

Shoalhaven Local Environmental Plan 2014

[2014-179]



New South Wales

Status Information

Currency of version

Historical version for 4 April 2016 to 7 July 2016 (accessed 16 August 2024 at 3:57)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

About this plan

This Plan is a [standard instrument local environmental plan](#) under the [Environmental Planning and Assessment Act 1979](#).

Notes—

- **Does not include amendments by**
[Statute Law \(Miscellaneous Provisions\) Act 2016 No 27](#) (not commenced — to commence on 8.7.2016)
[State Environmental Planning Policy \(Integration and Repeals\) 2016 \(310\)](#) (LW 10.6.2016) (not commenced — to commence on 5.8.2016)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 24 June 2016

Shoalhaven Local Environmental Plan 2014



New South Wales

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Shoalhaven Local Environmental Plan 2014



New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Shoalhaven Local Environmental Plan 2014*.

1.1AA Commencement

This Plan commences 14 days after it is published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Shoalhaven in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to encourage the proper management, development and conservation of natural and man-made resources,
 - (b) to facilitate the social and economic wellbeing of the community,
 - (c) to ensure that suitable land for beneficial and appropriate uses is made available as required,
 - (d) to manage appropriate and essential public services, infrastructure and amenities for Shoalhaven,
 - (e) to minimise the risk of harm to the community through the appropriate management of development and land use.

1.3 Land to which Plan applies

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

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (1AA) A reference to the Minister in subclause (1) is taken to be a reference to the Greater Sydney Commission in the case of any map that applies to a local government area in the Greater Sydney Region (within the meaning of the [Greater Sydney Commission Act 2015](#)) and that is adopted by a local environmental plan on or after 27 January 2016.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note—

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

1.8 Repeal of planning instruments applying to land

- (1) All local environmental plans and deemed environmental planning instruments

applying only to the land to which this Plan applies are repealed.

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

Note—

While the following local environmental plan no longer applies to the land to which this Plan applies, it continues to apply to the land identified as “Deferred matter” under clause 1.3 (1A):

Interim Development Order No 1—Shire of Shoalhaven

Shoalhaven Local Environmental Plan 1985

1.8A Savings provision relating to development applications

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

Note—

However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

1.8B Amendment of SEPP applying to land

State Environmental Planning Policy (Major Development) 2005 is amended by omitting Part 29 of Schedule 3.

1.9 Application of SEPPs

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

State Environmental Planning Policy No 1—Development Standards

Note—

The following State environmental planning policies (or deemed State environmental planning policies) no longer apply to the land to which this Plan applies, but continue to apply to the land identified as “Deferred matter” under clause 1.3 (1A):

Illawarra Regional Environmental Plan No 1

Jervis Bay Regional Environmental Plan 1996

1.9A Suspension of covenants, agreements and instruments

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

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones

RU1 Primary Production

RU2 Rural Landscape

RU3 Forestry

RU4 Primary Production Small Lots

RU5 Village

Residential Zones

R1 General Residential

R2 Low Density Residential

R3 Medium Density Residential

R5 Large Lot Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B3 Commercial Core

B4 Mixed Use

B5 Business Development

B7 Business Park

Industrial Zones

IN1 General Industrial

IN2 Light Industrial

IN4 Working Waterfront

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

SP3 Tourist

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

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

Waterway Zones

- W1 Natural Waterways
- W2 Recreational Waterways
- W3 Working Waterways

2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the [Land Zoning Map](#).

2.3 Zone objectives and Land Use Table

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

Notes—

- 1** Schedule 1 sets out additional permitted uses for particular land.
- 2** Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the

environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.

3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).

4 Clause 2.6 requires consent for subdivision of land.

5 Part 5 contains other provisions which require consent for particular development.

2.4 Unzoned land

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

(2) In deciding whether to grant development consent, the consent authority:

(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and

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

2.5 Additional permitted uses for particular land

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

(a) with development consent, or

(b) if the Schedule so provides—without development consent,

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

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

2.6 Subdivision—consent requirements

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

Notes—

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

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

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

Note—

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

2.7 Demolition requires development consent

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

Note—

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

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that:
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
- (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

Land Use Table

Note—

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

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

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

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

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

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To conserve and maintain productive prime crop and pasture land.
- To conserve and maintain the economic potential of the land within this zone for extractive industries.

2 Permitted without consent

Extensive agriculture; Forestry; Home occupations

3 Permitted with consent

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door

premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Flood mitigation works; Food and drink premises; Group homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Marinas; Markets; Mooring pens; Moorings; Offensive industries; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Hotel or motel accommodation; Pubs; Serviced apartments; Any other development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

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

2 Permitted without consent

Extensive agriculture; Forestry; Home occupations

3 Permitted with consent

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Flood mitigation works;

Food and drink premises; Freight transport facilities; Funeral homes; Group homes; Hazardous industries; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Marinas; Markets; Mooring pens; Moorings; Offensive industries; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Hotel or motel accommodation; Pubs; Serviced apartments; Any other development not specified in item 2 or 3

Zone RU3 Forestry

1 Objectives of zone

- To enable development for forestry purposes.
- To enable other development that is compatible with forestry land uses.
- To encourage the recreational use of forest resources where such use is compatible with timber production.
- To recognise the role of forest resources in providing habitat corridors and in maintaining water quality.

2 Permitted without consent

Uses authorised under the [Forestry Act 2012](#)

3 Permitted with consent

Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone RU4 Primary Production Small Lots

1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in

relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Home occupations

3 Permitted with consent

Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Intensive plant agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Business premises; Car parks; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Depots; Dual occupancies; Dwelling houses; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Function centres; Group homes; Helipads; Home-based child care; Home businesses; Home industries; Hostels; Information and education facilities; Light industries;

Neighbourhood shops; Office premises; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential care facilities; Residential flat buildings; Respite day care centres; Retail premises; Roads; Schools; Service stations; Sewerage systems; Shop top housing; Tourist and visitor accommodation; Transport depots; Vehicle repair stations; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

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

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes, Exhibition villages; Group homes; Home-based child care; Home businesses; Home industries; Hostels; Jetties; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Registered clubs; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Sewerage systems; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Water supply systems

4 Prohibited

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

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide an environment primarily for detached housing and to ensure that other development is compatible with that environment.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Jetties; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Sewerage systems; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

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

to day needs of residents.

- To provide opportunities for development for the purposes of tourist and visitor accommodation where this does not conflict with the residential environment.

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Group homes; Home-based child care; Home businesses, Home industries; Home occupations; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Registered clubs; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Sewerage systems; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Water supply systems

4 Prohibited

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

Zone R5 Large Lot Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies (attached); Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Extensive agriculture; Group homes (transitional); Home-based child care; Home businesses; Home industries; Horticulture; Neighbourhood shops; Recreation areas; Roads; Sewerage systems; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To ensure that development is of a scale that is compatible with the character of the surrounding residential environment.

2 Permitted without consent

Nil

3 Permitted with consent

Backpackers' accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Food and drink premises; Hotel or motel accommodation; Kiosks; Markets; Medical centres; Neighbourhood shops; Respite day care centres; Roads; Roadside stalls; Shop top housing; Shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat building and repair facilities; Boat launching ramps; Boat sheds; Caravan parks; Cemeteries; Charter and

tourism boating facilities; Crematoria; Correctional centres; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

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

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat building and repair facilities;

Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities

Zone B3 Commercial Core

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

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

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Bed and breakfast accommodation;

Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Residential care facilities; Resource recovery facilities; Rural industries; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Wharf or boating facilities

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hotel or motel accommodation; Information and education facilities; Medical centres; Multi dwelling housing; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat building and repair facilities;

Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Wharf or boating facilities

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To allow a diversity of activities that do not significantly conflict with the operation of existing or proposed development.

2 Permitted without consent

Nil

3 Permitted with consent

Backpackers' accommodation; Boarding houses; Bulky goods premises; Child care centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Serviced apartments; Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Helipads; Highway service centres; Home occupations (sex services);

Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sex services premises; Storage premises; Tourist and visitor accommodation; Truck depots; Waste disposal facilities; Wharf or boating facilities

Zone B7 Business Park

1 Objectives of zone

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Bulky goods premises; Business identification signs; Child care centres; Garden centres; Hardware and building supplies; Kiosks; Light industries; Markets; Neighbourhood shops; Office premises; Passenger transport facilities; Respite day care centres; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home-based childcare; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Recreational facilities (major); Recreational facilities (outdoor); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Service stations; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair

stations; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Wharf or boating facilities

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To allow a diversity of activities that do not significantly conflict with the operation of existing or proposed development.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Bulky goods premises; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Light industries; Markets; Neighbourhood shops; Places of public worship; Roads; Take away food and drink premises; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Highway service centres; Home-based childcare; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Registered clubs; Residential accommodation; Respite day care centres;

Restricted premises; Retail premises; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To allow a diversity of activities that do not significantly conflict with the operation of existing or proposed development.

2 Permitted without consent

Nil

3 Permitted with consent

Bulky goods premises; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Registered clubs; Residential

accommodation; Restricted premises; Retail premises; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

Zone IN4 Working Waterfront

1 Objectives of zone

- To retain and encourage waterfront industrial and maritime activities.
- To identify sites for maritime purposes and for activities that require direct waterfront access.
- To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.

2 Permitted without consent

Building identification signs

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Heliports; Hotel or motel accommodation; Jetties; Kiosks; Light industries; Liquid fuel depots; Markets; Restaurants or cafes; Roads; Serviced apartments; Take away food and drink premises; Vehicle sales or hire premises; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Child care centres; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Mortuaries; Open cut mining; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Resource

recovery facilities; Respite day care centres; Restricted premises; Rural industries; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities

Zone SP1 Special Activities

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Environmental protection works; Roads; The purpose shown on the [Land Zoning Map](#), including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

Zone SP3 Tourist

1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.
- To enable compatible residential and recreational uses.
- To provide for dwelling houses that form an integral part of tourist-oriented development.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Dwelling houses; Environmental facilities; Environmental protection works; Food and drink premises; Function centres; Helipads; Heliports; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Roads; Sewerage systems; Shop top housing; Tourist and visitor accommodation; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Agriculture; Boat building and repair facilities; Boat sheds; Building identification signs; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Heliports; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Restaurants or cafes; Respite day care centres; Roads; Sewerage systems; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Food and drink premises; Function centres; Helipads, Heliports; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Sewerage systems; Signage; Tourist and visitor accommodation; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone E1 National Parks and Nature Reserves

1 Objectives of zone

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

2 Permitted without consent

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

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect water quality and the ecological integrity of water supply catchments and other catchments and natural waterways.
- To protect the scenic, ecological, educational and recreational values of wetlands, rainforests, escarpment areas and fauna habitat linkages.
- To conserve and, where appropriate, restore natural vegetation in order to protect the erosion and slippage of steep slopes.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Bed and breakfast accommodation; Boat sheds; Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Home businesses; Recreation areas; Research stations; Roads; Sewerage systems; Water recreation structures; Water supply systems

4 Prohibited

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

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To protect the natural and cultural features of the landscape, including coastal and foreshore areas, that contribute to scenic value and visual amenity.
- To maintain the stability of coastal land forms and protect the water quality and ecological values of estuaries and coastal streams.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Charter and tourism boating facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities;

Environmental facilities; Environmental protection works; Extensive agriculture; Forestry; Group homes; Helipads; Home-based child care; Home businesses; Home industries; Information and educational facilities; Kiosks; Recreation areas; Research stations; Roads; Roadside stalls; Sewerage systems; Tourist and visitor accommodation; Water recreation structures; Water supply systems

4 Prohibited

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

Zone E4 Environmental Living

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Bee keeping; Building identification signs; Business identification signs; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Home-based child care; Home businesses; Home industries; Roads; Roadside stalls; Water storage facilities

4 Prohibited

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

Zone W1 Natural Waterways

1 Objectives of zone

- To protect the ecological and scenic values of natural waterways.
- To prevent development that would have an adverse effect on the natural

values of waterways in this zone.

- To provide for sustainable fishing industries and recreational fishing.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Environmental facilities; Environmental protection works; Jetties; Mooring pens; Moorings; Research stations; Sewerage systems; Water supply systems

4 Prohibited

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

Zone W2 Recreational Waterways

1 Objectives of zone

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Sewerage systems; Water recreation structures; Water supply systems

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Seniors housing;

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

Zone W3 Working Waterways

1 Objectives of zone

- To enable the efficient movement and operation of commercial shipping, water-based transport and maritime industries.
- To promote the equitable use of waterways, including appropriate recreational uses.
- To minimise impacts on ecological values arising from the active use of waterways.
- To provide for sustainable fishing industries.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Kiosks; Marinas; Mooring pens; Moorings; Port facilities; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Sewerage systems; Signage; Water recreation structures; Water supply systems; Wharf or boating facilities

4 Prohibited

Any development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

Note—

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

The section states that exempt development:

- (a) must be of minimal environmental impact, and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community

(identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and

(c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.

(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.

(3) To be exempt development, the development:

(a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and

(b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and

(c) must not be designated development, and

(d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.

(4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2-9 is exempt development only if:

(a) the building has a current fire safety certificate or fire safety statement, or

(b) no fire safety measures are currently implemented, required or proposed for the building.

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

(a) be installed in accordance with the manufacturer's specifications, if applicable, and

(b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

Note—

A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.

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

3.2 Complying development

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

Note—

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

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

3.3 Environmentally sensitive areas excluded

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

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

- (a) the coastal waters of the State,
- (b) a coastal lake,
- (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or

as a marine park under the [Marine Parks Act 1997](#),

- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved under the [National Parks and Wildlife Act 1974](#) or land acquired under Part 11 of that Act,
- (i) land reserved or dedicated under the [Crown Lands Act 1989](#) for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the [Threatened Species Conservation Act 1995](#) or Part 7A of the [Fisheries Management Act 1994](#),
- (ja) land identified as riparian land by clause 7.6 (2) (a),
- (jb) land identified as “Excluded Land” on the [Terrestrial Biodiversity Map](#).

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to ensure that subdivision is compatible with, and reinforces the predominant or historic subdivision pattern and character of, an area,
 - (b) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties,
 - (c) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

4.1AA Minimum subdivision lot size for community title schemes

[Not adopted]

4.1A Exceptions to minimum lot sizes for dual occupancies and multi dwelling housing

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) Development consent may be granted to the subdivision of land on which development for the purpose of a dual occupancy has been carried out if the area of each resulting lot will be equal to or greater than:
 - (a) if the land is identified as “Area 1” on the [Lot Size Map](#)—350 square metres,
 - (b) if the land is identified as “Area 2” on the [Lot Size Map](#)—400 square metres.
- (3) Subclause (2) does not apply to land to which clause 7.3 or 7.4 applies.
- (4) Development consent may be granted to the subdivision of land in Zone R1 General Residential or Zone R3 Medium Density Residential on which development for the purpose of multi dwelling housing has been carried out if the area of each resulting lot will be equal to or greater than 350 square metres.

4.1B Dual occupancy development in Zone R3

- (1) The objective of this clause is to encourage greater dwelling densities on land in Zone R3 Medium Density Residential.
- (2) Development consent must not be granted to development for the purpose of a dual occupancy on a lot in Zone R3 Medium Density Residential if the area of the lot is less than 800 square metres unless the consent authority is satisfied that amalgamation of the lot with other land in that zone is not feasible.

4.1C Exceptions to minimum subdivision lot sizes for certain residential development

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) This clause applies to development on land in the following zones:
 - (a) Zone R1 General Residential,
 - (b) Zone R3 Medium Density Residential.
- (3) Development consent may be granted to a single development application for development to which this clause applies that is both of the following:
 - (a) the subdivision of land into 3 or more lots,

- (b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 350 square metres.

4.1D Exceptions to minimum subdivision lot sizes for multiple occupancy development on land in Zone RU1 or Zone RU2

- (1) The objective of this clause is to allow for the subdivision of rural land that has been previously granted a consent for multiple occupancy development.
- (2) Development consent may be granted to the subdivision of land in Zone RU1 Primary Production or Zone RU2 Rural Landscape on which multiple occupancy development has been carried out so that each dwelling house lawfully erected on the land is located on a separate lot if:
 - (a) consent for the multiple occupancy development was granted on or before 27 March 2001, and
 - (b) the erection of each dwelling house was commenced before 31 December 2002, and
 - (c) each separate lot is a neighbourhood lot under the [Community Land Development Act 1989](#).
- (3) In this clause, **multiple occupancy development** means development for which consent was granted under any of the following:
 - (a) *State Environmental Planning Policy No 15—Multiple Occupancy of Rural Land* (before its repeal by the following State Environmental Planning Policy),
 - (b) *State Environmental Planning Policy No 42—Multiple Occupancy of Rural Land*, (before its repeal by the following State Environmental Planning Policy)
 - (c) [State Environmental Planning Policy No 15—Rural Landsharing Communities](#).

4.1E Minimum lot size for certain split zone lots

- (1) The objectives of this clause are as follows:
 - (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1 or 4.1A,
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.
- (2) This clause applies to each lot (an **original lot**) that contains:
 - (a) land in Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone E4 Environmental Living or a residential, business, industrial, special purpose or

recreation zone (an **urban zone**), and

(b) land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation or Zone E3 Environmental Management.

(3) Despite clauses 4.1 and 4.1A, development consent may be granted to subdivide an original lot to create other lots (the **resulting lots**) if:

(a) in relation to an original lot containing land in Zone E2 Environmental Conservation or Zone E3 Environmental Management, one of the resulting lots will contain:

(i) land in an urban zone that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, and

(ii) all of the land in Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and

(b) in relation to an original lot containing less than 36 hectares of land in Zone RU1 Primary Production or Zone RU2 Rural Landscape but no land in Zone E2 Environmental Conservation or Zone E3 Environmental Management, one of the resulting lots will contain:

(i) land in an urban zone that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, and

(ii) all of the land in Zone RU1 Primary Production or Zone RU2 Rural Landscape that was in the original lot, and

(c) in relation to an original lot containing land in Zone E2 Environmental Conservation or Zone E3 Environmental Management and less than 36 hectares of land in Zone RU1 Primary Production or Zone RU2 Rural Landscape, one of the resulting lots will contain:

(i) land in an urban zone that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, and

(ii) all of the land in Zone E2 Environmental Conservation or Zone E3 Environmental Management and Zone RU1 Primary Production or Zone RU2 Rural Landscape that was in the original lot, and

(d) all other resulting lots will contain:

(i) land that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, or

(ii) land in Zone RU1 Primary Production or Zone RU2 Rural Landscape that has an area of at least 36 hectares.

- (4) Despite subclause (3), development consent must not be granted to the subdivision of an original lot that contains flood prone land unless:
- (a) one of the resulting lots will contain:
 - (i) land in an urban zone that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, and
 - (ii) all of the flood prone land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (5) A resulting lot referred to in subclause (3) or (4) must not be subdivided under this clause.
- (6) A dwelling cannot be erected on the part of a resulting lot referred to in subclause (3) (a) (ii), (b) (ii) or (c) (ii).
- (7) In this clause, a resulting lot contains land in an urban zone that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land if the consent authority is satisfied that:
- (a) the resulting lot contains an area of land in an urban zone that is appropriate for the erection of a dwelling house, and
 - (b) the resulting lot has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to the urban zone.
- (8) In this clause, **flood prone land** means land that is identified as “Flood Planning Area” on the [Flood Planning Area Map](#).

4.2 Rural subdivision

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) This clause applies to the following rural zones:
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone RU6 Transition.

Note—

When this Plan was made it did not include all of these zones.

- (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (5) A dwelling cannot be erected on such a lot.

Note—

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

4.2A Subdivision of land in Zone RU1, Zone RU2 or Zone E3

- (1) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone E3 Environmental Management.
- (2) Development consent may be granted for the subdivision of land to which this clause applies for the purpose of tourist and visitor accommodation if:
 - (a) the subdivision will create more than one lot of less than 40 hectares, and
 - (b) the subdivision is a subdivision of land under the [Community Land Development Act 1989](#), and
 - (c) each lot created by the subdivision is in the same community plan, precinct plan or neighbourhood plan within the meaning of the [Community Land Development Act 1989](#).
- (3) If land to which this clause applies has a frontage to a classified road under the [Roads Act 1993](#), development consent for the subdivision of land other than for a purpose specified in subclause (2) may only be granted if the lot has a frontage to that road of not less than 400 metres.

