior of the proposed building,
  - (c) the relationship of the proposed building to the streetscape or landscape,
  - (d) the effect of the proposed building on public amenity, including pedestrian amenity,
  - (e) the effect of the proposed building on wind patterns and wind velocity in public



places,

- (f) the effect of the proposed building on overshadowing of public places,
- (g) the effect of the proposed building on views from public places,
- (h) the effect of the proposed building on any item of the environmental heritage in the vicinity, and
- (i) the effect of reflections from the exterior of the proposed building on roads, public places and buildings in the vicinity.

## **Schedule 1 Items of the environmental heritage**

(Clause 125)

### **Wollongong Plain Subregion**

Lawrence Hargrave Memorial Park, Otford Drive, Stanwell Park.

Otford Tunnel, Otford.

Railway viaduct, Stanwell Park.

Hill Crest, Railway Crescent, Stanwell Park.

Metropolitan Colliery, Helensburgh:

Power Pylon

Shaft No 1 head frame

Shaft No 2 fan evase

No 4 tunnel (Illawarra Railway)

No 5 tunnel (Illawarra Railway)

Coalcliff Colliery, Coalcliff—entrance portal in cliff.

South Clifton Colliery, Scarborough—power house.

Wyewurk, 3 Craig Street, Thirroul.

Bulli Colliery, Bulli:

Shaft No 1 excluding fan c. 1948 from Nebo

Shaft No 2 original shaft sinking head frame with winding equipment

Old Bulli pit top (portal) 150 ft above present opening

Old Bulli furnace shaft

Site of former Bulli Jetty, including remains of jetty, Sandon Point, Bulli.

Bulli Family Hotel, corner of Stokes Lane and Princes Highway, Bulli.

Former Court House and Police Sergeant's Residence between Farrell and Hopetoun Streets, Princes Highway, Bulli.

Former hotel, 202 Princes Highway, Bulli.

South Bulli Colliery, Russell Vale:

Main portal (S. W. Tunnel 1887)

1918 portal for ventilation

Signal box

Old washery (1960)

Concrete base for ball mill at pit top

Bellambi Creek Dam (to Collins No 1 and No 2 and on to power house) or Charlesworth's Dam

Former mines office.

Corrimal Colliery, Tarrawanna:

Corrimal No 1 Shaft surface structures.

Head frame (No 1)

Winding equipment (No 1)

Ventilating fan (No 1)

Corrimal No 2 Shaft, excluding fans

Corrimal No 2 fan structure

Corrimal incline:

Line of old incline

Line of later incline

Haulage breaking system.

Corrimal Power House.

Corrimal No 2 winding wheel, Corrimal Park, Corrimal.

St Michael's Cathedral, Market and Church Streets, Wollongong.

Court House, Market Street, Wollongong.

St Francis Xavier's Church, Harbour Street, Wollongong.

Belmore Basin and Lighthouse, Wollongong.

Drill Hall, Cliff Road, Wollongong.

Signal Hill Fortifications, Flagstaff Point, south of Wollongong Harbour.

Museum, 11 Market Street, Wollongong.

Little Milton, 31-33 Smith Street, Wollongong.

Principal's Residence, 53 Smith Street, Wollongong.

Wollongong Public School, 55 Smith Street, Wollongong.

National Mutual Life Association, corner Keira and Market Streets, Wollongong.

Regent Theatre, Keira Street, Wollongong.

Wye Lodge, 61-63 Smith Street, Wollongong.

Mount Keira Demonstration School.

Gun emplacement, bounded by Harold and Bridge Streets and Pine Crescent, Coniston.

Wollongong Hospital, Hickman House, corner Crown Street and New Dapto Road, Wollongong.

Wollongong Hospital Nurses Home, corner Loftus and Darling Streets, Wollongong.

Glennifer Brae, corner Robsons Road and Murphy's Avenue, Gwynneville.

Therry's House, 30 Bukari Street, West Wollongong.

Mount Kembla:

Soldiers' and Miners' Memorial Church and

Cemetery including Mine Disaster Memorial.

Cemetery, Windy Gully.

"Miners Club Room" and terrace of miners' cottages, Windy Gully.

Public School and Principal's Residence, Cordeaux Road.

Former St Clements Roman Catholic Church,

Cordeaux Road.

General Store, Cordeaux Road.

General Store, Kembla Heights.

Mine managers' house, Harry Graham Drive.

Mount Kembla Hotel, Cordeaux Road.

Newton Park, Kembla Grange.

Osborne Memorial Anglican Church of St Luke, including old church, Prince Edward Drive, Dapto.

Avondale homestead and garden setting, Avondale Road, West Dapto.

Cleveland, Cleveland Road, Dapto.

Horsley, including outbuildings, garden and curtilage, Bong Bong Road, West Dapto.

Marshall Mount and creamery, Marshall Mount Road, West Dapto.

Yallah Bush, being lot 5, part lot 1, D.P. 24143, and lot 1 and part lot 2, D.P. 540838, Parish of Calderwood, County of Camden, Marshall Mount Road, Yallah.

Penrose, formerly Penrose Villa, including outbuildings and garden and curtilage, Princes Highway, Dapto.

All Saints Anglican Church, Albion Park.

St Andrews Presbyterian Church, Albion Park.

The Hill, Dunsters Lane, Albion Park.

Former Peterborough School and Principal's Residence, Swamp Road, Dunmore.

Dunmore House, Princes Highway, Dunmore.

Bombo Headland quarry geological site, Bombo, Kiama.

Hartwell House and coachhouse, Farmer Street, Kiama.

Infants School, Kiama, corner Minnamurra and Shoalhaven Streets, Kiama.

Scots Presbyterian Church including the surrounding land and Norfolk Island Pines, Shoalhaven Street, Kiama.

Terrace houses, 24-40 Collins Street, Kiama.

Cottages 42–44 Collins Street, Kiama.

Masonic Temple, former Temperance Hall, 46 Collins Street, Kiama.

Cottages Nos 3, 3a, 2, 4, 6, 8 and 10 Collins Lane, Kiama.

Manning Street group, Kiama, including:

- Kiama veterinary service (formerly C.B.C. Bank).

- Westpac Bank (former Bank of N.S.W.).

- Uniting Church, front lawn and pine trees.

- Grand Hotel.

- A.N.Z. Bank including stables, rear garden and fences.

- Council chambers and pine tree at rear.

- Post Office grounds and pine trees.

Kiama government building group, corner Manning and Terralong Streets, Kiama, including:

- Post Office and outbuildings.

- Courthouse, grounds and trees.

- Police Station.

- The Police Station Residence.

Mount Vernon, 64–66 Bong Bong Street, Kiama.

Blow Hole Point, Kiama, includes Kiama Lighthouse, Kiama Ice Factory, Kiama Wharf.

Terralong Street Quarry, Kiama.

Cottage, 38 Bong Bong Street, Kiama.

Cottage, 43 Bong Bong Street, Kiama.

Anglican Christ Church, Kiama.

Public School, Churchill Street, Jamberoo.

Culwalla, on Main Road, 2 kilometres east of Jamberoo.

Minnamurra House, Minnamurra Lane, Jamberoo.

Terragong House and home paddock, Jamberoo.

Site of Woodstock Saw Mill, Piggery, Cooperage and Butter Factory, Robertson Road, Jamberoo.

Dry stone walls, Jamberoo, Dunmore and Foxground areas, Kiama.

Anglican Church of the Resurrection, Jamberoo.

St Stephen's Presbyterian Church, Allowrie Street, Jamberoo.

St Matthew's Roman Catholic Church, Jamberoo.

Remains of Steam Flour Mill, Bush Bank, Princes Highway, south Kiama.

Alne Bank, including stone barn, Rose Valley, Gerringong.

Renfrew Park, Princes Highway, Gerringong.

Black Head, Gerroa, palaeontological site.

Commercial Hotel, lot 20, Allowrie Street, Jamberoo.

Fredericks Store, No 19 Allowrie Street, Jamberoo.

Uniting Church Hall and Cemetery, lot 48, Jamberoo.