4.2B Subdivision of certain land in Zone RU1, Zone RU2, Zone RU4, Zone R5 and Zone E4

- (1) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,

- (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone R5 Large Lot Residential,
 - (e) Zone E4 Environmental Living.
- (2) Despite clause 4.1, land identified as prime crop and pasture land in a zone to which this clause applies may only be subdivided if the consent authority is satisfied that each lot created by the subdivision will contain at least 10 hectares of prime crop and pasture land.
- (3) Despite clause 4.1:
- (a) land identified as “Locality 1” on the [Lot Size Map](#) (in the vicinity of Bundewallah Road, Berry) may be subdivided into lots with a minimum lot size of 1 hectare and a maximum of 4 lots per 10 hectares, and
 - (b) land identified as “Locality 2” on the [Lot Size Map](#) (in the vicinity of Little Forest Road, Little Forest) may be subdivided into:
 - (i) north of Little Forest Road—lots with a minimum lot size of 1 hectare and a maximum of one lot per 10 hectares, or
 - (ii) south of Little Forest Road—lots with a minimum lot size of 1 hectare and a maximum of 3 lots per 10 hectares, and
 - (c) land identified as “Locality 3” on the [Lot Size Map](#) (in the vicinity of Wandean Road, Wandandian) may be subdivided into lots with a minimum lot size of 2 hectares and a maximum of one lot per 10 hectares, or in the case of a lot with an area of between 4 and 19 hectares, into no more than 2 lots, and
 - (d) land identified as “Locality 4” on the [Lot Size Map](#) (in the vicinity of Illaroo Road, Tapitallee) may be subdivided into:
 - (i) north of Illaroo Road—lots with a minimum lot size of 1 hectare and a maximum of one lot per 10 hectares, or
 - (ii) south of Illaroo Road—lots with a minimum lot size of 1 hectare and a maximum of 4 lots per 10 hectares, or
 - (iii) in the case of a lot located south of Illaroo Road with an area of between 3 and 5 hectares—into no more than 2 lots, and
 - (e) land identified as “Locality 5” on the [Lot Size Map](#) (in the vicinity of Yatte Yattah) may be subdivided into lots with a minimum lot size of 1 hectare and a maximum of one lot per 10 hectares, and
 - (f) land identified as “Locality 6” on the [Lot Size Map](#) (in the vicinity of Termeil) may be subdivided into lots with an overall maximum density of one lot per 10 hectares

if the vehicular access to each lot is from a road other than the Princes Highway,
and

- (g) land identified as “Locality 7” on the [Lot Size Map](#) (in the vicinity of Conjola Park) may be subdivided into a maximum of 14 lots with a minimum lot size of 1 hectare, and
- (h) land identified as “Locality 8” on the [Lot Size Map](#) (at Windward Way, Milton, being Lot 1, DP 780801) may be subdivided into a maximum of 3 lots with a minimum lot size of 2 hectares.

- (4) Each dwelling constructed on a lot created under subclause (3) (g) must be constructed at least 100m from land in Zone E2 Environmental Conservation.

4.2C Subdivision of land fronting a watercourse

- (1) The objective of this clause is to limit the creation of additional entitlements to take water as a result of the subdivision of land fronting a watercourse.
- (2) This clause applies to land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU5 Village, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation and Zone E3 Environmental Management that has a direct frontage to a watercourse.
- (3) Before determining a development application in relation to land to which this clause applies the consent authority must consider:
 - (a) whether the development will create additional lots that front the watercourse,
and
 - (b) whether reticulated water is to be supplied to those lots.

4.2D Erection of dwelling houses on land in certain rural, residential and environment protection zones

- (1) The objectives of this clause are as follows:
 - (a) to minimise unplanned rural residential development,
 - (b) to enable the replacement of lawfully erected dwelling houses in certain rural, residential and environment protection zones,
 - (c) to control rural residential density affected by historical subdivision patterns in Zone R5 Large Lot Residential.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,

- (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone R5 Large Lot Residential,
 - (e) Zone E2 Environmental Conservation,
 - (f) Zone E3 Environmental Management,
 - (g) Zone E4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies unless the land:
- (a) is a lot that has at least the minimum lot size shown on the [Lot Size Map](#) in relation to that land, or
 - (b) is a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
 - (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or
 - (ca) is a lot created under clause 4.1E (3) (d) (ii), or
 - (d) would have been a lot or a holding referred to in paragraph (a), (b) or (c) had it not been affected by:
 - (i) a minor realignment of its boundaries that did not create an additional lot, or
 - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or
 - (iii) a consolidation with an adjoining public road or public reserve or for another public purpose.

Note—

A dwelling cannot be erected on a lot created under clause 9 of [State Environmental Planning Policy \(Rural Lands\) 2008](#) or clause 4.2.

- (4) Development consent must not be granted under subclause (3) unless:
- (a) no dwelling house has been erected on the land, and
 - (b) if a development application has been made for development for the purpose of a dwelling house on the land—the application has been refused or it was withdrawn before it was determined, and

- (c) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed.
- (5) Development consent may be granted for the erection of a dwelling house on land to which this clause applies if there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house.
- (6) In considering whether to grant consent for the erection of a dwelling house in accordance with this clause on land to which clause 7.3 applies, the consent authority must:
 - (a) consider whether the land is predominantly prime crop and pasture land, and
 - (b) be satisfied that the dwelling house is essential for the proper and efficient use of the land for agriculture (including turf farming).
- (7) In this clause:

holding means all adjoining land, even if separated by a road or railway, held by the same person or persons.

4.2E Exceptions to minimum subdivision lot sizes for certain rural and environment protection zones

- (1) The objective of this clause is to permit the subdivision of land in certain rural and environment protection zones to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of dwelling houses or dual occupancies.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone E2 Environmental Conservation,
 - (d) Zone E3 Environmental Management.
- (3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than a dwelling house or dual occupancy) permitted under an existing development consent for the land.
- (4) The lot may include land from more than one zone.
- (5) Development consent must not be granted for the subdivision of land to which this

clause applies unless the consent authority is satisfied that:

- (a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and
 - (b) the subdivision is necessary for the ongoing operation of the permissible use, and
 - (c) the subdivision will not cause or increase rural land uses conflict in the locality, and
 - (d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.
- (6) A lot created under subclause (3) that has a dwelling house or dual occupancy on it may also be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

4.2F Erection of rural workers' dwellings in Zone RU1

- (1) The objective of this clause is to ensure the provision of adequate accommodation for employees of existing agricultural or rural industries.
- (2) This clause applies to land in Zone RU1 Primary Production.
- (3) Development consent must not be granted to the erection of a rural worker's dwelling on land to which this clause applies, unless the consent authority is satisfied that:
 - (a) the development will be on the same lot as an existing lawfully erected dwelling house, and
 - (b) the development will not impair the use of the land for agriculture or rural industries, and
 - (c) the agriculture or rural industry being carried out on the land has a demonstrated economic capacity to support the ongoing employment of rural workers, and
 - (d) the development is necessary considering the nature of the agriculture or rural industry land use lawfully occurring on the land or as a result of the remote or isolated location of the land.

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of a locality,
 - (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,

(c) to ensure that the height of buildings on or in the vicinity of a heritage item or within a heritage conservation area respect heritage significance.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

(2A) If the [Height of Buildings Map](#) does not show a maximum height for any land, the height of a building on the land is not to exceed 11 metres.

4.4 Floor space ratio

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

(a) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of a locality.

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

4.5 Calculation of floor space ratio and site area

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

(a) to define **floor space ratio**,

(b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:

(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and

(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and

(iii) require community land and public places to be dealt with separately.

(2) **Definition of “floor space ratio”** The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

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

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

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

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of

applying a floor space ratio to proposed development.

- (4) **Exclusions from site area** The following land must be excluded from the site area:
- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
 - (b) community land or a public place (except as provided by subclause (7)).
- (5) **Strata subdivisions** The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.
- (6) **Only significant development to be included** The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.
- (7) **Certain public land to be separately considered** For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.
- (8) **Existing buildings** The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.
- (9) **Covenants to prevent “double dipping”** When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.
- (10) **Covenants affect consolidated sites** If:
- (a) a covenant of the kind referred to in subclause (9) applies to any land (**affected land**), and
 - (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,
- the maximum amount of floor area allowed on the other land by the floor space ratio

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

- (11) **Definition** In this clause, **public place** has the same meaning as it has in the *Local Government Act 1993*.

4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note—

When this Plan was made it did not include all of these zones.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
- (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#) applies or for the land on which such a building is situated,
- (ba) clause 4.1E, to the extent that it applies to land in a rural or environment protection zone,
- (c) clause 5.4,
- (ca) clause 6.1 or 6.2,
- (cb) clause 7.25.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

Note—

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

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

| Type of land shown on Map | Authority of the State |
|---|---|
| Zone RE1 Public Recreation and marked "Local open space" | Council |
| Zone RE1 Public Recreation and marked "Regional open space" | The corporation constituted under section 8 of the Act |
| Zone SP2 Infrastructure and marked "Classified road" | Roads and Maritime Services |
| Zone E1 National Parks and Nature Reserves and marked "National Park" | Minister administering the National Parks and Wildlife Act 1974 |
| Zone RU1 Primary Production and marked "Local road" | Council |
| Zone R1 General Residential and marked "Local road" | Council |
| Zone R2 Low Density Residential and marked "Local road" | Council |
| Zone B3 Commercial Core and marked "Local road" | Council |
| Zone B4 Mixed Use and marked "Local road" | Council |

| | |
|---|--|
| Zone RE1 Public Recreation and marked “Local road” | Council |
| Zone SP2 Infrastructure and marked “Car park” | Council |
| Zone E2 Environmental Conservation and marked “Coastal lands acquisition” | The corporation constituted under section 8 of the Act |

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

5.1A Development on land intended to be acquired for public purposes

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies to land shown on the [Land Reservation Acquisition Map](#) and specified in Column 1 of the table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.
- (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that table.

| Column 1 | Column 2 |
|---|--|
| Land | Development |
| Zone R1 General Residential and marked “Local road” | Building identification signs, Business identification signs, Home-based child care, Home businesses, Home industries, Home occupations, Roads |
| Zone R2 Low Density Residential and marked “Local road” | Building identification signs, Business identification signs, Flood mitigation works; Home-based child care, Home businesses, Home industries, Home occupations, Roads |
| Zone B3 Commercial Core and marked “Local road” | Building identification signs, Business identification signs, Carparks, Roads |
| Zone B4 Mixed Use and marked “Local road” | Building identification signs, Business identification signs, Carparks, Roads |

5.2 Classification and reclassification of public land

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

the *Local Government Act 1993*.

Note—

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

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

Note—

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

5.3 Development near zone boundaries

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

boundary between any 2 zones. The relevant distance is 20 metres.

(3) This clause does not apply to:

(a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or

(ab) land in Zone W2 Recreational Waterways, or

(b) land within the coastal zone, or

(c) land proposed to be developed for the purpose of sex services or restricted premises.

(4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:

(a) the development is not inconsistent with the objectives for development in both zones, and

(b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

(5) This clause does not prescribe a development standard that may be varied under this Plan.

5.4 Controls relating to miscellaneous permissible uses

(1) **Bed and breakfast accommodation** If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms.

Note—

Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the *Building Code of Australia*.

(2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 60 square metres of floor area.

Note—

Larger floor spaces apply in certain zones. See clause 7.18.

(3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than

60 square metres of floor area.

Note—

Larger floor spaces apply in certain zones. See clause 7.18.

- (4) **Industrial retail outlets** If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:
- (a) 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 400 square metres,
- whichever is the lesser.
- (5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 7 bedrooms.
- (6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 20 square metres.
- (7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 150 square metres.
- (8) **Roadside stalls** If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.
- (9) **Secondary dwellings** If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:
- (a) 60 square metres,
 - (b) 60% of the total floor area of the principal dwelling.

5.5 Development within the coastal zone

- (1) The objectives of this clause are as follows:
- (a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development,
 - (b) to implement the principles in the NSW Coastal Policy, and in particular to:
 - (i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and

- (ii) protect and preserve the natural, cultural, recreational and economic attributes of the NSW coast, and
 - (iii) provide opportunities for pedestrian public access to and along the coastal foreshore, and
 - (iv) recognise and accommodate coastal processes and climate change, and
 - (v) protect amenity and scenic quality, and
 - (vi) protect and preserve rock platforms, beach environments and beach amenity, and
 - (vii) protect and preserve native coastal vegetation, and
 - (viii) protect and preserve the marine environment, and
 - (ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and
 - (x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and
 - (xi) protect Aboriginal cultural places, values and customs, and
 - (xii) protect and preserve items of heritage, archaeological or historical significance.
- (2) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority has considered:
- (a) existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:
 - (i) maintaining existing public access and, where possible, improving that access, and
 - (ii) identifying opportunities for new public access, and
 - (b) the suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:
 - (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and
 - (ii) the location, and
 - (iii) the bulk, scale, size and overall built form design of any building or work

involved, and

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

5.6 Architectural roof features

- (1) The objectives of this clause are as follows:
 - (a) to ensure that rooflines, including architectural roof features, respond to and are compatible with the scenic attributes of natural and built environments,
 - (b) to ensure that rooflines, including architectural roof features, on or in the vicinity of a heritage item or within a heritage conservation area are designed having regard to the heritage values of that item or conservation area.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
 - (a) the architectural roof feature:
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

5.7 Development below mean high water mark

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

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.
- (2) The following development may be carried out, but only with development consent:
 - (a) converting a fire alarm system from connection with the alarm monitoring system

of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,

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

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

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

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

(5) In this clause:

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

5.9 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.

Note—

A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.

- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
 - (a) development consent, or
 - (b) a permit granted by the Council.

- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.
- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
 - (a) that is or forms part of a heritage item or that is within a heritage conservation area, or
 - (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,unless the Council is satisfied that the proposed activity:
 - (c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and
 - (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Note—

As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.

- (8) This clause does not apply to or in respect of:
 - (a) the clearing of native vegetation:
 - (i) that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003*, or
 - (ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
 - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or

- (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying and Spatial Information Act 2002*, or
- (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

Note—

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

(9) [Not adopted]

(9A) Subclause (8) (a) (ii) does not apply in relation to land identified as “CI 5.9” on the [Clauses Map](#).

5.9AA Trees or vegetation not prescribed by development control plan

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

5.10 Heritage conservation

Note—

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

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

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

(2) **Requirement for consent** Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,

- (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) **When consent not required** However, development consent under this clause is not required if:
- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
 - (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) **Heritage assessment** The consent authority may, before granting consent to any development:
 - (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies):
 - (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:
 - (a) consider the effect of the proposed development on the heritage significance of

the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

(a) notify the Heritage Council about the application, and

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

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

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

5.11 Bush fire hazard reduction

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

Note—

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

5.13 Eco-tourist facilities

- (1) The objectives of this clause are as follows:
 - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
 - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- (2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.
- (3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:
 - (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and
 - (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and
 - (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and
 - (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and
 - (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and
 - (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and
 - (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be

minimised through the choice of design, colours, materials and landscaping with local native flora, and

- (h) any infrastructure services to the site will be provided without significant modification to the environment, and
- (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and
- (j) the development will not adversely affect the agricultural productivity of adjoining land, and
- (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:
 - (i) measures to remove any threat of serious or irreversible environmental damage,
 - (ii) the maintenance (or regeneration where necessary) of habitats,
 - (iii) efficient and minimal energy and water use and waste output,
 - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
 - (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

Part 6 Urban release areas

6.1 Arrangements for designated State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (3) Subclause (2) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or

- (b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or
- (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or
- (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

(4) This clause does not apply to land in an urban release area if all or any part of the land is in a special contributions area (as defined by section 93C of the Act).

6.2 Public utility infrastructure

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

6.3 Development control plan

- (1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.
- (2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.
- (3) The development control plan must provide for all of the following:
 - (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,
 - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
 - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
 - (d) a network of active and passive recreation areas,

- (e) stormwater and water quality management controls,
 - (f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
 - (g) detailed urban design controls for significant development sites,
 - (h) measures to encourage higher density living around transport, open space and service nodes,
 - (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
 - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
- (4) Subclause (2) does not apply to development for any of the following purposes:
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
 - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,
 - (c) a subdivision of land in a zone in which the erection of structures is prohibited,
 - (d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.

6.4 Relationship between Part and remainder of Plan

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

6.5 Erection of dwelling houses on residual lots in certain zones

- (1) Development consent may be granted for the subdivision of land in an urban release area to create a lot of a size that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land or less than the minimum lot size permitted for the land immediately before it became, or became part of, an urban release area if the lot is comprised entirely of land in one or more of the following zones (the **residual lot**):
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,

(c) Zone E2 Environmental Conservation,

(d) Zone E3 Environmental Management.

(2) Development consent may be granted for the erection of a dwelling house on a residual lot.

Part 7 Additional local provisions

7.1 Acid sulfate soils

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

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

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

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

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

(a) a preliminary assessment of the proposed works prepared in accordance with the

Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and

- (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
- (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
 - (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
 - (c) minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if:
- (a) the works involve the disturbance of less than 1 tonne of soil, and
 - (b) the works are not likely to lower the watertable.

7.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless:
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.
- (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:
 - (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,

- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Note—

The [National Parks and Wildlife Act 1974](#), particularly section 86, deals with harming Aboriginal objects.

7.3 Flood planning

- (1) The objectives of this clause are as follows:
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to:
 - (a) land identified as "Flood Planning Area" on the [Flood Planning Area Map](#), and
 - (b) other land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) is compatible with the flood hazard of the land, and
 - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river

banks or watercourses, and

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding, and

(f) will not affect the safe occupation or evacuation of the land.

(4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.

(5) In this clause:

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

7.4 Coastal risk planning

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

(a) to avoid significant adverse impacts from coastal hazards,

(b) to ensure uses of land identified as coastal risk are compatible with the risks presented by coastal hazards,

(c) to enable the evacuation of land identified as coastal risk in an emergency,

(d) to avoid development that increases the severity of coastal hazards.

(2) This clause applies to the land identified as “Coastal Risk Planning Area” on the [Coastal Risk Planning Map](#).

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

(a) will avoid, minimise or mitigate exposure to coastal processes, and

(b) is not likely to cause detrimental increases in coastal risks to other development or properties, and

(c) is not likely to alter coastal processes and the impacts of coastal hazards to the detriment of the environment, and

(d) incorporates appropriate measures to manage risk to life from coastal risks, and

(e) is likely to avoid or minimise adverse effects from the impact of coastal processes and the exposure to coastal hazards, and

(f) provides for the relocation, modification or removal of the development to adapt to the impact of coastal processes and coastal hazards, and

(g) has regard to the impacts of sea level rise.

(4) A word or expression used in this clause has the same meaning as it has in the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* (ISBN 978-1-74263-035-9) published by the NSW Government in August 2010, unless it is otherwise defined in this clause.

(5) In this clause:

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

7.5 Terrestrial biodiversity

(1) The objective of this clause is to maintain terrestrial biodiversity, by:

- (a) protecting native fauna and flora,
- (b) protecting the ecological processes necessary for their continued existence, and
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.

(2) This clause applies to land:

- (a) identified as “Biodiversity—habitat corridor” or “Biodiversity—significant vegetation” on the [Terrestrial Biodiversity Map](#), and
- (b) situated within 40m of the bank (measured horizontally from the top of the bank) of a natural waterbody.

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

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

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

bank means the limit of the bed of a natural waterbody.

bed, of a natural waterbody, means the whole of the soil of the channel in which the waterbody flows, including the portion that is alternatively covered and left bare with an increase or diminution in the supply of water and that is adequate to contain the waterbody at its average or mean stage without reference to extraordinary freshets in the time of flood or to extreme droughts.

7.6 Riparian land and watercourses

- (1) The objective of this clause is to protect and maintain the following:
- (a) water quality within watercourses,
 - (b) the stability of the bed and banks of watercourses,
 - (c) aquatic and riparian habitats,
 - (d) ecological processes within watercourses and riparian areas.
- (2) This clause applies to all of the following:
- (a) land identified as “Riparian Land” on the [Riparian Lands and Watercourses Map](#),
 - (b) land identified as “Watercourse Category 1”, “Watercourse Category 2” or “Watercourse Category 3” on that map,
 - (c) all land that is within 50 metres of the top of the bank of each watercourse on land identified as “Watercourse Category 1”, “Watercourse Category 2” or “Watercourse Category 3” on that map.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
- (a) whether or not the development is likely to have any adverse impact on the following:

- (i) the water quality and flows within the watercourse,
 - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
 - (iii) the stability of the bed and banks of the watercourse,
 - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
 - (v) any future rehabilitation of the watercourse and its riparian areas, and
- (b) whether or not the development is likely to increase water extraction from the watercourse, and
 - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.
- (5) For the purpose of this clause:

bank means the limit of the bed of a watercourse.

bed, of a watercourse, means the whole of the soil of the channel in which the watercourse flows, including the portion that is alternatively covered and left bare with an increase or diminution in the supply of water and that is adequate to contain the watercourse at its average or mean stage without reference to extraordinary freshets in the time of flood or to extreme droughts.

7.7 Landslide risk and other land degradation

- (1) The objective of this clause is to maintain soil resources and the diversity and stability of landscapes, including protecting land:
 - (a) comprising steep slopes, and
 - (b) susceptible to other forms of land degradation.
- (2) This clause applies to the following land:

- (a) land with a slope in excess of 20% (1:5), as measured from the contours of a 1:25,000 topographical map, and
 - (b) land identified as “Sensitive Area” on the [Natural Resource Sensitivity—Land Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any potential adverse impact, either from, or as a result of, the development in relation to:
- (a) the geotechnical stability of the site, and
 - (b) the probability of increased erosion or other land degradation processes.
- (4) Before granting consent to development on land to which this clause applies, the consent authority must be satisfied that:
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.
- (5) In this clause, **topographical map** means the most current edition of a topographical map, produced by Land and Property Information, a division of the Department of Finance and Services, that identifies the Council’s local government area and boundary.

7.8 Scenic protection

- (1) The objective of this clause is to protect the natural environmental and scenic amenity of land that is of high scenic value.
- (2) This clause applies to land identified as “Scenic Protection” on the [Scenic Protection Area Map](#).
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must:
- (a) consider the visual impact of the development when viewed from a public place and be satisfied that the development will involve the taking of measures that will minimise any detrimental visual impact, and
 - (b) consider the number, type and location of existing trees and shrubs that are to be retained and the extent of landscaping to be carried out on the site, and
 - (c) consider the siting of the proposed buildings.

7.9 HMAS Albatross airspace operations

- (1) The objectives of this clause are as follows:
 - (a) to provide for the effective and on-going operation of the HMAS Albatross Military Airfield by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,
 - (b) to protect the community from undue risk from that operation.
- (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.
- (3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that:
 - (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or
 - (b) the development will not penetrate the Limitation or Operations Surface.
- (4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be carried out.
- (5) In this clause:

Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the *Obstacle Limitation Surface Map* or the *Procedures for Air Navigation Services Operations Surface Map* for the HMAS Albatross Military Airfield.

relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the HMAS Albatross Military Airfield.

7.10 Development in HMAS Albatross Military Airfield buffer area

- (1) The objectives of this clause are as follows:
 - (a) to prevent certain noise sensitive developments from being located near the HMAS Albatross Military Airfield and its flight paths,
 - (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,

(c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.

(2) This clause applies to development that:

(a) is on land that:

(i) is in the vicinity of the HMAS Albatross Military Airfield, and

(ii) is identified as “HMAS Albatross” on the [Buffers Map](#), and

(b) the consent authority considers is likely to be adversely affected by aircraft noise.

(3) Before determining a development application for development to which this clause applies, the consent authority:

(a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and

(b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2000, and

(c) must consider the ANEF contour that applies to the land on which the development is proposed, and

(d) for development for the purposes of child care centres, educational establishments, entertainment facilities, hospitals, places of public worship, public administration buildings, residential accommodation, business premises, hostels, hotel or motel accommodation, office premises or retail premises—must be satisfied that the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000.

(4) In this clause:

ANEF contour means a noise exposure contour shown as an ANEF contour on the *Noise Exposure Forecast Contour Map* for HMAS Albatross Military Airfield prepared by the Department of the Commonwealth responsible for airports.

AS 2021—2000 means AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction*.

7.11 Essential services

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

them available when required:

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

(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any of the services referred to in subclause (1).

7.12 Council infrastructure development

(1) Development may be carried out by or on behalf of the Council without development consent on any land, other than land in a heritage conservation area, land containing a heritage item or land that is an environmentally sensitive area for exempt and complying development.

(2) Subclause (1) does not apply to the following development:

- (a) the erection of a class 1–9 building under the *Building Code of Australia*,
- (b) development that is not exempt development under [State Environmental Planning Policy \(Infrastructure\) 2007](#) and has a capital value of more than \$1,000,000.

7.13 Short-term rental accommodation

(1) The objective of this clause is to ensure that residential accommodation may be used as tourist and visitor accommodation for a short term without requiring development consent.

(2) Despite any other provision of this Plan, development consent is not required for the use of residential accommodation for the purposes of tourist and visitor accommodation (except backpacker accommodation or bed and breakfast accommodation) if the use is only short-term and does not interfere generally with the amenity of the neighbourhood in any way, including by noise or traffic generation.

(3) In this clause, **short-term** means for a maximum period of 45 consecutive days in any 12 month period.

7.14 Permanent occupation in mixed use developments

(1) This clause applies to land that:

- (a) is in Zone R3 Medium Density Residential, Zone B4 Mixed Use or Zone SP3 Tourist, and
- (b) is identified as “CI 7.14” on the [Clauses Map](#).

(2) Despite any other provision of this Plan, development consent may be granted for a

mixed use development on land to which this clause applies if the development comprises both of the following land uses:

- (a) residential accommodation that is permitted with consent on that land,
 - (b) tourist and visitor accommodation that is permitted with consent on that land.
- (3) Before granting development consent under subclause (2), the consent authority must be satisfied that:
- (a) no more than 25% of the units of the mixed use development will be used for residential accommodation, or
 - (b) in the case of a facility that contains less than 4 units, only one unit may be used for residential accommodation.
- (4) If the mixed use development comprises less than four units, development consent for residential accommodation may be granted for a maximum of one unit.

7.15 Development in the vicinity of extractive industries and sewage treatment plants

- (1) The objective of this clause is to protect the operational environment of certain industries operating on the land to which this clause applies.
- (2) This clause applies to land identified as “Extractive Industry” and “Sewage Treatment Plant” on the [Buffers Map](#).
- (3) Development consent must not be granted to the carrying out of development on land to which this clause applies unless the consent authority has:
 - (a) made an assessment of the impact of noise, odour and other emissions from any industry carried out on that land, and
 - (b) considered the potential impact of noise, odour and other emissions associated with that industry on any activities that will be associated with the development, and
 - (c) considered any opportunities to relocate the development outside that land, and
 - (d) has considered whether the development would adversely affect the operational environment of that industry.

7.16 Ground floor development on land in Zone B3

- (1) The objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people.
- (2) Development consent must not be granted to development on the ground floor of a building on land in Zone B3 Commercial Core unless the consent authority is satisfied

that the ground floor of the building:

- (a) will not be used for the purpose of residential accommodation, other than lobbies for any commercial, residential, serviced apartment or hotel component of the development, and
- (b) will be used to provide access for fire services or vehicle access, and
- (c) will have at least one entrance and at least one other door or window on the front of the building facing the street, other than a service lane.

7.17 Development of serviced apartments in association with registered clubs

- (1) The objective of this clause is to provide for serviced apartments in association with registered clubs in certain zones.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU5 Village,
 - (b) Zone R1 General Residential,
 - (c) Zone B5 Business Development,
 - (d) Zone RE2 Private Recreation.
- (3) Development consent must not be granted to development for the purpose of serviced apartments on land to which this clause applies unless the consent authority is satisfied that the serviced apartments will be part of a mixed use development that includes a registered club.

7.18 Larger floor space for home businesses and home industries in certain zones

- (1) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone R5 Large Lot Residential,
 - (e) Zone E3 Environmental Management,
 - (f) Zone E4 Environmental Living.
- (2) Despite any other provision of this Plan, if development for the purposes of a home business or a home industry is permitted under this Plan on land to which this clause applies, the carrying on of the business or industry must not involve the use of more

than 100 square metres of floor area.

7.19 Development of the Nowra Civic Precinct

- (1) This clause applies to land identified as “Cl 7.19” on the [Clauses Map](#).
- (2) Before development is carried out on land to which this clause applies, there must be a development control plan for the land that complies with subclause (3).
- (3) The development control plan must deal with all of the following:
 - (a) urban design principles to apply to the development in relation to the built form, character and siting of buildings, building envelopes (including heights and setbacks), landscaping, the interface between buildings and the existing and proposed public domain, views, privacy, solar access and security, and other design elements, with an explanation of how they relate to an analysis of the land and its context,
 - (b) proposals for the distribution of the major land uses, including public and private access and open space,
 - (c) proposals relating to the mitigation of environmental impacts, including noise attenuation, flood mitigation, water and soil management, remediation of contaminated land, solar access, energy efficiency and environmental sustainability,
 - (d) proposals for access, including public transport, pedestrian, cycle and road access and circulation networks, as well as local traffic and parking management,
 - (e) proposals for the enhancement of, and integration with, the existing and proposed public domain,
 - (f) proposed patterns of amalgamation of lots and subdivision,
 - (g) proposals for landscaping (including any tree retention or removal),
 - (h) concept plans showing the indicative layout, form and scale of proposed buildings,
 - (i) proposals regarding heritage conservation,
 - (j) any other matter required in writing by the consent authority.
- (4) Subclause (2) does not apply to development that the consent authority is satisfied is of a minor nature only, if the consent authority is satisfied that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.

7.20 Development in the Jervis Bay region

- (1) The objectives of this clause are as follows:
 - (a) to protect the natural and cultural values of the Jervis Bay region,
 - (b) to ensure that development in the region contributes to the natural and cultural values of the region.
- (2) This clause applies to land in the Jervis Bay region identified as “CI 7.20” on the [Clauses Map](#).
- (3) Development consent must not be granted to development in a coastal sand dune area, on a rocky headland or on a flat, well-drained area along a major creekline unless the consent authority is satisfied that there will be no significant adverse impact on the natural or cultural values of the area.
- (4) Development in the vicinity of the Point Perpendicular lighthouse group (including the lighthouse, generator, annexe, three residences and ancillary structure), being land to which this clause applies, must be compatible with that group and be complementary to that group in terms of design and external colour.
- (5) Development in the vicinity of the Huskisson Tapalla Point rock platform, being land to which this clause applies, must be compatible with that geological site.
- (6) Development on land to which this clause applies and identified as “Biodiversity—habitat corridor” on the [Terrestrial Biodiversity Map](#) must be designed to:
 - (a) minimise disturbance to the existing structure and species composition of native vegetation communities, and
 - (b) allow native fauna and flora to feed, breed, disperse, colonise or migrate (whether seasonally or nomadically), and
 - (c) regenerate and revegetate degraded lands with local native species.Evidence of how these criteria are achieved is to be submitted with any application to develop land that is subject to this subclause.
- (7) If a development application for development on land to which this clause applies involves a public utility undertaking, or a public or private access road through land identified as “Biodiversity—habitat corridor” on the [Terrestrial Biodiversity Map](#), development consent must not be granted for the development unless the consent authority is satisfied that there will be no significant adverse impacts on the ecology of that habitat corridor.
- (8) Development consent must not be granted for development on land to which this

clause applies and specifically identified as “Disturbed habitat and vegetation CI 7.20” on the [Terrestrial Biodiversity Map](#) unless the consent authority is satisfied that the development is designed to maximise the retention of native vegetation and the rehabilitation of degraded areas.

- (9) Development consent must not be granted for development for tourist and visitor accommodation and ancillary facilities on land to which this clause applies unless the consent authority is satisfied that the development will contribute to:
- (a) the variety of activities and accommodation for visitors, and
 - (b) visitor appreciation of the natural and cultural values of the region.

7.21 Development on land in the vicinity of the Western Bypass Corridor

- (1) The objectives of this clause are as follows:
- (a) to minimise any visual or acoustic impacts on development proposed in the vicinity of the land to which this clause applies,
 - (b) to ensure that development proposed in the vicinity of that land will not compromise, restrict or otherwise prevent the future use of that land as a road.
- (2) This clause applies to land identified as “CI 7.21” on the [Clauses Map](#).
- (3) Despite any other provision of this Plan, development consent must not be granted for development on land in the vicinity of the land to which this clause applies unless the consent authority has assessed the following:
- (a) the impact of noise, vibrations and other emissions from any future construction and the ongoing use of that land as a road,
 - (b) if the proposed development is a subdivision of land—whether or not the development would prejudice or otherwise restrict the future construction (including the provision of any public utility infrastructure) and operation of the proposed road.

7.22 Subdivision of land at Garrads Lane, Milton and The Heights, Narrawallee

- (1) This clause applies to land identified as “CI 7.22” on the [Clauses Map](#), being Lot 33, DP 794398 and Lot 9, DP 250361, Garrads Lane, Milton.
- (2) Despite Part 2 of this Plan, development consent may be granted for development on the land to which this clause applies for one or more of the following purposes:
- (a) the subdivision of the land into a total of 6 lots, one lot having an area of approximately 19.4 hectares and 5 other lots each having an area of at least 7 hectares,

- (b) the erection of a dwelling house on each of the five smaller lots.

7.23 Development on land at Seascope Close, Narrawallee

- (1) This clause applies to land identified as “Cl 7.23” on the [Clauses Map](#), being land that is part of Lot 29, DP 874275, Seascope Close, Narrawallee.
- (2) Development consent must not be granted to the subdivision of, or other development on, land to which this clause applies unless:
 - (a) a landscape plan of management for the land that is of a standard satisfactory to the consent authority has been prepared, showing how the visual quality of the land is to be protected through the retention of existing vegetation, and
 - (b) the consent authority has considered the provision of suitable access to protect the land in Zone R2 Low Density Residential from bush fires located on the western edge of the land.
- (3) Development consent may be granted to subdivide land to which this clause applies to create one lot that is comprised partly of land on which a dwelling-house may be erected in Zone R2 Low Density Residential and all of the land in Zone E2 Environmental Conservation that is situated to the west of the land in Zone R2 Low Density Residential.
- (4) Development consent may be granted under subclause (3) only if the consent authority is satisfied that adequate measures will be taken to preserve the vegetation on land in Zone E2 Environmental Conservation.

7.24 Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.
- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:
 - (a) whether the premises will be located on land that adjoins, is directly opposite to or is separated only by a local road from land:
 - (i) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or
 - (ii) used for the purposes of a child care centre, a community facility, a school or a place of public worship,
 - (b) the impact of the development and its hours of operation on any place likely to be regularly frequented by children:

- (i) that adjoins the development, or
- (ii) that can be viewed from the development, or
- (iii) from which a person can view the development.

7.25 Development on land at Moss Vale Road, Kangaroo Valley

- (1) This clause applies to land at Moss Vale Road, Kangaroo Valley, being Lot 14, DP 773481 (the **original lot**).
- (2) Despite any other provision of this Plan, development consent may be granted to subdivide the original lot to create other lots (the **resulting lots**) if:
 - (a) two of the resulting lots:
 - (i) will each contain land in Zone R5 Large Lot Residential that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land, and
 - (ii) will together contain all of the land in Zone E3 Environmental Management that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (3) Development consent must not be granted to the subdivision of land under subclause (2) unless the consent authority is satisfied that:
 - (a) one of the resulting lots referred to in paragraph (b) will contain multi dwelling housing that comprises no more than 6 dwellings, and
 - (b) all other resulting lots will contain a single dwelling house, and
 - (c) the subdivision will not result in more than 12 resulting lots.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 431 Princes Highway, Bomaderry

- (1) This clause applies to land identified as “Sch 1.8” on the [Clauses Map](#), being Lot 1, DP 784506, 431 Princes Highway, Bomaderry.
- (2) Development for the purposes of car parks is permitted with development consent.

2 Use of certain land at Dolphin Point Road, Dolphin Point.

- (1) This clause applies to land identified as “Sch 1.2” on the [Clauses Map](#), being Lot 12, DP 1104789, Dolphin Point Road, Dolphin Point.

- (2) Development, being the construction of a single dwelling house only (ancillary to the existing caravan park) on the elevated portion of the land that is above 10m Australian Height Datum, is permitted with development consent.

3 Use of certain land at Princes Highway, Falls Creek

- (1) This clause applies to land identified as “Sch 1.7” on the [Clauses Map](#), being Lots 68 and 69, DP 15507, Princes Highway, Falls Creek.
- (2) Development for the purpose of industries, being the manufacture of timber frames and trusses and associated uses, is permitted with development consent.

4 Use of certain land at Alma Avenue, Fisherman’s Paradise

- (1) This clause applies to land identified as “Sch 1.1” on the [Clauses Map](#), being Lot 2, DP 1086441, Alma Avenue, Fisherman’s Paradise.
- (2) Development for the purpose of a service station is permitted with development consent.

5 Use of certain land at Greens Road, Greenwell Point

- (1) This clause applies to land identified as “Sch 1.10” on the [Clauses Map](#), being Lot 118, DP 45810, Greens Road, Greenwell Point.
- (2) Development for the purpose of rural industries, being the processing of fish (oysters), is permitted with development consent.

6 Use of certain land at Manyana

- (1) This clause applies to land identified as “Sch 1.15” on the [Clauses Map](#), being Lot 204, DP 755923, (Portion 204), Sunset Strip, Manyana, that part of Lot 106, DP 755923, (Portion 106), Inyadda Drive, Manyana that is in Zone E3 Environmental Management; and that part of Lot 1070, DP 836591, Curvers Drive, Manyana that is in Zone E3 Environmental Management.
- (2) Development for the purposes of advertising structures, amusement centres, community facilities, food and drink premises, function centres, helipads, heliports, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor) and registered clubs is permitted with development consent.

7 Use of certain land at 13 Wilfords Lane, Milton

- (1) This clause applies land identified as “Sch 1.9” on the [Clauses Map](#), being Lot 1, DP 531751, 13 Wilfords Lane, Milton.
- (2) Development for the purpose of industries, being a concrete batching plant, is permitted with development consent.

8 Use of certain land at Windward Way, Milton

- (1) This clause applies to land identified as “Sch 1.12” on the [Clauses Map](#), being Lot 1, DP 780801 and Lot 1, DP 737576, Windward Way, Milton.
- (2) Development for the purpose of seniors housing is permitted with development consent, but only if the consent authority is satisfied of the following:
 - (a) any public utility infrastructure that is essential for the development is available or that adequate arrangements have been made to make that infrastructure available when required,
 - (b) a traffic study has been prepared to assess the impact of the development on the Princes Highway and the local road network.

9 Use of certain land in Maisie Williams Drive, Mollymook

- (1) This clause applies to land identified as “Sch 1.13” on the [Clauses Map](#), being Lot 621, DP 804355, Maisie Williams Drive, Mollymook.
- (2) Development for the purposes of dwelling houses or dual occupancies is permitted with development consent.

10 Use of certain land in the Nowra-Bomaderry Urban Release Area

- (1) This clause applies to land identified as “Sch 1.5” on the [Clauses Map](#), being land that is in the Nowra-Bomaderry Urban Release Area.
- (2) Development for the purposes of office premises and service stations is permitted with development consent.

11 Use of certain land at 96 Albatross Road, South Nowra

- (1) This clause applies to land identified as “Sch 1.11” on the [Clauses Map](#), being Lot 460, DP 1062117, 96 Albatross Road, South Nowra.
- (2) Development for the purposes of registered clubs and tourist and visitor accommodation is permitted with development consent.

11A Use of certain land at Wandra and Advance Roads, Verons Estate, Sussex Inlet

- (1) This clause applies to land identified as “Sch 1.18” on the [Clauses Map](#), being part of Lots 1-19, DP 9897, Wandra and Advance Roads, Verons Estate, Sussex Inlet.
- (2) Development for the purposes of extensive agriculture is permitted with development consent.

12 Use of certain land at 188 Camden Street, Ulladulla

- (1) This clause applies to land identified as “Sch 1.14” on the [Clauses Map](#), being Lot 1,

DP 1137716, 188 Camden Street, Ulladulla.

- (2) Development for the purpose of aquaculture (including pond-based aquaculture) is permitted with development consent.

13 Use of certain land at Vincentia District Town Centre

- (1) This clause applies to the land identified as “Sch 1.6” on the [Clauses Map](#), being land that is in Vincentia District Town Centre.
- (2) Development for the purposes of bulky goods premises, garden centres, hardware and building supplies, landscaping material supplies, plant nurseries and timber yards is permitted with development consent.

14 Use of certain land at Yalwal Road, West Nowra

- (1) This clause applies to land identified as “Sch 1.3” on the [Clauses Map](#), being Lot 432, DP 723151, Yalwal Road, West Nowra.
- (2) Development for the purpose of Aboriginal community housing to a total of 16 dwellings is permitted with development consent.

15 Use of certain land at Wollumboola

- (1) This clause applies to land identified as “Sch 1.17” on the [Clauses Map](#), being Lot 1, DP 1151723, Wollumboola.
- (2) Development for the purpose of a camping ground is permitted with development consent.