Church of England Cemetery, Tate's Hill, Jamberoo (off Wyalla Road).  
O'Mara's Grave, Roman Catholic Burial Ground, Jamberoo Mountain Road, M.R. 264, Jamberoo.  
Kelly's Cottage, Minnamurra Falls Road, Jamberoo.  
Park Mount, Jerrara Road, Jamberoo.  
Jamberoo Dairy Factory, Factory Lane, off Jamberoo Road, Jamberoo.  
Antique Shop (former E.S. & A. Bank), 26 Allowrie Street, Jamberoo.  
"Colewood", Mountain Road, Druewalla, Jamberoo.  
Former Wesleyan Parsonage, lot F, Macquarie Street, Jamberoo.  
Kinross Cemetery, off Minnamurra Lane, Jamberoo.  
Gundarimba, cnr Minnamurra Lane and Allowrie Street, Jamberoo.  
Roman Catholic Church Graveyard, Chappel Street, Jamberoo.

### **Shoalhaven Subregion**

Barrengarry House Barrengarry.  
Former Barrengarry Public School and Principal's Residence Barrengarry.  
Bank and Post Office group, corner Prince Alfred and Queen Streets, Berry, including Post Office, former A.N.Z. Bank and the C.B.C. Bank.  
David Berry Hospital, Berry.  
Public School, Victoria Street, Berry.  
Wilson Memorial Drinking Fountain, corner Alexandra and Victoria Streets, Berry.  
St Luke's Anglican Church, Princes Street, Berry.  
St Luke's Anglican Rectory, Princes Street, Berry.  
Pulman Street group, Berry, including:

Residence, former Wilson's store and Broughton

Creek Hospital; Curate's cottage, Lynstowe;

former Berry Estate cottage, 20 Pulman Street;

Cottage, 19 Pulman Street.

Former James Wilson Store, 97 Queen Street, Berry.  
Coolangatta Estate, Shoalhaven Heads Road, including the buildings, the remains of the original homestead, David Berry monument, the family cemetery and curtilage.  
Anglican Church of the Good Shepherd, Kangaroo Valley.  
Former Courthouse, Shoalhaven Road, Kangaroo Valley.  
Rectory, Kangaroo Valley.  
Public School, Kangaroo Valley.  
Hampden Bridge, Kangaroo Valley.  
Hampden Villa, 110 Berry Street, Nowra.  
Mechanics Institute and School of Arts, Berry Street, Nowra.  
Old Nowra Bridge, Princes Highway, across Shoalhaven River.  
Plunkett Street Conservation Area, between Kinghorn and Berry Streets, including Courthouse, Police Sergeant's Residence, former Police Station, Public School and Principal's Residence, Nowra.  
Meroogal House, servant's wing and stables, 35 West Street, Nowra.  
St Andrews Presbyterian Church, Nowra.  
Bundanoon and surrounding landscape on Shoalhaven River 16 km above Nowra Bridge.  
Wogamia House, Wogamia, via Yalwal Road.

Terara House, Terara.  
Public School, Terara.  
Two storey house, now Inverness, Southern Road, Terara.  
Principal's Residence, Greenwell Point Road, Pyree.  
Principal's Residence, Cambewarra.  
Point Perpendicular lighthouse group, including the lighthouse, generator annex, three residences and ancillary structures, Point Perpendicular.  
Ulladulla Lighthouse, Warden Head, Ulladulla.  
Courthouse, Princes Highway, Milton.  
National Australia Bank (former C.B.C. Bank), Princes Highway, Milton.  
Town Hall, Milton.  
Former Methodist Church, Croobyar Road, Milton.  
Kirmington, near Kendall Dale, west of Princes Highway, Yattelyattah.  
Uniting Church, Former Congregational Church, Milton.  
Applegarth, Wilford's Road (via Croobyar Road), Milton.  
Pickering's Old Store group, including Pickering's Old Store residence, Princes Highway, corner Wason Street, Milton.  
Danes Bank Cottage, off Evans Lane via Woodstock Road, Milton.  
Kendall Dale, Princes Highway, Milton.  
Mount Airlie, Woodstock Road, Milton.  
Whoppidally, Princes Highway, Milton.

### **Tablelands Subregion**

Forest Lodge, Hume Highway, Aylmerton.  
Christ Church, including churchyard and cemetery, corner Church Road and Bowral Moss Vale Road, Bong Bong.  
The Briars, Bowral Moss Vale Road, Bong Bong.  
Mount Gibraltar Quarry, Bowral.  
Courthouse, including fence, corner Bendooley and Wingecarribee Streets, Bowral.  
Bendooley Street Conservation Area, properties fronting both sides of Bendooley Street and the properties in the streets at both ends, opposite the ends of Bendooley Street, Bowral.  
St Judes Anglican Church Group, Bendooley Street, Bowral, including inter alia Bowral Public School; St Andrews Church and Hall; Court House including Fence; Town Hall; No 12 Stafford Cottage; Library/Memorial Hall; No 28 Residence, Uniting Church Former Methodist Church; St. Judes Anglican Church Group including Rectory, Church Hall, Lych Gate, Cemetery; No 42 Eldon Cottage.  
Town Hall, Bendooley Street, Bowral.  
Commonwealth Bank, Bong Bong and Wingecarribee Streets, Bowral.  
Grey Leaves, Eridge Park Road, Bowral.  
Milton Park and grounds, Hordens Road, 5 kilometres along Kangaloon Road, east of Bowral.  
Wingecarribee, Kirkham Road, Bowral.  
Earlsbrae, 15 Queen Street, Bowral.  
Retford Park, Old South Road, Bowral.  
The Rift, Carlisle Street, Bowral.  
Lynthorpe, 17 Gladstone Road, Bowral.  
Bidura, 145 Merrigang Street, Bowral.  
Iverbucks, Moss Vale Road, Bowral.  
Cottage, 20 Glebe Street, Bowral.

Wintersloe, 45 Links Road, Bowral.  
Glen Ridge, corner Shepherd and Albert Streets, Bowral.  
Cottage, 23 Shepherd Street, Bowral.  
Original Gibraltar "Gib" Tunnel, Bowral.  
Mount Hamilton, Hamilton Street, Bowral.  
Laural House, 47 Merrigang Street, Bowral.  
House, 54 Station Street, Bowral.  
House, 89 Shepherd Street, Bowral.  
Railway Station, Bowral, including north bound platform, south bound platform, passengers' overbridge and railway cottages.  
Robertson Park, Kirklands Road, Glenquarry via Bowral.  
Eridge Lodge, Eridge Park Road, Burradoo.  
Hartzer Park formerly Eridge Park, including manager's residence, Burradoo (excluding modern additions).  
Angelwood, including original garden, excluding modern additions, Yean Street, Burradoo.  
San Michele, formerly Bibury, Burradoo Road, Burradoo.  
Chevalier College, formerly Riversdale House, Moss Vale Road, Burradoo (excluding modern additions).  
Braemar Lodge, Hume Highway south of Braemar Avenue, Braemar.  
Kamilaroi, with outbuildings, Braemar.  
National Australia Bank, formerly C.B.C. Bank and newsagency group, comprising C.B.C. Bank and newsagency, Hume Highway, Mittagong.  
Marist Brothers Centre, Bong Bong Road, Mittagong.  
Oaklands, formerly Fitzroy Inn with outbuildings remains, garden and driveway, oak trees and stone walls, formerly Oak Grange School for Boys, 26 Ferguson Crescent, Mittagong.  
Former Mittagong Shire Council Building, corner Hume Highway and Bowral Road, Mittagong.  
St Stephen's Church of England, Hume Highway, Mittagong.  
Two-storey building, 107 Hume Highway, Mittagong.  
Poplars Restaurant, formerly Prince Albert Inn, Hume Highway, Braemar.  
Renwick Child Welfare House, Mittagong.  
West Wing, Frensham School, Range Road, Mittagong.  
Mittagong Station, up platform and building, Railway Parade, Mittagong.  
Former Mittagong Stationmaster's House, Railway Parade, Mittagong.  
The Maltings (including Manager's Residence) bounded by Southey, Colo and Ferguson Streets, Mittagong.  
Former Mittagong Police Station, Mittagong.  
Post Office, Mittagong.  
Picton-Mittagong Loopline, including railway museum at Thirlmere.  
Moss Vale Station, platform and building.  
Moss Vale railway staff residence, formerly Sutton Forest stationmaster's residence, Moss Vale.  
Browley and outbuildings, Oldbury Road, Moss Vale.  
Oldbury, Oldbury Road, Moss Vale.  
Whitley, including outbuildings, entrance gate and garden, Oldbury Road, Moss Vale.  
Bonheur, formerly Cotmore, Oldbury Road, Moss Vale.  
Highfield, including Highfield Lodge, gates and picket fence, Oldbury Road, Moss Vale.  
Throsby Park group, Robertson Road, Moss Vale including Throsby Cottage and former stables, Gundagai Cottage (originally Acacia Cottage).  
Tudor House Preparatory School, formerly Hamilton House, Moss Vale.  
Woodside and garden, north of Tudor House, Illawarra Highway, Moss Vale.