16 Use of certain land at Braidwood Road and Yerriyong Road, Yerriyong

- (1) This clause applies to the land identified as “Sch 1.16” on the [Clauses Map](#), being Lot 7309, DP 1148878, Braidwood Road, Yerriyong, and Lot 7308, DP 1147573 that is in Zone SP2 Infrastructure at Yerriyong Road, Yerriyong.
- (2) Development for the purpose of recreation facilities (major), being a motor sports facility, is permitted with development consent.

17 Use of certain land at Yerriyong Lane, Yerriyong

- (1) This clause applies to the land identified as “Sch 1.4” on the [Clauses Map](#), being land at Yerriyong Lane, Yerriyong, in the vicinity of HMAS Albatross.
- (2) Development for the purposes of car parks, garden centres, horticulture, landscaping material supplies and light industries is permitted with development consent.

Schedule 2 Exempt development

(Clause 3.1)

Note 1—

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

Note 2—

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

Dairies (pasture-based)

- (1) Must be on land in Zone RU1 Primary Production or Zone RU2 Rural Landscape.
- (2) Must not be on land identified as “Biodiversity—habitat corridor” or “Biodiversity—significant vegetation” on the [Terrestrial Biodiversity Map](#).
- (3) Must not be on land identified as “Riparian Land” on the [Riparian Lands and Watercourses Map](#).
- (4) Must not be on land identified as “Sensitive Area” on the [Natural Resource Sensitivity—Land Map](#).
- (5) Must not be on land identified as “Class 1”, “Class 2”, “Class 3”, “Class 4” or “Class 5” on the [Acid Sulfate Soils Map](#).

Horticulture

- (1) Must be on land in Zone RU1 Primary Production or Zone RU2 Rural Landscape.
- (2) Must not be on land identified as “Biodiversity—habitat corridor” or “Biodiversity—significant vegetation” on the [Terrestrial Biodiversity Map](#).
- (3) Must not be on land identified as “Riparian Land” on the [Riparian Lands and Watercourses Map](#).
- (4) Must not be on land identified as “Sensitive Area” on the [Natural Resource Sensitivity—Land Map](#).
- (5) Must not be on land identified as “Class 1”, “Class 2”, “Class 3”, “Class 4” or “Class 5” on the [Acid Sulfate Soils Map](#).

Lighting (external)

- (1) Must not be for the lighting of tennis courts or sports fields.

- (2) Must not be directed onto adjoining properties or a road.
- (3) Must not be directed onto a classified road under the [Roads Act 1993](#).

Private electricity service poles

Must be installed in accordance with the requirements of Endeavour Energy.

Solid fuel heaters (including oil-fired appliances)

- (1) Must be tested to comply with AS/NZS 4012:1999 *Domestic solid fuel burning appliances—Method for determination of power output and efficiency* and AS/NZS 4013:1999 *Domestic solid fuel burning appliances—Method for determination of flue gas emission*.
- (2) Must be installed in accordance with AS/NZS 2918:2001 *Domestic solid fuel burning appliances—Installation*.
- (3) If a boiler or pressure vessel—must be installed in accordance with AS/NZS 1200:2000 *Pressure equipment*.
- (4) Flues and chimneys must not terminate in such a position as to constitute:
 - (a) a risk of fire to nearby combustibles, or
 - (b) a risk of penetration of the flue gases through nearby windows or other openings, fresh air inlets, mechanical ventilation inlets or exhausts, or the like.
- (5) Flue and chimney heights must be at least 1.0m above the height of any structure or topographical feature within a 15m radius of the chimney with a maximum chimney height of 2m above the ridge of the roof on which it is installed.

Schedule 3 Complying development

(Clause 3.2)

Note—

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

Part 1 Types of development

(When this Plan was made this Part was blank)

Part 2 Complying development certificate conditions

Note—

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

General conditions

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

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

| Column 1 | Column 2 |
|---|---------------------|
| Locality | Description |
| Coolangatta, Bolong Road | Lot 12, DP 617101 |
| Coolangatta, Bolong Road | Lot 3, DP 597223 |
| Shoalhaven Heads, Shoalhaven Heads Road | Lot 21, DP 252581 |
| St Georges Basin, Island Point Road | Lot 4, DP 550354 |
| Sussex Inlet, Edgewater Avenue | Lot 35, DP 226342 |
| Vincentia, Lively Street | Lot 2081, DP 216860 |

Part 2 Land classified, or reclassified, as operational land—interests changed

| Column 1 | Column 2 | Column 3 |
|----------|-------------|-------------------------------|
| Locality | Description | Any trusts etc not discharged |
| Nil | | |

Part 3 Land classified, or reclassified, as community land

| Column 1 | Column 2 |
|----------|-------------|
| Locality | Description |
| Nil | |

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

| Locality | Item | Address | Property description | Significance | Item no |
|--------------|---|-------------------------------|--|--------------|---------|
| Back Forest | Victorian weatherboard farmhouse | 235A Back Forest Road | Lot 1, DP 629802 | Local | 1 |
| Back Forest | Berry Estate former pumping station | 255 Back Forest Road | Lot 1, DP 1064332 | Local | 2 |
| Back Forest | Federation weatherboard farmhouse and outbuildings | 37 Bailleul Lane (private) | Lot 5, DP 883117 | Local | 3 |
| Bamarang | "Bamarang"—Victorian sandstone homestead and cemeteries | 72 Bamarang Road | Lot 20, DP 746233 | Local | 4 |
| Bangalee | "Weir"—family graves | Bangalee Scout Camp Road | Lot 48, DP 751273 | Local | 5 |
| Barrengarry | "Cavan"—dairy farm complex | 30 Cavan Road | Lot 7, DP 869740 | Local | 6 |
| Barrengarry | Barrengarry Store, post office and residence | 2167 Moss Vale Road | Lot 11, DP 3237 | Local | 7 |
| Barrengarry | "Rosedale"—Victorian farmhouse and outbuildings | 2240 Moss Vale Road | Lot 101, DP 623325 | Local | 8 |
| Barrengarry | Former Barrengarry School and schoolmaster's residence | 2565 Moss Vale Road | Lot 2565, DP 1118533 | Local | 9 |
| Barrengarry | "Ascot"—dairy farm complex | 49 Upper Kangaroo River Road | Lot 18, DP 773481 | Local | 10 |
| Barrengarry | "Oakleigh"—(former gatehouse to Barrengarry House) | 89 Upper Kangaroo River Road | Lot 1, DP 746459 | Local | 11 |
| Barrengarry | "Barrengarry House"—two storey Victorian estate complex including tree-lined drive and approaches | 171 Upper Kangaroo River Road | Lot 1 DP 259769; Part Lot 1, DP 195569 | Local | 12 |
| Bawley Point | 1830s colonial road | Johnston Street | Lot 7300, DP 1126283 | Local | 15 |
| Bawley Point | Relocated Bawley Point mill worker's cottage | 10 Johnston Street | Lot A, DP 380422 | Local | 13 |

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|--------------------|---|-----------------------------|---|-------|----|
| Bawley Point | Bawley Point guesthouse and trees | 21 Johnston Street | Lot 43, DP 1038219 | Local | 14 |
| Bawley Point | "Murramarang"—former colonial estate house | 226 Murramarang Road | Lot 23, DP 571930 | Local | 16 |
| Bawley Point | Bawley Point sawmill and wharf (former) | Tingira Drive | Lots 120–129, DP 755961; Lot 7004, DP 1057514 | Local | 17 |
| Beaumont | Cambewarra Lookout manager's residence and garden | 182 Cambewarra Lookout Road | Lot 2, DP 849185 | Local | 18 |
| Beecroft Peninsula | Wreck of the "Merimbula" | Beecroft Parade | Lot 7306, DP 1128620 | Local | 19 |
| Beecroft Peninsula | Point Perpendicular lighthouse group | Lighthouse Road | Lots 51 and 52, DP 837775 | Local | 20 |
| Bellawongarah | Bellawongarah Cemetery | Kangaroo Valley Road | Lots 1–5, DP 1115368; Lot 1, DP 115445; Lot 1, DP 1034714; Lot 7301, DP 1152357 | Local | 22 |
| Bellawongarah | Former Bellawongarah Church | 869 Kangaroo Valley Road | Lots 9 and 10, DP 113374 | Local | 21 |
| Berry | Federation weatherboard cottage and garden | 21 Albany Street | Lot 4, DP 375126 | Local | 24 |
| Berry | Inter-war Federation style weatherboard cottage and fence | 23 Albany Street | Lot B, DP 350396 | Local | 25 |
| Berry | Victorian Georgian style weatherboard cottage | 25 Albany Street | Lot 61, DP 826592 | Local | 26 |
| Berry | Victorian Georgian style weatherboard cottage | 19 Albert Street | Lot A, DP 408003 | Local | 27 |
| Berry | Federation weatherboard cottage | 54 Albert Street | Lot 17, Section 10, DP 8058 | Local | 28 |
| Berry | Victorian carpenter gothic style hall | 77 Albert Street | Lot 100, DP 1172397 | Local | 29 |
| Berry | <i>Agathis robusta</i> (Kauri Pine) | Alexandra Street | Road reserve in front of Lot 2, DP 17926 | Local | 33 |

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|-------|--|---------------------|---|-------|-----|
| Berry | <i>Araucaria cunninghamii</i> (Hoop Pine) | Alexandra Street | In the road reserve adjacent to Lot A, DP 411591 | Local | 37 |
| Berry | Avenue of Remembrance (tree-lined) | Alexandra Street | Road reserve in front of Lot 26, Section 5, DP 8058 | Local | 35 |
| Berry | Berry War Memorial Park including sandstone war memorial | Alexandra Street | Lot 26, Section 5, DP 8058 | Local | 34 |
| Berry | David Berry Memorial Park including David Berry Memorial Column and pedestal | Alexandra Street | Part Lot 10, DP 751268 | Local | 36 |
| Berry | Former Federation brick butcher's shop | 14 Alexandra Street | Lot 1, DP 513688 | Local | 30 |
| Berry | Berry School of Arts | 19 Alexandra Street | Lot 8, DP 924675 | Local | 31 |
| Berry | Berry showground group and trees including Victorian agricultural pavilion, rotunda, poultry shed, wood chopping arena, cattle yards, Alexandra Street entrances, Sir John Hay Memorial Fountain, former Berry Municipal Chambers, <i>Araucaria bidwilli</i> (Bunya Pine), <i>Araucaria cunninghamii</i> (Hoop Pines), <i>Ficus sp</i> (Fig tree), <i>Erythrina sp</i> (Coral trees), <i>Eucalyptus sp</i> (Eucalyptus trees), <i>Magnolia sp</i> (Magnolias), <i>Photinia serratifolia</i> (Photinia), <i>Callitris macleayana</i> (Cypress), <i>Cinnamomum camphora</i> (Camphor Laurels) and <i>Camellia sp</i> (Camellias) | 35 Alexandra Street | Lot 1, DP 940561 | Local | 32 |
| Berry | Harley Hill Cemetery | Beach Road | Lot 1, DP 723973 | Local | 38 |
| Berry | Victorian school and trees | 1 Clarence Street | Lot 12, DP 882716 | Local | 108 |

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|-------|---|-------------------------|--|-------|----|
| Berry | Inter-war group of institutional brick and weatherboard buildings and trees | 660 Coolangatta Road | Lot 1, DP 131859 | Local | 40 |
| Berry | Remnant old growth eucalypts | George Street | Road reserve off George Street | Local | 41 |
| Berry | Berry General Cemetery | Kangaroo Valley Road | Lot 71, DP 4468 | Local | 43 |
| Berry | <i>Eucalyptus pilularis</i> (Blackbutt) | 42 Kangaroo Valley Road | Lot 2, DP 773489 and the adjacent road reserve | Local | 42 |
| Berry | <i>Calodendrum capense</i> (Cape Chestnut) | King Street | On the corner of King Street and Victoria Street in the road reserve adjacent to Lot 1, DP 710284 | Local | 45 |
| Berry | <i>Syncarpia glomulifera</i> (Turpentine tree) | 10 King Street | Lot 23, DP 375126 | Local | 44 |
| Berry | Roman Catholic church including grounds and two storey brick convent | 80 North Street | Lot 1, DP 86897 | Local | 46 |
| Berry | Bill's concrete horse trough | Prince Alfred Street | Road reserve on the corner of Prince Alfred Street and the Princes Highway adjacent to Lot 2, DP 572830 | Local | 60 |
| Berry | James Wilson Memorial Fountain | Prince Alfred Street | Road reserve on the corner of Prince Alfred Street and the Princes Highway adjacent to Lot 11, DP 816490 | Local | 61 |
| Berry | Federation weatherboard cottage including brick stables and hedge | 10 Prince Alfred Street | Lot 1, DP 572830 | Local | 47 |
| Berry | Apex Park | 12 Prince Alfred Street | Lot 2, DP 572830 | Local | 48 |
| Berry | Former Federation weatherboard shop | 21 Prince Alfred Street | Lot 16, Section 3, DP 8058 | Local | 50 |

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|-------|--|-------------------------|------------------------------------|-------|----|
| Berry | Former Berry Estate Bakery and residence | 23 Prince Alfred Street | Lot 2, DP 532935 | Local | 51 |
| Berry | Federation weatherboard cottage | 25 Prince Alfred Street | Lot A, DP 380097 | Local | 52 |
| Berry | Federation weatherboard cottage and trees | 31 Prince Alfred Street | Lot 3, DP 932362 | Local | 53 |
| Berry | Federation weatherboard cottage and garden | 32 Prince Alfred Street | Lot 1, DP 970121 | Local | 54 |
| Berry | <i>Araucaria heterophylla</i> (Norfolk Island Pines-2) | 40 Prince Alfred Street | Lot 1, DP 950717 | Local | 55 |
| Berry | Georgian style weatherboard cottage | 43 Prince Alfred Street | Lot 17, Section 5, DP 8058 | Local | 56 |
| Berry | Federation weatherboard cottage | 47 Prince Alfred Street | Lot 19, Section 5, DP 8058 | Local | 57 |
| Berry | Victorian Georgian style weatherboard cottage and trees including <i>Araucaria cunninghamii</i> (Hoop Pines-2) and <i>Brachychiton acerifolius</i> (Illawarra Flame trees-3) | 53 Prince Alfred Street | Lot 56, DP 701877 | Local | 58 |
| Berry | Victorian Georgian style gatekeeper's cottage | 66 Prince Alfred Street | Lot 1, DP 1022140 | Local | 59 |
| Berry | "Constables Cottage"—Victorian Georgian style weatherboard cottage and garden | A15 Princes Highway | Lot 1, DP 558065; Lot 5, DP 600374 | Local | 62 |
| Berry | "Mananga"—Berry Estate manager's farm complex | A40 Princes Highway | Lot 101, DP 1057897 | Local | 63 |
| Berry | <i>Quercus virginiana</i> (American Live Oak) | Princess Street | Lot 1012, DP 872963 | Local | 69 |
| Berry | Inter-war weatherboard Californian bungalow | 52 Princess Street | Lot 1, DP 304729 | Local | 64 |
| Berry | Inter-war weatherboard and fibro cottage | 54 Princess Street | Lot 18, Section 8, DP 8058 | Local | 65 |
| Berry | Inter-war brick residence including doctor's surgery and garden | 65 Princess Street | Lots 8 and 9, Section 3, DP 8058 | Local | 66 |
| Berry | Former two storey Anglican rectory and garden | 68 Princess Street | Lot 20, DP 840778 | Local | 67 |

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|-------|---|---------------------|------------------------------|-------|----|
| Berry | St Luke's Anglican Church including memorial gates and trees, including <i>Araucaria heterophylla</i> (Norfolk Island Pine) | 68A Princess Street | Lot 21, DP 840778 | Local | 68 |
| Berry | Colonial style weatherboard store (former Wilson and Co store), and <i>Araucaria heterophylla</i> (Norfolk Island Pines-2) | 1 Pulman Street | Lot 1, DP 724944 | Local | 70 |
| Berry | Colonial weatherboard cottage (former curate's cottage) | 3 Pulman Street | Lot 23, DP 1017132 | Local | 71 |
| Berry | "Lynstowe"—Colonial style weatherboard cottage and former grist mill | 11 Pulman Street | Lot 20, DP 5270 | Local | 72 |
| Berry | Farmhouse and Broughton Creek former grist mill (former Tindal's farm) | 13 Pulman Street | Lot 1, DP 629875 | Local | 73 |
| Berry | Pulman's Weatherboard Farmhouse | 30 Pulman Street | Lots 210 and 211, DP 1124317 | Local | 74 |
| Berry | Two storey Victorian rendered brick shop | Queen Street | Lot 7, DP 825542 | Local | 92 |
| Berry | Federation weatherboard cottage | 50 Queen Street | Lot 1, DP 530751 | Local | 75 |
| Berry | Mid-twentieth century residence including pool and garden | 60-62 Queen Street | Lots 1 and 2, DP 1109325 | Local | 76 |
| Berry | Relocated Federation weatherboard cottage | 65 Queen Street | Lot 1, SP 77007 | Local | 77 |
| Berry | Inter-war Spanish mission style bungalow and garden | 66 Queen Street | Lot 1, DP 619195 | Local | 78 |
| Berry | Victorian Georgian style weatherboard residence | 78 Queen Street | Lot 2, DP 270250 | Local | 79 |
| Berry | Federation weatherboard cottage | 81 Queen Street | Lot A, DP 369043 | Local | 80 |
| Berry | Former Federation blacksmith's shop including <i>Cinnamomum camphora</i> (Camphor Laurel) | 83 Queen Street | Lot B, DP 369043 | Local | 81 |
| Berry | Two storey Federation residence and garden | 89 Queen Street | Lot B, DP 400209 | Local | 82 |

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|-------|---|----------------------|--|-------|-----|
| Berry | Inter-war Art Deco style shop | 102 Queen Street | Lot 1011, DP 872963 | Local | 83 |
| Berry | Two storey Victorian Italianate style shop | 105 Queen Street | Lot 1, DP 778335 | Local | 84 |
| Berry | Former Victorian Free Classical style estate office | 110 Queen Street | Lot 2, DP 209665 | Local | 85 |
| Berry | Inter-war weatherboard shop | 114-118 Queen Street | Lot 1, DP 121360; Lot X, DP 418264 | Local | 86 |
| Berry | Two storey Victorian hotel and detached kitchen including <i>Acmena smithii</i> (Lilly Pillies-2) | 120 Queen Street | Lot 1, DP 578257 | Local | 87 |
| Berry | Former CBC bank including fence and trees | 122 Queen Street | Lot 1, DP 742700 | Local | 88 |
| Berry | Federation weatherboard shop | 131 Queen Street | Lot 1, DP 1009635 | Local | 89 |
| Berry | Berry Museum, former E S and A Bank and garden | 135 Queen Street | Lot 1, DP 221105 | State | 90 |
| Berry | Victorian Free Classical style post office | 137 Queen Street | Lots 1 and 2, DP 1111478 | Local | 91 |
| Berry | <i>Toona australis</i> (Australian Red Cedar) | 11 Station Road | Lot 55, DP 701877 | Local | 93 |
| Berry | Berry Railway Station group including Victorian Georgian style stationmaster's cottage, <i>Ilex cornuta</i> (Chinese Holly) and <i>Gardenia thunbergia</i> (Gardenia) | 34 Station Road | Lot 2, DP 1001740 | State | 94 |
| Berry | <i>Populus nigra italica</i> (Lombardy Poplars-23) | Tannery Road | Road reserve | Local | 97 |
| Berry | David Berry Hospital complex including gatehouse, stained glass window, garden, trees and remnant rainforest | 85 Tannery Road | Part DP 924054 | State | 95 |
| Berry | "Woodside Park"—dairy farm complex and gatehouse | 94A Tannery Road | Lot 2, DP 731117; Lots 1 and 2, DP 1038647 | Local | 96 |
| Berry | Mark Radium Park | Victoria Street | Lot 10, DP 1188080 | Local | 109 |

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|----------------|--|--------------------------|------------------------------------|-------|-----|
| Berry | Inter-war Georgian style weatherboard cottage | 23 Victoria Street | Lot 2, DP 519970 | Local | 98 |
| Berry | Former Presbyterian manse and garden | 36 Victoria Street | Lot B, DP 163935 | Local | 99 |
| Berry | Inter-war schoolmaster's residence | 40 Victoria Street | Lot 11, DP 882716 | Local | 100 |
| Berry | <i>Melaleuca decora</i> (Paper Barks-2) | 51A Victoria Street | Lot 101, DP 1125002 | Local | 101 |
| Berry | Victorian Georgian style police residence and lockup | 56 Victoria Street | Lot 1, DP 199995 | Local | 102 |
| Berry | Victorian Classical Academic style court house including <i>Cinnamomum camphora</i> (Camphor Laurel) | 58 Victoria Street | Lot 2, DP 199995 | State | 103 |
| Berry | Federation weatherboard cottage | 65 Victoria Street | Lot 11, Section 8, DP 8058 | Local | 104 |
| Berry | Federation weatherboard cottage and trees | 71 Victoria Street | Lot 2, DP 327819 | Local | 105 |
| Berry | Relocated Colonial weatherboard school (former Broughton Creek School) | 79 Victoria Street | Lot 4, Section 8, DP 8058 | Local | 106 |
| Berry | Inter-war Gothic style brick church and fence | 83 Victoria Street | Lot 2, Section 8, DP 8058 | Local | 107 |
| Berry | Berry Estate salt wall | Wharf Road | Lot 1, DP 568280 | Local | 110 |
| Berry | Windsor Drive Park | Windsor Drive | Lot 24, DP 248248 | Local | 111 |
| Berry | <i>Populus nigra italica</i> (Lombardy Poplars-9) | Woodhill Mountain Road | Road reserve | Local | 112 |
| Berry Mountain | "Cobbadah"—dairy farm complex including garden, dry stone walls and survey marks | Ben Dooley Road | Lots 1210 and 1211, DP 1099097 | Local | 113 |
| Berry Mountain | "Glenworth"—two storey residence and grounds | 466 Kangaroo Valley Road | Lots 4, 7 and 8, DP 1037100 | Local | 114 |
| Bewong | Federation weatherboard farmhouse (McDonalds) | Princes Highway | Lot 3, DP 209048; Lot 1, DP 200251 | Local | 115 |
| Bolong | Berry Estate vertical timber slab cottage and outbuildings | 459 Bolong Road | Lot 10, DP 1052770 | Local | 116 |

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|-----------|---|----------------------|-------------------------------------|-------|-----|
| Bolong | "Beuna Vista"—dairy farm complex including Berry Estate vertical timber slab barn | 500 Bolong Road | Lot 1; DP 655442; Lot 1, DP 1034357 | Local | 117 |
| Bolong | Berry Estate timber stud framed flood boatshed | Jennings Lane | Lot 1, DP 872745 | Local | 120 |
| Bolong | Former Bolong Public School including shelter shed and relocated Carpenter Gothic style Bolong Union Church | 8 Jennings Lane | Lots 3 and 4, DP 1108931 | Local | 118 |
| Bolong | "Iolanthe"—dairy farm complex | 100 Jennings Lane | Lots 16, 17 and 19, DP 4266 | Local | 119 |
| Bomaderry | Former Bomaderry Primary School and trees | 5 Birriley Street | Lots 1 and 2, DP 568955 | Local | 121 |
| Bomaderry | Milk factory (former) | 31A Bolong Road | Lot 1, DP 189450 | Local | 124 |
| Bomaderry | "Greenleaves"—Federation Queen Anne style residence and grounds | 59 Bolong Road | Lot 5, Section 32, DP 2886 | Local | 122 |
| Bomaderry | Federation brick and asbestos tile residence | 67 Bolong Road | Part Lot 2, DP 324484 | Local | 123 |
| Bomaderry | Bomaderry Aboriginal Children's Homes (former United Aboriginal Mission) | Brinawarr Street | Lots 4-6, Section 29, DP 2886 | State | 125 |
| Bomaderry | "Illowra"—Federation timber Berry Estate residence and garden | 125 Brinawarr Street | Lot 2, DP 792770 | Local | 136 |
| Bomaderry | Federation weatherboard residence | 10 Coomea Street | Lot 16, Section 9, DP 2886 | Local | 126 |
| Bomaderry | Federation weatherboard residence | 12-14 Coomea Street | Lots 14 and 15, Section 9, DP 2886 | Local | 127 |
| Bomaderry | Inter-war weatherboard Californian bungalow | 21 Coomea Street | Lot 5, Section 24, DP 2886 | Local | 128 |
| Bomaderry | Victorian weatherboard residence | 37 Coomea Street | Lot 1, DP 613536 | Local | 129 |
| Bomaderry | "Lynburn"—timber Federation residence and garden | Mattes Way | Lot 23, DP 793122 | Local | 130 |

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|----------------|---|---------------------------|--|-------|-----|
| Bomaderry | Bomaderry Railway Station and yard group including Nowra-Bomaderry Railway Station and "original bar holder", Bomaderry stationmaster's house and Bomaderry railway siding group including turntable, weighbridge, goods crane and water pump | Meroo Street | Lot 3, DP 802440; Lots 1 and 2, DP 1021415; Lot 1, DP 884113 | State | 135 |
| Bomaderry | Bomaderry Presbyterian Church | 7 Meroo Street | Lot 6, Section 9, DP 2886 | Local | 131 |
| Bomaderry | Brick and asbestos tile Federation bungalow | 13 Meroo Street | Lot 9, Section 9, DP 2886 | Local | 132 |
| Bomaderry | Railwaymen's barracks | 16 Meroo Street | Lot 1, DP 854131 | Local | 133 |
| Bomaderry | Weatherboard cottage (formerly Mrs Pallett's residence) | 77 Meroo Street | Lot 1, DP 506705 | Local | 134 |
| Bomaderry | Federation Georgian style worker's cottage | 9 Tanang Street | Lot 15, Section 7, DP 2886 | Local | 137 |
| Bomaderry | Victorian weatherboard residence | 6 Tarawara Street | Lot 3, DP 775937 | Local | 139 |
| Bomaderry | Victorian weatherboard residence | 8 Tarawara Street | Lot 1, DP 552899 | Local | 138 |
| Brooman | Timber cottage group including former school, mill workers' cottages and mill manager's residence (old Brooman Town) | 1295 Brooman Road | Lot 67, DP 755912 | Local | 140 |
| Broughton | "Glenvale"—colonial vertical timber slab cottage and farm complex | A371 Princes Highway | Lot 81, DP 1188079 | Local | 141 |
| Broughton Vale | Colonial weatherboard cottage | 119 Bong Bong Road | Lot 103, DP 786955 | Local | 144 |
| Broughton Vale | Drawing room rocks | Brogers Creek Road | Barron Grounds Nature Reserve | Local | 142 |
| Broughton Vale | Broughton Vale Cemetery | 350 Broughton Vale Road | Lot 1934, DP 1100783 | Local | 143 |
| Brundee | "Berry Estate"—vertical timber slab barn (former) | 695A Greenwell Point Road | Lot 5, DP 632857 | Local | 145 |
| Buangla | Grassy gully mine site | Yalwal Road | Morton National Park | Local | 146 |

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|--------------------|---|-------------------------|---|-------|------|
| Bundewallah | Victorian Georgian style farmhouse | 218 Bundewallah Road | Lot 1, DP 706470 | Local | 147 |
| Burrier | Burrier ford | Burrier Road | Shoalhaven River in the vicinity of Lot 51, DP 862458 and Lot 2, DP 226584 | Local | 148 |
| Burrill Lake | <i>Araucaria heterophylla</i> (Norfolk Island Pine) | 4 Kendall Crescent | Lot 307, DP 15648 | Local | 150A |
| Burrill Lake | <i>Agathis robusta</i> (Kauri Pine) | McDonald Parade | McDonald Parade road reserve adjacent to land in DP 15648 | Local | 149 |
| Burrill Lake | Post-war pseudo stone Burrill Lake community hall | Princes Highway | Lot 273, DP 415059 | Local | 150 |
| Cambewarra | Colonial vertical timber slab cottage | 94 Barfield Road | Lot 1, DP 573197 | Local | 152 |
| Cambewarra | Cambewarra Rainforest Reserve | Cambewarra Lookout Road | Reserve No 57023; Lot 7300, DP 1130978; Lot 7301, DP 1131110; Lot 7302, DP 1131111; Lots 7305 and 7306, DP 1154007; Part Lot 252, DP 720937; Part Lot 2, DP 223819; Lot 3, DP 221288; Lot 103, DP 739867; Lot 1, DP 1116520 (road reserve); Lots 5 and 6, DP 1117580 (road reserve) | Local | 151 |
| Cambewarra | Evison's dairy farm complex | 49 Hockeys Lane | Lot 2, DP 621553 | Local | 153 |
| Cambewarra Village | "Llanthony Lodge"—two storey Victorian weatherboard residence | 1 Kalinga Street | Lot 101, DP 788323 | Local | 154 |
| Cambewarra Village | Former weatherboard school | Main Road | Lot 2, DP 839145 | Local | 158 |
| Cambewarra Village | Corrugated iron community hall | 75 Main Road | Lot 1, DP 725937 | Local | 155 |

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| Cambewarra Village | Federation Georgian style residence (former post office) | 77 Main Road | Lot 2, DP 240571 | Local | 156 |
| Cambewarra Village | Weatherboard gothic carpenter style Union Church | 80 Main Road | Part Lot 170, DP 751273 | Local | 157 |
| Cambewarra Village | Former schoolmaster's brick residence and garden | Tannery Road | Lot 1, DP 850699 | Local | 159 |
| Comberton | Comberton Grange (former dairy farm complex) | Comberton Grange Road | Lot 1, DP 550098 | Local | 160 |
| Comberton | Lone grave of Thomas Speechley | Forest Road | Part Lot 101, DP 755928 | Local | 161 |
| Conjola | Conjola timber trestle bridge | Murrays Road | Road reserve | Local | 164 |
| Conjola | Murray Family Cemetery | 40 Murrays Road | Lot 4, DP 864378 | Local | 163 |
| Conjola | Conjola Cemetery | Princes Highway | Lot 7037, DP 93024 | Local | 165 |
| Coolangatta | Berry-Hay Private Cemetery | Bolong Road | Lot 64B, DP 7851 | Local | 176 |
| Coolangatta | Colonial brick building (former Coolangatta Estate harness room), and Colonial weatherboard building (former Coolangatta Estate blacksmith's shop) and colonial brick and timber building (former Coolangatta Estate tinsmith's shop and residence) | Bolong Road | Part Lot 2, DP 15290 | Local | 175 |
| Coolangatta | Colonial brick building (former Coolangatta Estate office) and colonial brick hall (former Coolangatta Estate community hall) | Bolong Road | Part Lot 2, DP 223278 | Local | 173 |
| Coolangatta | Colonial brick building (former Coolangatta Estate stables) | Bolong Road | Lot 3, DP 15290 | Local | 174 |
| Coolangatta | Coolangatta Estate group | Bolong Road | Lot 10, DP 580917; Lots 1 and 4, DP 15290; Lot 1, DP 525517 | Local | 169 |
| Coolangatta | Victorian Georgian style farmhouse and trees | 1165 Bolong Road | Lot 3, DP 565593 | Local | 166 |

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| Coolangatta | Former Berry Estate brick schoolmaster's residence including garden and former weatherboard Berry Estate school | 1180 Bolong Road | Lot 1, DP 657639 | Local | 167 |
| Coolangatta | Victorian Georgian style farmhouse | 1220 Bolong Road | Lot 101, DP 836951 | Local | 168 |
| Coolangatta | "Coolangatta Park"—Victorian Federation filigree style residence and garden | 1320 Bolong Road | Part Lot 1, DP 390622 | Local | 170 |
| Coolangatta | Colonial weatherboard building (former Coolangatta Estate billiard rooms) and Colonial brick building (former Coolangatta Estate coachman's quarters) | 1335 Bolong Road | Lot A, DP 33346 | Local | 172 |
| Coolangatta | Colonial weatherboard cottage (former Coolangatta Estate convict quarters) and colonial weatherboard cottage (former Coolangatta Estate worker's cottage) and Coolangatta Estate gardens (remnants) | 1335 Bolong Road | Lot 1, DP 223278 | Local | 171 |
| Coolangatta | Coomanderry Swamp drainage channel | Coolangatta Road and Shoalhaven Heads Road | Lot 6, DP 786106; Lot 12, DP 1047067; Lot 12, DP 630628; Lot 1, DP 1196368; Lot 1, DP 706777; Lot 22, DP 1028714; Lot 2, DP 836097; Lot 1, DP 1148057; Lot 3, DP 805443; Lot 5, DP 860111; so much of DP 623346 and DP 615003 that comprises drainage reserves | Local | 39 |
| Coolangatta | "Coomanderry Park" (former estate manager's residence) | 100 Coolangatta Road | Lot 2, DP 805443 | Local | 178 |
| Croobyar | Warden Family Cemetery | Croobyar Road | Lot 1, DP 1145321 | Local | 179 |

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| Croobyar | "Sunny Vale"—dairy farm complex | 439 Croobyar Road | Lot 1, DP 725999 | Local | 180 |
| Croobyar | Old Croobyar farm and tree-lined access (former dairy farm complex) | 46 Ringland Lane | Lot 32, DP 734992 | Local | 181 |
| Croobyar | Former Victorian brick gatehouse to Mount Airlie including elm trees and orchard | 32 Woodstock Road | Lots 4 and 5, DP 589195 | Local | 182 |
| Cudmirrah | Errol Bond Memorial | Goonawarra Drive | Lot 7003, DP 1117842 | Local | 183 |
| Culburra Beach | Penguin Head geological site | Penguins Head Road | Lot 630, DP 221746 | Local | 185 |
| Culburra Beach | Moongate to former Culburra guesthouse site | 196 Penguins Head Road | Lot 657, DP 12278; Lot C, DP 357811 | Local | 184 |
| Culburra Beach | Crookhaven lighthouse complex | Prince Edward Avenue | Lot 7004, DP 1059066; Part Lot 34, DP 755971 | Local | 186 |
| Currarong | Early fibro cottage | 5 Beecroft Parade | Lot 41, DP 755903 | Local | 187 |
| Currarong | Inter-war fibro cottage | 14 Fishery Road | Lot 30, DP 16854 | Local | 188 |
| Currarong | Dolphin Reserve rotunda | 2 Piscator Avenue | Lot 222, DP 16854 | Local | 189 |
| Currowan | Brimbramalla gold mining area | Bimberamala River, Browns Gully, Clyde Ridge and Mines Road | Part of Bimberamala National Park | Local | 190 |
| Currowan | "Black Diamond"—gold mine (former) | Currowan Road | Part of State Forest No 820 | Local | 191 |
| Endrick | "Rixons"—(former coal mine) | Clyde River | Lot 8, DP 755935 | Local | 192 |
| Falls Creek | Federation period school building | 26 Vidler Road | Lots 62 and 63, DP 755965 | Local | 193 |
| Greenwell Point | Single storey Federation period gabled school house | 75 Greenwell Point Road | Lot 1, DP 869305 | Local | 194 |
| Greenwell Point | Greenwell Point progress hall | 83 Greenwell Point Road | Lot 3, Section B, DP 24007 | Local | 195 |

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| Greenwell Point | Colonial weatherboard cottage (former Greenwell Point schoolhouse) | 91 Greenwell Point Road | Lot 8, Section A, DP 4071 | Local | 196 |
| Greenwell Point | “Houshta”—(former Berry Estate worker’s cottage) | 93 Greenwell Point Road | Lot 7, Section A, DP 4071 | Local | 197 |
| Greenwell Point | Greenwell Point Union Church | Jervis Street | Lot 2, DP 869305 | Local | 199 |
| Huskisson | Tapalla Point geological rock platform | Beach Street | Lot 7012, DP 1021163; Lot 7044, DP 1117433 | Local | 201 |
| Huskisson | Lone grave of Robert Johnson | 2 Beach Street | Lot 7045, DP 1117438 | Local | 200 |
| Huskisson | Lady Denman heritage complex including relocated former St Georges Basin school buildings and relocated former Woollamia Union Church | 11 Dent Street | Lot 138, DP 720912 | Local | 202 |
| Huskisson | Lady Denman ferry | 11 Dent Street | Lot 138, DP 720912 | State | 203 |
| Huskisson | Inter-war holiday cottage and trees | 7 Fegen Street | Lot 1, DP 1093408 | Local | 204 |
| Huskisson | Weatherboard and fibro boat builder’s cottage | 13 Field Street | Lot 2, DP 775346 | Local | 205 |
| Huskisson | Victorian Georgian weatherboard cottage | 40 Hawke Street | Lot 2, DP 323393 | Local | 206 |
| Huskisson | Jervis Bay hotel | 75 Owen Street | Lot 2, DP 209436 | Local | 207 |
| Huskisson | Victorian weatherboard residence | 8 Park Street | Lot 8, DP 528319 | Local | 208 |
| Huskisson | Huskisson Literary Institute (former) | 19 Sydney Street | Lot 7, Section 19, DP 758530 | Local | 209 |
| Hyams Beach | The Green Cabins (inter-war holiday cabins) | 53 Cyrus Street | Lot 1, DP 570194 | Local | 210 |
| Hyams Beach | Inter-war weekend cabin | 57 Cyrus Street | Lot 2, DP 285458 | Local | 211 |
| Hyams Beach | “Pacific House” (former), including sandstone monument and tree | 58–60 Cyrus Street | Lots 7 and 8, DP 550787 | Local | 212 |
| Hyams Beach | Inter-war weekend cabin | 59 Cyrus Street | Lot 3, DP 285458 | Local | 213 |

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| Hyams Beach | Hyams Beach bushfire station | Rose Street | Part Lot 78 and Lot 79, DP 755907 | Local | 214 |
| Illaroo | “Bundanon”—homestead including outbuildings and natural landscape | 533 Bundanon Road | Lots 12–14, 16, 17 and 118, DP 751273; Lot 5, DP 622583 | Local | 215 |
| Jaspers Brush | Colonial style weatherboard farmhouse including outbuildings and trees | 245 Croziers Road | Lot 149, DP 3059 | Local | 216 |
| Jaspers Brush | Former Jaspers Brush school complex and gardens | 4 O’Keeffes Lane | Lot 1, DP 872572 | Local | 217 |
| Jerrawangala | Colonial road—remnants (former Wool Road) | The Wool Road | Lot 100, DP 787610; Lot 33, DP 651186; Lot 1, DP 100976; Lot 1, DP 745965; Lot 1, DP 197079; Road reserve | Local | 218 |
| Kangaroo Valley | “Clinton Park”—dairy farm complex | 60 Clinton Park Road | Lot 4, DP 535456 | Local | 219 |
| Kangaroo Valley | Kangaroo Valley Soldiers Memorial | Moss Vale Road | Lot 1, DP 169083 | Local | 240 |
| Kangaroo Valley | “Hampden Bridge”—sandstone suspension bridge | Moss Vale Road | Road reserve | Local | 241 |
| Kangaroo Valley | Kangaroo Valley General Cemetery | Moss Vale Road | Lot 1, DP 1101764; Lot 1, DP 1120307; Lot 1, DP 1122644; Lots 7308 and 7309, DP 1153234 | Local | 242 |
| Kangaroo Valley | Federation weatherboard cottage and shop | 116 Moss Vale Road | Lot 1, DP 828529 | Local | 220 |
| Kangaroo Valley | Federation weatherboard cottage | 118 Moss Vale Road | Lot 1, DP 1076386 | Local | 221 |
| Kangaroo Valley | Federation weatherboard cottage | 120 Moss Vale Road | Lot 1, DP 883219 | Local | 222 |
| Kangaroo Valley | Federation weatherboard cottage | 124 Moss Vale Road | Lot 101, DP 840159 | Local | 223 |