Cottage, 598 Argyle Street, Moss Vale.  
Argyle House (excluding porches), Argyle Street, Moss Vale.  
Courthouse, Argyle Street, Moss Vale.  
Former Council Chambers, Argyle Street, Moss Vale.  
Former School of Arts, Argyle Street, Moss Vale.  
National Australia Bank, former C.B.C. Bank, Argyle Street, Moss Vale.  
Mount St. Mary Dominican Convent and Chapel, Main Street, Moss Vale.  
Pavilion, Leighton Gardens, Argyle Street, Moss Vale.  
St John's Anglican Church, corner Waite and Browley Streets, Moss Vale.  
Public School, Browley Street, Moss Vale.  
Comfort Hill, Hume Highway, Sutton Forest, including outbuildings, trees, stone walls and pond.  
Black Horse Farm, Hume Highway south of the crossroads, Sutton Forest.  
Eling Grange, formerly Eling Forest, including stone cottage, Hume Highway, Sutton Forest.  
Bindagundra, Illawarra Highway, Sutton Forest.  
Newbury, Illawarra Highway, Sutton Forest.  
Golden Valley, formerly Golden Vale, Golden Vale Road, Sutton Forest.  
Mt Valdimah, formerly Shrublands, Golden Vale Road, Sutton Forest.  
Rotherwood Gate Lodge, Illawarra Highway, Sutton Forest.  
Rotherwood, Illawarra Highway, Sutton Forest.  
Clover Hill, formerly Hawthorn, Illawarra Highway, Sutton Forest.  
Rosedale, Illawarra Highway, Sutton Forest.  
Summerlees, Illawarra Highway, Sutton Forest.  
Hillview, formerly Prospect, Illawarra Highway, Sutton Forest.  
St. Patricks Roman Catholic Church including cemetery, Illawarra Highway, Sutton Forest.  
The Pines, Illawarra Highway, Sutton Forest.  
Former Post Office, Illawarra Highway, Sutton Forest.  
All Saints Anglican Church, including cemetery and gates, Illawarra Highway, Sutton Forest.  
Sutton Farm, formerly Winston and Sutton Inn, Illawarra Highway, Sutton Forest.  
Cottage, known as "Charlie Grey's Cottage", Conflict Street off Exeter Road, Sutton Forest.  
Boscobel, Bundanoon Road, Sutton Forest.  
Montrose, Bundanoon Road, Sutton Forest.  
Eccelston Park, formerly Wombat Farm, Canyonleigh Road, Sutton Forest.  
Barnsley's General Store and Barnsley's Everything Store, corner Bundanoon Road and Illawarra Highway, Sutton Forest.  
Vine Lodge with outbuildings, Sutton Forest Road, Exeter.  
Joadja kerosene shale oil mining and refining areas, 30 kilometres west of Mittagong on the Joadja Road.  
Police Station and former Courthouse, Robertson.  
Mt Jellore.