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| Kangaroo Valley | “St Joseph’s” Catholic brick church and hermitage | 130 Moss Vale Road | Lot 1, DP 724070 | Local | 224 |
| Kangaroo Valley | Relocated Victorian weatherboard school (former Beaumont School) | 138 Moss Vale Road | Lot A, DP 409799 | Local | 225 |
| Kangaroo Valley | Kangaroo Valley School and former schoolmaster’s residence | 140 Moss Vale Road | Lot 1, DP 122562; Lot 1, DP 913316 | Local | 226 |
| Kangaroo Valley | Anglican Church of the Good Shepherd including graveyard, trees and fence | 143 Moss Vale Road | Lot 1, DP 724064 | Local | 227 |
| Kangaroo Valley | Kangaroo Valley Post Office | 148 Moss Vale Road | Lot 2, DP 926830 | Local | 228 |
| Kangaroo Valley | Victorian Georgian style bank (former ANZ Bank) | 158 Moss Vale Road | Lot 2, DP 559041 | Local | 229 |
| Kangaroo Valley | “Friendly Inn”—two storey Victorian masonry hotel | 159 Moss Vale Road | Lot 4, DP 11616 | Local | 230 |
| Kangaroo Valley | Victorian weatherboard shop and residence | 170 Moss Vale Road | Lot 1, DP 1182201 | Local | 231 |
| Kangaroo Valley | Federation weatherboard cottage | 172 Moss Vale Road | Lot 9, DP 1940 | Local | 232 |
| Kangaroo Valley | Weatherboard bakery (former) | 174–176 Moss Vale Road | Lots 10 and 11, DP 1940 | Local | 233 |
| Kangaroo Valley | Federation sandstone courthouse including police station and stables | 175 Moss Vale Road | Lot 4, DP 589396 | Local | 234 |
| Kangaroo Valley | “Osborne Park”—Federation weatherboard community hall and Kangaroo Valley showground complex | 177–181 Moss Vale Road | Lot 1, DP 1003243; Lots 1 and 2, DP 210368; Lots A and B, DP 376259; Lot D, DP 409219; Part Lot 1, DP 909749 | Local | 235 |
| Kangaroo Valley | Federation baker’s residence and garage (former) | 178 Moss Vale Road | Lot 1, DP 576156 | Local | 236 |
| Kangaroo Valley | Federation weatherboard cottage | 1705 Moss Vale Road | Lot 7, DP 1986 | Local | 237 |
| Kangaroo Valley | “Ellerslie”—cottage and garden | 1747 Moss Vale Road | Lot 1, DP 917487; Lot 1, DP 1101743 | Local | 238 |

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| Kangaroo Valley | “Pioneer Farm”—historic village including slab cottage | 2029 Moss Vale Road | Lot 7007, DP 1075462 | Local | 239 |
| Kangaroo Valley | “Scanzi”—colonial timber farmhouse and outbuildings | 770 Mt Scanzi Road | Lot 4, DP 1016737 | Local | 243 |
| Kangaroo Valley | “Hilltop”—Federation weatherboard residence | 20 Quirk Street | Lots 20 and 21, DP 2159 | Local | 244 |
| Kangaroo Valley | Anglican Church of the Good Shepherd rectory (former) | Rectory Park Way | Lot 9, DP 285133 | Local | 245 |
| Kioloa | Kioloa sawmill and wharf (former) | Murramarang Road | Lot 24, DP 755941 | Local | 247 |
| Kioloa | “Kioloa”—Federation weatherboard residence (former post office) | 496 Murramarang Road | Lot 1, DP 782318 | Local | 246 |
| Lake Conjola | Whitaker’s Island View Resort (former) | 2 Aney Street | Lot 441, DP 755923 | Local | 248 |
| Little Forest | “Mimosa Farm”—dairy farm complex | 40 Little Forest Road | Lot 11, DP 596370 | Local | 249 |
| Little Forest | “Woodlands”—dairy farm complex | 98 Little Forest Road | Lot 42, DP 777515 | Local | 250 |
| Longreach | “Longreach Farm”—former dairy farm complex | 501B Longreach Road | Lot 102, DP 710389 | Local | 251 |
| Longreach | “Wogamia”—two storey colonial sandstone homestead and outbuildings | 170 Wogamia Road | Lot 1, DP 865094 | Local | 252 |
| Mayfield | Graham Family Grave | Mayfield Road | Lot 7314, DP 1169000 | Local | 253 |
| Mayfield | “Monaghan’s House”—colonial Georgian brick cottage | Mayfield Road | Lot 2, DP 1092338 | Local | 254 |
| Meroo Meadow | Meroo Meadow Union Church | 8 Boxsells Lane | Lot 4, DP 249776 | Local | 256 |
| Meroo Meadow | Federation Georgian style farmhouse | 55 Fletchers Lane | Lot 8, DP 1007274 | Local | 255 |
| Meroo Meadow | “Pomona”—dairy farm complex | C360 Princes Highway | Lot 2, DP 620160 | Local | 257 |
| Meroo Meadow | Former Meroo Meadow School and schoolmaster’s residence | C385 Princes Highway | Lot 1, DP 716569 | Local | 258 |

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| Milton | Remnant rainforest | Church Street | Part Lot 1 and Lot 2, DP 861814; Lot 1, DP 737627 | Local | 262 |
| Milton | Victorian weatherboard residence and garden | 45 Church Street | Lot 1, DP 531839 | Local | 259 |
| Milton | Victorian Georgian worker's cottage | 47 Church Street | Lot 1, DP 957744 | Local | 260 |
| Milton | Federation weatherboard residence | 64 Church Street | Lot A, DP 164647 | Local | 261 |
| Milton | Federation gothic brick Catholic Church including presbytery, grounds and <i>Araucaria cunninghamii</i> (Hoop Pine) | Corks Lane | Lot 1, DP 230083 | Local | 263 |
| Milton | Milton Church of England Cemetery | 12 Croobyar Road | Lot 100, DP 1033797 | Local | 264 |
| Milton | Victorian Gothic Revival rubblestone church (former Congregational Church) including Victorian Georgian brick manse (former congregational manse) | 38 Croobyar Road | Lot 1, DP 781179 | Local | 265 |
| Milton | Victorian Gothic style church and graveyard (former Methodist Church) | 71 Croobyar Road | Lot 1, DP 730746 | Local | 266 |
| Milton | "Claydon Park"—dairy farm complex | 75 Croobyar Road | Lot 2, DP 1097329 | Local | 267 |
| Milton | "Eyrie Bowrie"—two storey Victorian Regency residence | 17 Eyrie Bowrie Drive | Lot 3, DP 1124431 | Local | 285 |
| Milton | "Wynella"—Victorian weatherboard residence | 6 Gordon Street | Lot A4, DP 192832 | Local | 269 |
| Milton | Federation weatherboard residence | 17 Myrtle Street | Lot A, DP 384864 | Local | 270 |
| Milton | <i>Ficus obliqua</i> (small leaved figtree) | Princes Highway | Lot 3, DP 548705 | Local | 298 |
| Milton | Granite obelisk—War memorial | Princes Highway | Lot 1, DP 150104 | Local | 300 |
| Milton | "Narrawilly"—dairy farm complex including garden, rainforest and convict road | Princes Highway | Lots 1 and 2, DP 1018899; Lot 198, DP 1091216 | Local | 301 |

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| Milton | "Times Past"—(former Federation weatherboard farmhouse) | 51 Princes Highway | Lot 1, DP 558698 | Local | 271 |
| Milton | Rendered masonry commercial store including residence and trees | 61 Princes Highway | Lots 1-3 and CP, SP 66659; Lots 5-8, SP 76002 | Local | 299 |
| Milton | Federation rendered masonry courthouse and police station | 64 Princes Highway | Lot 1, DP 199555 | Local | 272 |
| Milton | Two storey rendered masonry post office | 66 Princes Highway | Lot 1, DP 557669 | Local | 273 |
| Milton | Victorian Georgian style residence and bakehouse | 67 Princes Highway | Lot 4, DP 631087 | Local | 274 |
| Milton | Inter-war rendered masonry and fibro hall | 69 Princes Highway | Lot 1, DP 736273 | Local | 275 |
| Milton | Victorian classical style rendered masonry Town Hall | 71 Princes Highway | Lot 2, DP 151179 | Local | 276 |
| Milton | "The Star Hotel"—two storey rendered masonry building | 82 Princes Highway | Lot 1, DP 872508 | Local | 277 |
| Milton | Two storey Victorian bakery and residence | 92 Princes Highway | Lot 11, DP 594775 | Local | 278 |
| Milton | "The Settlement" including row of Victorian masonry shops, "Frederick Halls"—weatherboard shop and residence, "H C Blackburn and Sons"—two storey commercial building and tree | 93-97 Princes Highway | Lots 1 and 2, DP 980292; Lot 1, DP 741976 | Local | 279 |
| Milton | Victorian weatherboard residence and shop | 94 Princes Highway | Lot 16, DP 1064376 | Local | 280 |
| Milton | Federation weatherboard residence and well, "Garrad House"—Federation period farmhouse | 106 Princes Highway | Lot 1, DP 1127802 | Local | 281 |
| Milton | Victorian Italianate style bank building (former CBC Bank) | 107 Princes Highway | Lot 1, DP 1067384 | Local | 282 |

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| Milton | Milton Anglican Church group including St Peter and St Paul Victorian Gothic Revival style Anglican Church, inter-war carpenter Gothic style Anglican hall and <i>Ulmus parvifolia</i> (Chinese Elm) | 109 Princes Highway | Lot 1, DP 780778 | Local | 283 |
| Milton | Relocated Victorian rendered masonry lighthouse keeper's cottage | 122 Princes Highway | Lot 1, DP 85425 | Local | 284 |
| Milton | Late Victorian brick residence | 133 Princes Highway | Lot 1, DP 1171562 | Local | 297 |
| Milton | Victorian Georgian residence and former dispensary | 133 Princes Highway | Lot 1, DP 1171562 | Local | 286 |
| Milton | Federation weatherboard residence and garden | 137 Princes Highway | Lot 5, DP 78484 | Local | 287 |
| Milton | Inter-war Federation style cottage | 138 Princes Highway | Lot 4, DP 32536 | Local | 288 |
| Milton | Victorian weatherboard hall (former Salvation Army hall) | 141 Princes Highway | Lot 7, Section B, DP 975074 | Local | 289 |
| Milton | Federation weatherboard residence | 145 Princes Highway | Lot 9, Section B, DP 975074 | Local | 290 |
| Milton | Inter-war Californian bungalow | 147 Princes Highway | Lot 10, Section B, DP 975074 | Local | 291 |
| Milton | Inter-war Federation style timber residence and grounds | 148 Princes Highway | Lot 10, DP 32536 | Local | 292 |
| Milton | "Melrose"—(former dairy farm complex) | 150 Princes Highway and 73, 83A and 83B Garrads Lane | Lot 32, DP 707677; Lot 2, DP 1135803; Lot 5, DP 260771; Lot 8, DP 848894 | Local | 293 |
| Milton | "Hillside"—Victorian Georgian residence and garden | 156 Princes Highway | Lot 1, DP 737774 | Local | 294 |
| Milton | "Candlemakers Cottage"—colonial rendered brick cottage | 176 Princes Highway | Lot 2, DP 543122 | Local | 295 |
| Milton | Two storey Victorian rendered masonry store | 197 Princes Highway | Lot 1, DP 37905 | Local | 296 |
| Milton | Avenue of <i>Ficus macrocarpa</i> | 35 Stony Hill Lane | Lot 104, DP 1043266 | Local | 302 |

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| Milton | Victorian rendered masonry school and schoolmaster's cottage | Thomas Street | Lot 1, DP 861814 | Local | 304 |
| Milton | Two storey Victorian former manse and graveyard | 1 Thomas Street | Lot 55, DP 703805 | Local | 303 |
| Milton | "Donovans Cottage"—Victorian weatherboard cottage and detached kitchen | 42 Wason Street | Lot 1, DP 875432 | Local | 305 |
| Milton | "King House"—two storey Victorian Georgian style residence | 48 Wason Street | Lot A, DP 155412 | Local | 306 |
| Milton | Inter-war Californian style bungalow | 60 Wason Street | Lot 1, DP 907077 | Local | 307 |
| Milton | Victorian weatherboard corner store | 61 Wason Street | Lot 1, DP 1113658 | Local | 308 |
| Milton | Colonial timber slab cottage | 66 Wason Street | Lot 2, DP 331628 | Local | 309 |
| Milton | "Priaulx Villa"—late Victorian weatherboard residence | 69 Wason Street | Lot 81, DP 577186 | Local | 310 |
| Milton | Victorian weatherboard worker's cottage | 70 Wason Street | Lot 3, Section A, DP 192188 | Local | 311 |
| Milton | Late Victorian weatherboard residence | 73 Wason Street | Lots 14 and 15, DP 1142968 | Local | 312 |
| Milton | "Mudges Corner"—Federation weatherboard residence including outbuildings, garden and fence | 79 Wason Street | Lot 1, Section B, DP 192188 | Local | 268 |
| Milton | "Pine View"—Federation farmhouse complex and trees | 65 Wilfords Lane | Lot 3, DP 785757 | Local | 313 |
| Milton | "Applegarth"—dairy farm complex including garden and cheese press | 140 Wilfords Lane | Lot 15, DP 605477 | Local | 314 |
| Milton | "Tilba Tilba"—Victorian Georgian style schoolhouse (former Burrill Lake School) | 270 Wilfords Lane | Lot 1, DP 726013 | Local | 315 |
| Milton | "Riverview"—Victorian Georgian style farm complex | 299 Wilfords Lane | Lot 2, DP 702500 | Local | 316 |

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| Milton | “Loch Leven”—dairy farm complex including outbuildings, trees and cisterns | 300 Wilfords Lane | Lot 2, DP 975557 | Local | 317 |
| Milton | Milton Congregational Cemetery | Woodstock Road | Lot 1, DP 781178 | Local | 318 |
| Mollymook | Sandridge General Cemetery | 45 Ocean Street | Lots 7313 and 7314, DP 1167265 | Local | 319 |
| Mollymook Beach | Silica wharf and railway (remnants) | Mitchell Parade | Part of Crown Reserve for Public Recreation from Bannister Point headland to north eastern corner of Lot 838, DP 233504 | Local | 320 |
| Mondayong | Rubble sandstone memorial (wreck of the Walter Hood) | Bendalong Road | Lot 35, DP 755927 | Local | 321 |
| Morton | Weatherboard and vertical slab timber farm complex | Woodburn Road | Lot 5, DP 755972 | Local | 322 |
| Myola | Weatherboard holiday cottage and outbuildings | 13 Catherine Street | Lot 26, DP 19900 | Local | 323 |
| Narrawallee | Silica wharf and tramway | Matron Porter Drive | Lot D, DP 221281; Part of Lot 7009, DP 1116370 | Local | 324 |
| Nowra | Mechanics Institute and School of Arts | Berry Street | Lot 20, DP 801794 | Local | 330 |
| Nowra | Pressed metal clad industrial building (former Barnes Garage) | 1 Berry Street | Lot 111, DP 997750 | Local | 325 |
| Nowra | “The Peoples Emporium”—two storey Victorian shop and residence | 26 Berry Street | Part Lot 1, DP 81072 | Local | 326 |
| Nowra | Inter-war Art Deco style cinema and footpath | 41 Berry Street | Lot 51, DP 625969 | Local | 327 |
| Nowra | Former Victorian weatherboard residence | 76 Berry Street | Lot 1, DP 972573 | Local | 328 |
| Nowra | “Hampden Villa”—Victorian weatherboard residence including stables and garden | 110 Berry Street | Lot 12, DP 1064853 | Local | 329 |

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| Nowra | Captain Cook Bicentennial Memorial | Bridge Road | Lot 5, DP 262460; Lot 7038, DP 1107416 | Local | 338 |
| Nowra | "Kilsyth"—Federation weatherboard residence | 33 Bridge Road | Lot 1, DP 152217 | Local | 331 |
| Nowra | "Uuna"—late Victorian weatherboard cottage and garden | 35 Bridge Road | Lot A, DP 161648 | Local | 332 |
| Nowra | Victorian brick residence | 45 Bridge Road | Lot 10, DP 601874 | Local | 333 |
| Nowra | Late Victorian weatherboard cottage | 49 Bridge Road | Lot 8, DP 549249 | Local | 334 |
| Nowra | Inter-war weatherboard Californian bungalow | 63 Bridge Road | Lot 2, DP 203275 | Local | 335 |
| Nowra | "Rodway's Cottage"—inter-war Federation style residence and garden | 86 Bridge Road | Lot 1, DP 737840 | Local | 336 |
| Nowra | "The Bridge" Hotel—two storey Victorian masonry hotel | 87 Bridge Road | Lot 2, DP 843396 | Local | 337 |
| Nowra | Sandstone landscape monument (Batt's Folly) | Intersection of Bridge Road and North Street | Road reserve between Lot 2, DP 843396 and Lot 1, DP 737840 | Local | 339 |
| Nowra | "The Pines"—late Victorian weatherboard residence and trees | 76 East Street | Lot 1, DP 115881 | Local | 340 |
| Nowra | "Cudgerie" Federation weatherboard residence | 108 East Street | Lot 11, DP 2607 | Local | 341 |
| Nowra | "Moss"—cottage (former Moss Central Hotel) | 1 Ferry Lane | Lot 135, DP 1094714 | Local | 342 |
| Nowra | Victorian Georgian style timber slab cottage | 19 Ferry Lane | Lot 1, DP 193881 | Local | 343 |
| Nowra | Victorian Italianate residence and garden | 22 Jervis Street | Lot 11, DP 2624 | Local | 344 |
| Nowra | "Trelawney"—Victorian Georgian weatherboard residence | 69 Jervis Street | Lot 1, DP 998589 | Local | 345 |
| Nowra | "Roseville"—Federation weatherboard residence and fig tree | 49-51 Journal Street | Lots 1 and 2, DP 2607 | Local | 346 |

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| Nowra | Heritage streetscape | Junction Street | Road reserve | Local | 360 |
| Nowra | Federation weatherboard residence and trees | 1 Junction Street | Lot 1, DP 21682 | Local | 347 |
| Nowra | Federation weatherboard residence | 2 Junction Street | Lot W, DP 405938 | Local | 348 |
| Nowra | <i>Araucaria cunninghamii</i> (Hoop Pine) | 12 Junction Street | Lot 4, DP 237126 | Local | 349 |
| Nowra | <i>Araucaria cunninghamii</i> (Hoop Pine) | 14 Junction Street | Lot 3, DP 237126 | Local | 350 |
| Nowra | Two storey Federation timber convent (former Sisters of the Good Samaritan Convent) including fence and grounds | 22 Junction Street | Lot 91, DP 1182460 | Local | 351 |
| Nowra | "The White House"—two storey timber inter-war guesthouse | 30 Junction Street | Lot 13, DP 654893 | Local | 352 |
| Nowra | "Hillcrest"—two storey timber Federation residence | 53 Junction Street | Lot 1, DP 580440 | Local | 353 |
| Nowra | Former Nowra fire station | 55 Junction Street | Lot 1, DP 81794 | Local | 354 |
| Nowra | Mafeking Boer War Memorial | 60–62 Junction Street | Lots 2 and 3, DP 363266 and adjacent road reserve | Local | 355 |
| Nowra | Nowra Post Office (former) | 72 Junction Street | Lot 1, DP 884212 | Local | 356 |
| Nowra | Two storey Victorian commercial building | 76 Junction Street | Lot 1, DP 512886 | Local | 357 |
| Nowra | Inter-war Art Deco commercial building | 80 Junction Street | Lot 1, DP 321055 | Local | 358 |
| Nowra | "P. Walsh & Sons"—two storey Victorian commercial building | 90 Junction Street | Lot 1, DP 732396 | Local | 359 |
| Nowra | Nowra General Cemetery | Kalandar Street | Lot 1, DP 724120; Lot 1, DP 1221276; Lots 7305 and 7306, DP 1151018; Lot 7321, DP 1155510 | Local | 361 |

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|-------|---|----------------------|---|-------|-----|
| Nowra | Federation police residence and lockup (former) | Kinghorne Street | Lot 1, DP 1123776 | Local | 367 |
| Nowra | Nowra courthouse | Kinghorne Street | Lot 701, DP 1024854 | Local | 368 |
| Nowra | Two storey Victorian Gothic style manse | 3 Kinghorne Street | Lot 11, DP 130904 | Local | 362 |
| Nowra | St Andrew's Presbyterian Church and Federation Gothic style rendered brick hall (former church) | 5 Kinghorne Street | Lot 2, DP 567875 | Local | 363 |
| Nowra | "Roslyn Court"—inter-war Art Deco style rendered shops and offices | 21 Kinghorne Street | Lot 1, DP 225562 | Local | 364 |
| Nowra | Victorian commercial bank stables (former) | 56 Kinghorne Street | Lot 1, DP 817564 | Local | 365 |
| Nowra | Victorian weatherboard residence | 192 Kinghorne Street | Lot B, DP 157265 | Local | 366 |
| Nowra | Graham Family Cemetery | Lyrebird Drive | Lot 3, DP 328915 | Local | 369 |
| Nowra | Two storey Victorian masonry terrace house | 1 Moss Street | Lot 38, Section 1, DP 1607 | Local | 370 |
| Nowra | Inter-war weatherboard cottage and trees | 2 Moss Street | Lot B, DP 335109 | Local | 371 |
| Nowra | Victorian weatherboard store (former iron store) | 3 Moss Street | Lot 37, Section 1, DP 1607 | Local | 372 |
| Nowra | "Hazelmere"—Victorian Georgian masonry residence | 7-9 Moss Street | Lot C, DP 410954; Lots 34 and 35, Section 1, DP 1607 | Local | 373 |
| Nowra | Federation weatherboard residence | 11-15 Moss Street | Lots 31 and 32, Section 1, DP 1607; Part Lot D, DP 410954 | Local | 374 |
| Nowra | Late Victorian weatherboard residence | 21 Moss Street | Lot 1, DP 862764 | Local | 375 |
| Nowra | Late Victorian weatherboard residence | 29 Moss Street | Lot 24, Section 1, DP 1607 | Local | 376 |
| Nowra | Late Victorian weatherboard cottage | 31 Moss Street | Lot 23, DP 963328 | Local | 377 |
| Nowra | St Michael's Roman Catholic Cemetery | North Street | Lot 1, DP 1088531 | Local | 380 |

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|-------|---|--------------------|------------------------------|-------|-----|
| Nowra | St Michael's Roman Catholic Church including two storey Victorian presbytery and grounds | 20 North Street | Lot 1, DP 1088531 | Local | 378 |
| Nowra | Two storey Victorian shop and residence (former Armstrong's Saddlery) | 83 North Street | Lot B, DP 386390 | Local | 379 |
| Nowra | Uniting Church (former Methodist Church) | 54 Osborne Street | Lot 1, DP 714910 | Local | 381 |
| Nowra | Wesley Centre (former Wesleyan Parsonage) | 54 Osborne Street | Lot 1, DP 714910 | Local | 382 |
| Nowra | Victorian Georgian rendered masonry residence | 91 Osborne Street | Lot 91, DP 847151 | Local | 383 |
| Nowra | Mid-Victorian timber residence including detached kitchen, well and Red Cedar tree | 93 Osborne Street | Lot 8, Section 17, DP 758794 | Local | 384 |
| Nowra | Two storey mid-Victorian weatherboard residence | 95 Osborne Street | Lot 3, DP 601332 | Local | 385 |
| Nowra | Victorian Georgian rendered masonry residence | 97 Osborne Street | Lot 4, DP 601332 | Local | 386 |
| Nowra | Late Victorian weatherboard residence | 105 Osborne Street | Lot 1, DP 986393 | Local | 387 |
| Nowra | Victorian Georgian style timber residence | 109 Osborne Street | Lot 11, DP 545053 | Local | 388 |
| Nowra | Graham Lodge (former Greenhills Estate Homestead) and grounds | 10 Pleasant Way | Lot 1, DP 1010062 | State | 389 |
| Nowra | Victorian brick Anglican rectory | 66 Plunkett Street | Lot 1, DP 1047926 | Local | 390 |
| Nowra | All Saints Anglican Church including memorial lychgate, trees and Victorian Gothic style hall (former St John's Church) | 70 Plunkett Street | Lot 23, DP 1190551 | Local | 391 |
| Nowra | Victorian rendered brick school and grounds | 74 Plunkett Street | Lot 2, DP 863880 | Local | 392 |
| Nowra | Victorian weatherboard residence | 75 Plunkett Street | Lot 3, DP 213471 | Local | 393 |
| Nowra | Victorian Georgian weatherboard residence | 77 Plunkett Street | Lot 4, DP 213471 | Local | 394 |

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|-------|---|---------------------|---|-------|-----|
| Nowra | Victorian rendered brick residence (former schoolmaster's residence) | 82 Plunkett Street | Lot 1, DP 863880 | Local | 395 |
| Nowra | Police sergeant's residence and grounds (former Nowra courthouse) | 84 Plunkett Street | Lot 429, DP 823259 | Local | 396 |
| Nowra | "Karinga"—inter-war weatherboard residence | 85 Plunkett Street | Lot 2, DP 10492 | Local | 397 |
| Nowra | Brick Californian bungalow (former policeman's quarters) | 87 Plunkett Street | Lot 3, DP 10492 | Local | 398 |
| Nowra | Federation weatherboard residence | 89 Plunkett Street | Lot A, DP 401567 | Local | 399 |
| Nowra | "Wernick Cottage"—Georgian style weatherboard cottage | 102 Plunkett Street | Lot 3, DP 329271 | Local | 400 |
| Nowra | "Myambah"—Federation weatherboard bungalow and garden | 134 Plunkett Street | Lot 1, DP 124486 | Local | 401 |
| Nowra | "Shoalhaven River Bridge"—Victorian wrought iron bridge | Princes Highway | Road reserve | Local | 402 |
| Nowra | "Nowra Park"—early Victorian masonry residence and garden | 124 Wallace Street | Lot 4, DP 542656 | Local | 403 |
| Nowra | Nowra showground and sportsground complex including Federation brick pavilion, Victorian masonry gate, toilet, former Victorian Masonry Entrance Gate, Hanging Rock Lookout, Inter-war Castellated Sandstone Memorial Gateway and Sculpture, "Monaghan's"—Victorian Memorial Cast Iron Fountain | West Street | Lot 374, DP 755952; Lot 702, DP 1024852; Lot 7302, DP 1134093; Lot 7323, DP 1164817 | Local | 405 |

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|-------|---|----------------------------|---|-------|-----|
| Nowra | Ben's Walk including Suspension Bridge and Aboriginal Art Sites | West and Worrigeer Streets | Reserve No R70802; Reserve No R6754; Lot 7036, DP 1068935; Lot 7326, DP 1166983; Lot 701, DP 1025652; Lot 7005, DP 1023875; Lot 7301, DP 1134093; Lot 704, DP 1024834; Part Lots 94 and 95, DP 755952; Part Lots 1 and 2, Section 31A, DP 758794; Lot 703, DP 1024833; Part Lot 1, Section 15, DP 758794; Part Lot 4, DP 1136269; Lot 3, DP 585626; Lot 701, DP 1024852; Part of Lot 7018, DP 1024840; Lot 7322, DP 1164817; Lot 7019, DP 1016688; Lot 392 and Part Lot 391, DP 755952; Crown roads | Local | 406 |
| Nowra | "Meroogal"—Victorian Timber Residence including Outbuildings and Garden | 35 West Street | Part Lot F, DP 403286 | State | 404 |
| Nowra | Inter-war Weatherboard Building and Timber Wharf | Wharf Road | Lot 7012, DP 1002643 | Local | 407 |
| Nowra | Inter-war Californian Bungalow | 31 Worrigeer Street | Lot 1, DP 62072 | Local | 408 |
| Nowra | Inter-war Federation Style Residence | 42 Worrigeer Street | Lot 1, DP 912561 | Local | 409 |
| Nowra | Inter-war Weatherboard Bungalow | 47 Worrigeer Street | Lot 2, DP 152694 | Local | 410 |

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|------------|---|--------------------------|--|-------|-----|
| Nowra | Federation Weatherboard Residence | 49 Worrigeer Street | Lot 100, DP 1102700 | Local | 411 |
| Nowra | Victorian Weatherboard Residence | 54 Worrigeer Street | Lot 14, DP 976539 | Local | 412 |
| Nowra | Victorian Weatherboard Residence | 56 Worrigeer Street | Lot 13, DP 976539 | Local | 413 |
| Nowra | Victorian Georgian Weatherboard Residence | 57 Worrigeer Street | Lot 1, DP 780982 | Local | 414 |
| Nowra | Victorian Weatherboard Residence | 58 Worrigeer Street | Lot 12, DP 976539 | Local | 415 |
| Nowra | Victorian Weatherboard Residence | 59 Worrigeer Street | Lot 1, DP 710860 | Local | 416 |
| Nowra | Victorian Weatherboard Residence | 63 Worrigeer Street | Lot 2, DP 736763 | Local | 417 |
| Nowra Hill | HMAS Albatross—military defence complex and aviation museum | 489A Albatross Road | Lot 102, DP 842713; Lot 2, DP 1002996 | Local | 418 |
| Numbaa | Berry Estate Canal and Ferry | Comerong Island Road | | Local | 427 |
| Numbaa | <i>Ficus macrophylla</i> (Fig tree) | Comerong Island Road | Road reserve between Lot K, DP 979245 and Lot G, DP 979245 | Local | 429 |
| Numbaa | Numbaa Cemetery (former) | Comerong Island Road | Lot 10, DP 2812 | Local | 422 |
| Numbaa | Numbaa Council Chambers (former) and Well | Comerong Island Road | Lot K, DP 979245 | Local | 428 |
| Numbaa | Lower Numbaa Barn (Berry Estate Slab Barn) | 581 Comerong Island Road | Lot 9, DP 2812 | Local | 426 |
| Numbaa | Former Prefabricated Cast Iron Presbyterian Church | 591 Comerong Island Road | Lot 591, DP 1137949 | Local | 419 |
| Numbaa | Numbaa Catholic Presbytery (former) | 601 Comerong Island Road | Lot 1, DP 933179 | Local | 420 |
| Numbaa | “Chinaman’s Cottage”—Victorian Weatherboard Cottage (former Berry Estate Cottage) | 655 Comerong Island Road | Lot G, DP 979245 | Local | 421 |
| Numbaa | Numbaa Schoolmaster’s Residence (former) | 766 Comerong Island Road | Lot 1, DP 550305 | Local | 423 |

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|--------------|--|--|--|-------|-----|
| Numbaa | Numbaa School (former) | 770 Comerong Island Road | Lot 2, DP 550305 | Local | 424 |
| Numbaa | "Prairievale"—(former Berry Estate Manager's Residence) | 835 Comerong Island Road | Lot 14, DP 4332 | Local | 425 |
| Numbaa | War Memorial Tree (<i>Lophostemon confertus</i>) | Corner of Jindy Andy Lane and Comerong Island Road | Road reserve | Local | 433 |
| Numbaa | Berry Estate Slab Barn | 130 Jindy Andy Lane | Lot 26, DP 2813 | Local | 432 |
| Numbaa | "Edinglassie Lodge"—Federation Weatherboard Farmhouse | 175 Jindy Andy Lane | Lot 1, DP 208292 | Local | 430 |
| Numbaa | Concrete Tub Silo | 251 Jindy Andy Lane | Lot 2, DP 556830 | Local | 431 |
| Numbaa | Salt Pans | Smiths Lane | Lots 24 and 25, DP 2813 | Local | 435 |
| Numbaa | Colonial Farm Complex including Berry Estate Cottage, Outbuildings and Fig trees | 68 Smiths Lane | Lot 26A, DP 2813 | Local | 434 |
| Orient Point | Vertical Timber-lined Drydock | Orsova Parade | Part Lot 111, DP 755971 | Local | 436 |
| Orient Point | "Roseby Park"—Jerringa Aboriginal Community Complex and Tribal Burial Ground | Park Row | Lot 51, DP 755971; Lot 98, DP 720072 | Local | 437 |
| Parma | Parma Farm | Parma Road | Lot 4, DP 1143944; Lots 3 and 4, DP 1160993 | Local | 438 |
| Pebbly Beach | Pebbly Beach Sawmill Complex, including Sawmill remnants, Town and school site | Pebbly Beach Road | Lots 39, 47, 102-104, 108, 114 and 115, DP 755941; Part of Murramarang National Park | Local | 439 |

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|------------------|---|--|--|-------|-----|
| Pyree | "Caffery's"—Roadside Tree Planting (<i>Lophostemon confertus</i>) | At the junction of Jindy Andy Lane, Bournes Lane and Mayfield Road with Greenwell Point Road | Road reserve | Local | 440 |
| Pyree | "The Avenue"—Casuarina Trees | Greenwell Point Road | | Local | 447 |
| Pyree | "Mervalperden"—Dairy Farm Complex (former) | 664 Greenwell Point Road | Lot 61, DP 2813 | Local | 441 |
| Pyree | Upper Numbaa Barn (former Berry Estate Grain Mill) | 719 Greenwell Point Road | Lot 101, DP 629485 | Local | 442 |
| Pyree | "Jindy Andy" (former Berry Estate Dairy) | 739 Greenwell Point Road | Lot 105, DP 773888 | Local | 443 |
| Pyree | Pyree Literary Institute | 880 Greenwell Point Road | Lot 126, DP 2813 | Local | 444 |
| Pyree | Victorian Georgian Schoolhouse (former Pyree Public School) and Coral trees | 888 Greenwell Point Road | Lot 126, DP 821471 | Local | 446 |
| Pyree | Pyree Public Schoolmaster's Residence (former) | 890 Greenwell Point Road | Lot 128, DP 821471 | Local | 445 |
| Pyree | "George Borrowdale's house"—(former Berry Estate cottage) | Pyree Lane | Lot 6, DP 1185885; Lot 8, DP 111636 | Local | 450 |
| Pyree | War Memorial Tree triangle (<i>Lophostemon confertus</i>) | Pyree Lane | | Local | 449 |
| Pyree | "Somerset House"—Federation weatherboard farmhouse and trees | 117 Pyree Lane | Lot A, DP 377595 | Local | 448 |
| Pyree | "Thistlebank"—Dairy Farm Complex | 85 Ryans Lane | Lot 8, DP 876329 | Local | 451 |
| Shoalhaven Heads | Relocated Weatherboard Church (former Berry Estate Library) | 126 Scott Street | Lot 1, DP 704667 | Local | 452 |
| St Georges Basin | Former Boarding House and St Georges Basin Post Office | 23 Deane Street | Lot 1, DP 1049843 | Local | 453 |
| St Georges Basin | World War II Flying Boat Base | 2 Island Point Road | Lot 118, DP 17823; Part of adjoining reserve | Local | 454 |

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|------------------|---|-------------------|---------------------------|-------|-----|
| St Georges Basin | "Jessie Blacket"—Sandstone Memorial Drinking Trough | 41 Tasman Road | Lot 110, DP 25769 | Local | 455 |
| St Georges Basin | Federation Fisherman's Cottage and garden | 146 The Wool Road | Lot A, DP 375526 | Local | 456 |
| Sussex Inlet | "Greentree's"—Holiday Cabins | 158 Jacobs Drive | Lot 2, DP 574349 | Local | 457 |
| Sussex Inlet | Post-war fibre cement Community Hall/Sussex Inlet Picture Theatre | 173 Jacobs Drive | Lot A, DP 343373 | Local | 458 |
| Sussex Inlet | Gothic Carpenter style relocated Church (former Termeil Wesleyan Church) | 175 Jacobs Drive | Lot B, DP 343373 | Local | 459 |
| Sussex Inlet | "Kemp's Boatshed" | River Road | Part Lot 7028, DP 1052695 | Local | 460 |
| Swanhaven | "The Springs"—Holiday Cabins | 1A Yarroma Avenue | Lot 2, DP 554118 | Local | 461 |
| Tapitallee | Good Dog Cemetery | Bangalee Road | Lot 7312, DP 1153579 | Local | 462 |
| Terara | "The Old House"—Weatherboard Residence and Well | 3-7 Fox Street | Lots 1-5, DP 1035937 | Local | 463 |
| Terara | "Terara Lodge" (former Wesleyan Parsonage) | 6 Holme Street | Lot 28, DP 779285 | Local | 464 |
| Terara | Victorian Sandstone School and attached Residence including Terara School grounds and Trees | 20 Millbank Road | Lot 1, DP 725988 | Local | 465 |
| Terara | "Dower House" (former Coachman's House to Millbank) | 27B Millbank Road | Lot 2, DP 313528 | Local | 466 |
| Terara | "Millbank Cottage"—Outbuildings and trees | 31 Millbank Road | Lot 1, DP 32426 | Local | 467 |
| Terara | "Rosebank"—Victorian Georgian style cottage | 62 Millbank Road | Lot 6, DP 770600 | Local | 468 |
| Terara | "Terara House" including Chapel, Grounds and Tree-lined drive | 77 Millbank Road | Lot 1, DP 579451 | Local | 469 |
| Terara | "Rose Cottage" (former Pooley's Store) | 157 South Street | Lot 1, DP 735264 | Local | 470 |

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|-----------|--|---|--|-------|-----|
| Terara | "Ayrton House" (former CBC Bank) | 175 South Street | Lot 11, DP 52910 | Local | 471 |
| Terara | Timber Vertical Slab Worker's Cottage | 119 Terara Road | Lot 102, DP 817248 | Local | 472 |
| Terara | "Woodlawn"—Victorian Weatherboard Cottage and trees | 124 Terara Road | Lot 3, DP 602305 | Local | 473 |
| Terara | "Citrus Grove"—Victorian Residence and trees | 126 Terara Road | Lot 2, DP 79001 | Local | 474 |
| Terara | "Solway House"—late Victorian Brick Residence and Store | 10 West Berry Street and 3 Holme Street | Lots 10 and 11, DP 1080453 | Local | 475 |
| Tianjara | Alley Family graves | Braidwood Road | Lot 3, DP 755962 | Local | 476 |
| Tolwong | Tolwong Copper Mine (remnants) | Touga Road | National Park | Local | 477 |
| Tomerong | Tomerong Cemetery | 331 Hawken Road | Lot 1, DP 812581 | Local | 478 |
| Tomerong | Victorian Schoolmaster's Residence | 355-359 Hawken Road | Lot 2, DP 725948 | Local | 479 |
| Tomerong | Interwar Community Hall (former School of Arts) | 356 Hawken Road | Lot 100, DP 1148693 | Local | 480 |
| Tomerong | Tomerong Carpenter style Union Church and Hall | 363 Hawken Road | Lot 47, DP 925270 | Local | 481 |
| Touga | Tim's Gully Mine | Touga Road | South of Portion 16 in the vicinity of the intersection of North Oaky Creek and Tims Gully | Local | 482 |
| Ulladulla | Warden Head Lighthouse | Deering Street | Lot 290, DP 755967 | Local | 483 |
| Ulladulla | Victorian Georgian style Sandstone School and Schoolmaster's Residence | 241 Green Street | Lot 1, DP 122514 | Local | 484 |
| Ulladulla | Relocated Victorian Georgian Timber Slab Worker's Cottage | 275 Green Street | Lot 702, DP 1056245 | Local | 485 |
| Ulladulla | "Springfield"—ornate late Victorian weatherboard farmhouse | 41 Kanuka Drive | Lot 146, DP 1122896 | Local | 487 |

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|----------------------|---|--------------------------------|---|-------|-----|
| Ulladulla | “Mascot”—Slab Timber Cottage | 56 North Street | Lot 1, DP 337491 | Local | 486 |
| Ulladulla | Ulladulla Cemetery (former) | Princes Highway | Lot 7012, DP 1031353 | Local | 490 |
| Ulladulla | “Millards Cottage”—two storey Victorian rendered Masonry Building | 81 Princes Highway | Lot 12, DP 565744 | Local | 488 |
| Ulladulla | “The Marlin”—early Post-war American Colonial Hotel | 108-112 Princes Highway | Lots A and B, DP 155990; Lots 11 and 12, Section 2, DP 759018; Lot 1, DP 743246 | Local | 489 |
| Ulladulla | Warden Head Geological Site | Rennies Beach Close | Lot 59, DP 237534 | Local | 491 |
| Ulladulla | Sandstone Weir—Millards Creek | St Vincent Street | Lot 702, DP 1030099 | Local | 492 |
| Ulladulla | Ulladulla Harbour including Old pier and stone pier, Steps and Walls | Wason Street | Part of Lot 1, DP 612935; Lots 3-7 and 9, DP 260884; Part of Lot 7314, DP 1166835 | Local | 494 |
| Ulladulla | Ulladulla Seawater Pool | Wason Street | Lot 376, DP 726691 | Local | 495 |
| Ulladulla | Victorian Brick Residence (former Ulladulla Post Office) | 23 Wason Street | Lot 50, DP 828221 | Local | 493 |
| Upper Kangaroo River | “Fern Hill”—(former Church of England Church) | Upper Kangaroo River Road | Lot 100, DP 842428 | Local | 498 |
| Upper Kangaroo River | Relocated Weatherboard Schoolhouse (former Hillcrest School) | Upper Kangaroo River Road | Lot 1, DP 172019 | Local | 499 |
| Upper Kangaroo River | “Yarrowooma”—Dairy Farm Complex including Red Cedar Slab Selector’s Cottage | 679 Upper Kangaroo River Road | Lot 4, DP 1000686 | Local | 496 |
| Upper Kangaroo River | Upper Kangaroo River Community Hall | 1009 Upper Kangaroo River Road | Lot 1, DP 224929 | Local | 497 |
| Vincentia | Greenfields Beach Cottage Site and Pine Trees | Birruga Avenue | Lot 44, DP 755907 | Local | 500 |
| Vincentia | South Huskisson Wharf Sandstone Remnants | Elizabeth Drive | Lot 7021, DP 1117368 | Local | 501 |

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|-------------|---|-------------------------|---|-------|-----|
| Vincentia | Plantation Point Rock Platform | Plantation Point Parade | Lot 7023, DP 1117371 | Local | 502 |
| Wandandian | Wandandian Post Office (former) and Residence | D2625 Princes Highway | Lot 26, DP 1092958 | Local | 503 |
| Wandandian | "Dalton Park"—Farmhouse and Wandandian Cricket Ground (former) | 10 Windley Road | Lot 40, DP 862334 | Local | 504 |
| Watersleigh | Condie Farm including former Condies cottage, trees and graves | Koloona Drive | Lot 117, DP 751273 | Local | 505 |
| Wattamolla | Brogers Creek Cemetery | 515 Wattamolla Road | Lot 121, DP 1049038 | Local | 506 |
| Wattamolla | "Pinkawilinie"—(former Wattamolla school house) | 539 Wattamolla Road | Lot 190, DP 751264 | Local | 507 |
| Wattamolla | Victorian weatherboard farmhouse and trees | 545 Wattamolla Road | Lot 4, DP 258693 | Local | 508 |
| West Nowra | Inter-war reinforced concrete building and storage dam (former Nowra water supply and filtration plant) | Filter Road | Lots 6 and 12, DP 805611, Flatrock Creek Waterway | Local | 509 |
| Woodhill | Corrugated iron building (former Wesleyan Church) | 1 Brogers Creek Road | Lot 100, DP 1006659 | Local | 510 |
| Woodhill | Woodhill Cemetery | Wattamolla Road | Lot 3, DP 1030426 | Local | 511 |
| Woodstock | "Woodlands"—weatherboard and iron farmhouse | 24 Evans Lane | Lot 22, DP 623582 | Local | 512 |
| Woodstock | "Avenal"—dairy farm complex | 108 Evans Lane | Lot 24, DP 863026 | Local | 513 |
| Woodstock | "Danesbank"—two storey Victorian stone farmhouse and garden | 121 Evans Lane | Lot 9, DP 792205 | Local | 514 |
| Woodstock | "Woodlawn"—Federation weatherboard farmhouse | Woodstock Road | Lot 16, DP 827800 | Local | 518 |
| Woodstock | "Mount Airlie"—two storey Victorian Italianate estate residence and trees | 34A Woodstock Road | Lot 3, DP 856688 | Local | 515 |
| Woodstock | Inter-war reinforced concrete butter factory | 170 Woodstock Road | Lot 1, DP 529083; Lot 1, DP 726006 | Local | 516 |

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|--------------------|---|--------------------------|---|-------|-----|
| Woodstock | Federation brick residence (former school residence) and trees | 358 Woodstock Road | Lot 1, DP 1031696 | Local | 517 |
| Woollamia | Lone grave of Sarah Coulon | 22 James Farmer Grove | Lot 4, DP 1027849 | Local | 519 |
| Woollamia | Weatherboard and fibro holiday cottage | 759 Woollamia Road | Lots 1 and 2, DP 9289; Lots 3 and 4, DP 1172636 | Local | 520 |
| Worrigeer | Rubblestone school (former Worrigeer schoolhouse) | 20 Booligal Road | Lot 15, DP 755953 | Local | 521 |
| Worrigeer | Worrigeer Cemetery | Greenwell Point Road | Lot 8, DP 791226 | Local | 524 |
| Worrigeer | “Congla”—(former Mackenzie Estate manager’s residence) | 315 Greenwell Point Road | Lot 2, DP 1087811 | Local | 522 |
| Worrigeer | Cement rendered colonial (dome) wells (2) | 361 Greenwell Point Road | Lot 2, DP 1087811 | Local | 523 |
| Worrorring Heights | “Erowal Farm” including homestead (ruins), garden, trees and resort ruins | Walter Hood Parade | Lot 34, DP 1093403 | Local | 525 |
| Yadboro | Pigeon House Mountain Lookout including fire trail and longfella pass | Yadboro Road | Morton National Park | Local | 526 |
| Yalwal | Former Yalwal gold mine and township site | Yalwal Road | Part Lots 1 and 2, DP 252335; Part of Reserve No R3167; Part of Reserve No R3168; Lot 7314, DP 1147788; Lot 7 and Part Lots 1-6, Section 5, DP 759129; Part Lots 12 and 13, DP 755931; Lot 7016, DP 1039312; Lot 7018, DP 1039313; Lot 7017, DP 1039315 | Local | 527 |
| Yatte Yattah | The Sheaffe Family Cemetery | Pointer Road | Lot 17, DP 847482 | Local | 528 |
| Yatte Yattah | Roman Catholic Church and cemetery | Princes Highway | Lot 138, DP 755923 | Local | 536 |

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|--------------|--|--|--|-------|-----|
| Yatte Yattah | Yatte Yattah Nature Reserve and 2 Waterfalls | Princes Highway and 67B Skye Farm Lane | Lot 15A, DP 755923; Lot 44, DP 806933 | Local | 537 |
| Yatte Yattah | "Woppindally"—dairy farm complex | E280 Princes Highway | Lot 1, DP 738631 | Local | 529 |
| Yatte Yattah | "Kendall Dale"—dairy farm complex including homestead and garden | E379A Princes Highway | Part Lot 189, DP 755923; Lot 3, DP 1193328 | Local | 530 |
| Yatte Yattah | Quercus robur (English Oak trees-2) on driveway entrance | E379A Princes Highway | Part Lot 189, DP 755923; Lot 3, DP 1193328 | Local | 531 |
| Yatte Yattah | "Kirmington"—dairy farm complex and Henry Kendall monolith | E379B Princes Highway | Lot 425, DP 755923 | Local | 532 |
| Yatte Yattah | Industrial building (former Yatte Yattah cheese factory) | E380 Princes Highway | Lot 1, DP 725962 | Local | 533 |
| Yatte Yattah | "Boolgatta"—dairy farm complex and barn | E402D Princes Highway | Lot 71, DP 854641 | Local | 534 |
| Yatte Yattah | "Currawar"—Victorian Georgian style farmhouse | E435 Princes Highway | Lot 30, DP 792994 | Local | 535 |
| Yatte Yattah | Former Yatte Yattah Public School and schoolmaster's residence | 8A Tierney Road | Lot 453, DP 755923 | Local | 538 |
| Yatte Yattah | "Hillview" Private Cemetery | 8B Tierney Road | Lot 6, DP 32380 | Local | 539 |

Part 2 Heritage conservation areas

| Name of area | Identification on Heritage Map | Significance |
|--|---|--------------|
| Hampton Bridge Heritage Conservation Area | Shown by red hatching and labelled "C4" | Local |
| Pulman Street Heritage Conservation Area | Shown by red hatching and labelled "C1" | Local |
| Plunkett Street Heritage Conservation Area | Shown by red hatching and labelled "C2" | Local |
| Terara Heritage Conservation Area | Shown by red hatching and labelled "C3" | Local |

Part 3 Archaeological sites

| Suburb | Item name | Address | Property description | Significance | Item no |
|-----------------|--------------------------------|----------------------|----------------------|--------------|---------|
| Bendalong | Red Head timber mill and wharf | 1 Waratah Street | Lot 187, DP 755923 | Local | A1 |
| Comerong Island | Former coal wharf site | Comerong Island Road | Comerong Island | Local | A2 |

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|-----------------|-------------------------------------|----------------------|----------------------------|-------|----|
| Coolangatta | Berry Estate homestead ruins | 1335 Bolong Road | Lot A, DP 33346 | Local | A3 |
| Coolangatta | Berry Estate shipyard | Bolong Road | Lot 12, DP 28128 | Local | A4 |
| Greenwell Point | Greenwell Point wharf and surrounds | Greenwell Point Road | Lots 7300-7302, DP 1165443 | Local | A5 |
| Watersleigh | Condie Farm | Koloona Drive | Lot 117, DP 751273 | Local | A6 |

Dictionary

(Clause 1.4)

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

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

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

Note—

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

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

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

Acid Sulfate Soils Map means the [Shoalhaven Local Environmental Plan 2014 Acid Sulfate Soils Map](#).

advertisement has the same meaning as in the Act.

Note—

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

advertising structure has the same meaning as in the Act.

Note—

The term is defined as a structure used or to be used principally for the display of an advertisement.

Advertising structures are a type of **signage**—see the definition of that term in this Dictionary.

affordable housing has the same meaning as in the Act.

Note—

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

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

Note—

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

agriculture means any of the following:

- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Note—

Part 6 of the [Plantations and Reafforestation Act 1999](#) provides that exempt farm forestry within the meaning of that Act is not subject to the [Environmental Planning and Assessment Act 1979](#).

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

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

Note—

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

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

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

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

and the like.

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

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

Note—

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

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

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

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

Note—

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

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

backpackers' accommodation means a building or place that:

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

Note—

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

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

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

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

Note—

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

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

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

Note—

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

biodiversity means biological diversity.

biological diversity has the same meaning as in the [Threatened Species Conservation Act 1995](#).

Note—

The term is defined as follows:

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

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

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

Note—

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

boarding house means a building that:

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

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

Note—

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

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

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

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

brothel has the same meaning as in the Act.

Note—

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

Buffers Map means the [Shoalhaven Local Environmental Plan 2014 Buffers Map](#).

building has the same meaning as in the Act.

Note—

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

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

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

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

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

Note—

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

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

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

whichever distance is the shortest.

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

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

and including goods such as floor and window supplies, furniture, household electrical goods,

equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

Note—

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

bush fire hazard reduction work has the same meaning as in the [Rural Fires Act 1997](#).

Note—

The term is defined as follows:

bush fire hazard reduction work means:

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

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

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

Note—

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

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

business identification sign means a sign:

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

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

Note—

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

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

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

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but

does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note—

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

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

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

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

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

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

catchment action plan has the same meaning as in the [Catchment Management Authorities Act 2003](#).

Note—

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

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

Note—

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

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

charter and tourism boating facility means any facility (including a building or other structure)

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

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

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

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
 - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - (ii) private tutoring, or
- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

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

Note—

The term is defined as follows:

classified road means any of the following:

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

(See [Roads Act 1993](#) for meanings of these terms.)

Clauses Map means the [Shoalhaven Local Environmental Plan 2014 Clauses Map](#).

clearing native vegetation has the same meaning as in the [Native Vegetation Act 2003](#).

Note—

The term is defined as follows:

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

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

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

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

coastal hazard has the same meaning as in the [Coastal Protection Act 1979](#).

coastal lake means a body of water specified in Schedule 1 to [State Environmental Planning Policy No 71—Coastal Protection](#).

coastal protection works has the same meaning as in the [Coastal Protection Act 1979](#).

Coastal Risk Planning Map means the [Shoalhaven Local Environmental Plan 2014 Coastal Risk Planning Map](#).

coastal waters of the State—see section 58 of the [Interpretation Act 1987](#).

coastal zone has the same meaning as in the [Coastal Protection Act 1979](#).

Note—

The term is defined as follows:

coastal zone means:

- (a) the area within the coastal waters of the State as defined in Part 10 of the [Interpretation Act 1987](#) (including any land within those waters), and
- (b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and
- (c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

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

commercial premises means any of the following:

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

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
 - (b) used for the physical, social, cultural or intellectual development or welfare of the community,
- but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

community land has the same meaning as in the [Local Government Act 1993](#).

correctional centre means:

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

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

Council means the Shoalhaven City Council.

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

Crown reserve means:

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

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

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

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

Note—

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

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

Note—

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

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

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

designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) land required for regional open space,
- (d) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

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

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

Note—

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

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

Note—

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

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

Note—

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

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

dwelling house means a building containing only one dwelling.

Note—

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that:

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

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

Note—

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

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

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

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

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

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

emergency services organisation means any of the following:

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

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

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

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

estuary has the same meaning as in the [Water Management Act 2000](#).

Note—

The term is defined as follows:

estuary means:

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

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

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

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

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

extensive agriculture means any of the following:

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

Note—

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

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

Note—

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

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the [Mining Act 1992](#).

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

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

Note—

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

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

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

Note—

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

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

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not

significantly alter the shape, natural form or drainage of the land, or

(b) the use of land as a waste disposal facility.

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

(a) still photography, or

(b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or

(c) recording images as a visitor or tourist for non-commercial purposes, or

(d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

fish has the same meaning as in the [Fisheries Management Act 1994](#).

Note—

The term is defined as follows:

Definition of “fish”

(1)

Fish means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).

(2)

Fish includes:

(a) oysters and other aquatic molluscs, and

(b) crustaceans, and

(c) echinoderms, and

(d) beachworms and other aquatic polychaetes.

(3)

Fish also includes any part of a fish.

(4)

However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the [Fisheries Management Act 1994](#).

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

Flood Planning Area Map means the [Shoalhaven Local Environmental Plan 2014 Flood Planning](#)

[Area Map](#).

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the [Shoalhaven Local Environmental Plan 2014 Floor Space Ratio Map](#).

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

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

Note—

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

forestry has the same meaning as **forestry operations** has for the purposes of Part 5A of the [Forestry Act 2012](#).

Note—

The term is defined as follows:

forestry operations means:

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

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

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

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

Note—

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

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

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

Note—

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

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

Note—

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

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

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

but excludes:

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

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

ground level (finished) means, for any point on a site, the ground surface after completion of any

earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

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

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

Note—

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

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

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

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

Note—

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

group home (transitional) or transitional group home means a dwelling:

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

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

Note—

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

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

Note—

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

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

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

Note—

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

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

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

Note—

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

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

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

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

Note—

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

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

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

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

- (a) a hazardous storage establishment,

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

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

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

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

Note—

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

Height of Buildings Map means the [Shoalhaven Local Environmental Plan 2014 Height of Buildings Map](#).

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

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

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

Note—

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

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

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

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

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

heritage impact statement means a document consisting of:

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

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

Note—

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

heritage management document means:

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

Heritage Map means the [Shoalhaven Local Environmental Plan 2014 Heritage Map](#).

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

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

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

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

Note—

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

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

- (a) a restaurant or cafe,
- (b) take away food and drink premises,

- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

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

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

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

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

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

Note—

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

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

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

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

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

Note—

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

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

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

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

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

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

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

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

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

Note—

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

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

includes ancillary facilities for (or that consist of) any of the following:

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

Note—

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

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

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

Note—

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

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

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

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

Note—

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

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming,

processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

industrial retail outlet means a building or place that:

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

but does not include a warehouse or distribution centre.

Note—

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

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

industry means any of the following:

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

but does not include:

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

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

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

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

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

Note—

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

intensive plant agriculture means any of the following:

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

Note—

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

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

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

Note—

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

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

Land Application Map means the [Shoalhaven Local Environmental Plan 2014 Land Application Map](#).

Land Reservation Acquisition Map means the [Shoalhaven Local Environmental Plan 2014 Land Reservation Acquisition Map](#).

Land Zoning Map means the [Shoalhaven Local Environmental Plan 2014 Land Zoning Map](#).

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

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

Note—

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

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

- (a) high technology industry,

(b) home industry.

Note—

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

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

Note—

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

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

Note—

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

Lot Size Map means the [Shoalhaven Local Environmental Plan 2014 Lot Size Map](#).

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

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

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

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

Note—

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

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

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

Note—

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

mezzanine means an intermediate floor within a room.

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

mine subsidence district means a mine subsidence district proclaimed under section 15 of the [Mine Subsidence Compensation Act 1961](#).

mining means mining carried out under the [Mining Act 1992](#) or the recovery of minerals under the [Offshore Minerals Act 1999](#), and includes:

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

Note—

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

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

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

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

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

moveable dwelling has the same meaning as in the [Local Government Act 1993](#).

Note—

The term is defined as follows:

moveable dwelling means:

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

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

Note—

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

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

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

native vegetation has the same meaning as in the [Native Vegetation Act 2003](#).

Note—

The term is defined as follows:

Meaning of “native vegetation”

(1)

Native vegetation means any of the following types of indigenous vegetation:

- (a) trees (including any sapling or shrub, or any scrub),
- (b) understorey plants,
- (c) groundcover (being any type of herbaceous vegetation),
- (d) plants occurring in a wetland.

(2)

Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.

(3)

Native vegetation does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the [Fisheries Management Act 1994](#) applies.

Natural Resource Sensitivity—Land Map means the [Shoalhaven Local Environmental Plan 2014 Natural Resource Sensitivity—Land Map](#).

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

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

Note—

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

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

nominated State heritage item means a heritage item that:

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

operational land has the same meaning as in the [Local Government Act 1993](#).

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

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

routine servicing of any vehicle that uses the building or place.

people who are socially disadvantaged means:

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

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

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

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

Note—

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

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

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

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

prime crop or pasture land means:

- (a) rural land identified by the Secretary of the Department of Trade and Investment, Regional Infrastructure and Services as comprising Classes 1, 2 or 3 of a classification set out in the *Rural Land Evaluation Manual* (ISBN 0724044868) published by the NSW Government in 1981 and available from the Department of Trade and Investment, Regional Infrastructure and Services, or

(b) other land identified by the Secretary of that Department.

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

property vegetation plan has the same meaning as in the [Native Vegetation Act 2003](#).

Note—

The term is defined as follows:

property vegetation plan means a property vegetation plan that has been approved under Part 4 of the [Native Vegetation Act 2003](#).

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

Note—

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

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

public authority has the same meaning as in the Act.

public land has the same meaning as in the [Local Government Act 1993](#).

Note—

The term is defined as follows:

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

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

public reserve has the same meaning as in the [Local Government Act 1993](#).

public utility infrastructure, in relation to an urban release area, includes infrastructure for any of the following:

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

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

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

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

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

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

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

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

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

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

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

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

registered club means a club that holds a club licence under the [Liquor Act 2007](#).

relic has the same meaning as in the [Heritage Act 1977](#).

Note—

The term is defined as follows:

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

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

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

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

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

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

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

Note—

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

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

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

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

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,

- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

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

Note—

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

Riparian Lands and Watercourses Map means the [Shoalhaven Local Environmental Plan 2014 Riparian Lands and Watercourses Map](#).

road means a public road or a private road within the meaning of the [Roads Act 1993](#), and includes a classified road.

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

Note—

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

Note—

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

Scenic Protection Area Map means the [Shoalhaven Local Environmental Plan 2014 Scenic Protection Area Map](#).

school means a government school or non-government school within the meaning of the [Education Act 1990](#).

Note—

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

secondary dwelling means a self-contained dwelling that:

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

Note—

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

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

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

Note—

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

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

Note—

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

seniors housing means a building or place that is:

- (a) a residential care facility, or

- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or
 - (c) a group of self-contained dwellings, or
 - (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
- and that is, or is intended to be, used permanently for:
- (e) seniors or people who have a disability, or
 - (f) people who live in the same household with seniors or people who have a disability, or
 - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

Note—

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

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

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

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

Note—

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

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

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

(f) vent stacks.

Note—

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

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

Note—

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

sewerage system means any of the following:

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

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

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

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

Note—

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

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

Note—

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

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

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

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

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does

not include the area of any land on which development is not permitted to be carried out under this Plan.

Note—

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

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

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

small bar means a small bar within the meaning of the [Liquor Act 2007](#).

Note—

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

spa pool has the same meaning as in the [Swimming Pools Act 1992](#).

Note—

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

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

Note—

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

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

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

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

swimming pool has the same meaning as in the [Swimming Pools Act 1992](#).

Note—

The term is defined as follows:

swimming pool means an excavation, structure or vessel:

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

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

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

Note—

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

telecommunications facility means:

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

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note—

The term is defined as follows:

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

Terrestrial Biodiversity Map means the [Shoalhaven Local Environmental Plan 2014 Terrestrial Biodiversity Map](#).

the Act means the [Environmental Planning and Assessment Act 1979](#).

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

Note—

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

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

- (a) backpackers' accommodation,

- (b) bed and breakfast accommodation,
 - (c) farm stay accommodation,
 - (d) hotel or motel accommodation,
 - (e) serviced apartments,
- but does not include:
- (f) camping grounds, or
 - (g) caravan parks, or
 - (h) eco-tourist facilities.

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

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

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

Note—

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

underground mining means:

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

but does not include open cut mining.

urban release area means the area of land identified as "Urban Release Area" on the [Urban Release Area Map](#).

Urban Release Area Map means the [Shoalhaven Local Environmental Plan 2014 Urban Release Area Map](#).

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

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

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor

vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

Note—

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

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

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

Note—

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

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

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

Note—

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

waste or resource management facility means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note—

Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water

(including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note—

Water recycling facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

Note—

Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note—

Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following:

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

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note—

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary,

bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means:

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgeland or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

wharf or boating facilities means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities:

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

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the [A New Tax System \(Australian Business Number\) Act 1999](#) of the Commonwealth.