

Hawkesbury Local Environmental Plan 2012

[2012-470]



New South Wales

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About this plan

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

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](#).

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Hawkesbury Local Environmental Plan 2012



New South Wales

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Hawkesbury Local Environmental Plan 2012



New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Hawkesbury Local Environmental Plan 2012*.

1.1AA Commencement

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

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Hawkesbury 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 provide the mechanism for the management, orderly and economic development and conservation of land in Hawkesbury,
 - (b) to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,
 - (c) to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,
 - (d) to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,
 - (e) to conserve and enhance buildings, structures and sites of recognised significance that are part of the heritage of Hawkesbury for future generations,
 - (f) to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups in Hawkesbury,
 - (g) to encourage tourism-related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.

1.3 Land to which Plan applies

This Plan applies to the land identified 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.

Note—

The following local environmental plans are repealed under this provision:

Hawkesbury Local Environmental Plan 1989

- (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.

1.8A Savings provision relating to development applications

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

Note—

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

1.9 Application of SEPPs

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

State Environmental Planning Policy No 1—Development Standards

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed,or

- (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones

- RU1 Primary Production
- RU2 Rural Landscape
- 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

B5 Business Development

B6 Enterprise Corridor

Industrial Zones

IN1 General Industrial

IN2 Light Industrial

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

E1 National Parks and Nature Reserves

E2 Environmental Conservation

E3 Environmental Management

E4 Environmental Living

Waterway Zones

W1 Natural Waterways

W2 Recreational Waterways

2.2 Zoning of land to which Plan applies

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

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without development consent, and
 - (c) development that may be carried out only with development consent, and

- (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Plan.

Notes—

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

2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with development consent.
- (2) In deciding whether to grant development consent, the consent authority:
 - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and
 - (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
 - (a) with development consent, or
 - (b) if the Schedule so provides—without development consent,in accordance with the conditions (if any) specified in that Schedule in relation to that development.

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

2.6 Subdivision—consent requirements

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

Notes—

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
- 2 Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development**.

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

Note—

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

2.7 Demolition requires development consent

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

Note—

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

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that:
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity

of the neighbourhood, and

(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and

(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

(4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.

(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

Land Use Table

Note—

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 encourage agricultural activities that do not rely on highly fertile land.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.
- To promote the conservation and enhancement of local native vegetation including the habitat of threatened species, populations and ecological communities by encouraging development to occur in areas already cleared of vegetation.
- To ensure that development retains or enhances existing landscape values including a distinctive agricultural component.
- To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Food and drink premises; Forestry; Funeral homes; Health consulting rooms; Helipads; Heliports; Home-based child care; Home industries; Hospitals; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities

(outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Tourist and visitor accommodation; Truck depots; Veterinary hospitals; Water recreation structures; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses in the zone and land uses in adjoining zones.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.
- To ensure that development retains or enhances existing landscape values including a distinctive agricultural component.
- To preserve the river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other features of scenic quality.
- To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Charter and tourism boating facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Water recreation structures; Water storage facilities

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.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and

tourism boating facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Flood mitigation works; Food and drink premises; Home-based child care; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; 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.
- To maintain the rural character of the village and ensure buildings and works are designed to be in sympathy with the character of the village.
- To protect hilltops, ridge lines, river valleys, rural landscape and other local features of scenic significance.
- To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Flood mitigation works; Food and drink premises; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Neighbourhood

shops; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural supplies; Schools; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities

4 Prohibited

Rural workers' dwellings; 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 protect the character of traditional residential development and streetscapes.
- To ensure that new development retains and enhances that character.
- To ensure that development is sympathetic to the natural environment and ecological processes of the area.
- To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale.
- To ensure that water supply and sewage disposal on each resultant lot of a subdivision is provided to the satisfaction of the Council.
- To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home industries; Hospitals; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide a wide range of housing choices in close proximity to commercial centres and railway stations.
- To ensure that development is sympathetic to the natural amenity and ecological processes of the area.
- To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities

4 Prohibited

Any 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.
- To provide primarily for low density residential housing and associated facilities.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Home-based child care; Home industries; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To promote the development and expansion of business activities to meet the optimum employment and social needs of Hawkesbury.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Home industries; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Airports; Airstrips; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Extensive agriculture; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hostels; Industrial retail outlets; Industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Marinas; Moorings; Open cut mining; Recreation facilities (major); Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling 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.
- To promote the development and expansion of business activities to meet the optimum employment and social needs of Hawkesbury.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

Airports; Airstrips; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Extensive agriculture; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Hostels; Industrial retail outlets; Industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Marinas; Moorings; Open cut mining; Recreation facilities (major); Research stations; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To 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

Environmental protection works; Home occupations

3 Permitted with consent

Centre-based child care facilities; Funeral homes; Garden centres; Hardware and building supplies; Landscaping material supplies; Neighbourhood shops; Passenger transport facilities; Respite day care centres; Roads; Specialised retail premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Airports; Airstrips; Amusement centres; Biosolids treatment facilities; Boat sheds; Business premises; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; General industries; Hazardous storage establishments; Heavy industries; Highway service centres; Home businesses; Home-based child care; Home industries; Home occupations (sex services); Intensive livestock agriculture; Intensive plant agriculture; Jetties; Kiosks; Marinas; Markets; Moorings; Offensive storage establishments; Office premises; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Sawmill or log processing works; Sewage treatment plants; Sex services premises; Shops; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water storage facilities; Water treatment facilities; Wholesale supplies; Water recycling facilities

Zone B6 Enterprise Corridor

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

Airports; Airstrips; Backpackers' accommodation; Bed and breakfast accommodation; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Extensive agriculture; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home-based child care; Home occupations (sex services); Intensive livestock agriculture; Intensive plant agriculture; Jetties; Marinas; Markets; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Shops; Storage premises; Transport depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water storage facilities; Water treatment 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 commercial development for:
 - (a) uses ancillary to the main use of land in the zone, and
 - (b) the day-to-day needs of the occupants and employees of the surrounding industrial area.

- To ensure that industrial development creates areas that are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Health consulting rooms; Hospitals; Industrial training facilities; Light industries; Neighbourhood shops; Places of public worship; Roads; Warehouse or distributions centres; Any other development not specified in item 2 or 4

4 Prohibited

Airports; Airstrips; Amusement centres; Boat sheds; Business premises; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Educational establishments; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Hazardous storage establishments; Health services facilities; Highway service centres; Home-based child care; Home businesses; Home occupations (sex services); Intensive livestock agriculture; Intensive plant agriculture; Jetties; Kiosks; Marinas; Markets; Moorings; Offensive storage establishments; Office premises; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Roadside stalls; Sex services premises; Shops; Specialised retail premises; Tourist and visitor accommodation; Water recreation structures; Wholesale supplies

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

- To support and protect industrial land for industrial uses.
- To ensure that industrial development creates areas that are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Depots; Funeral homes; Garden centres; Hardware and building supplies; Health consulting rooms; Hospitals; Industrial training facilities; Light industries; Neighbourhood shops; Places of public worship; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Airports; Airstrips; Amusement centres; Biosolids treatment facilities; Boat sheds; Business premises; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Educational establishments; Exhibition homes; Exhibition villages; Farm buildings; Forestry; General industries; Hazardous storage establishments; Health services facilities; Heavy industries; Highway service centres; Home-based child care; Home businesses; Home occupations (sex services); Intensive livestock agriculture; Intensive plant agriculture; Jetties; Kiosks; Marinas; Markets; Moorings; Offensive storage establishments; Office premises; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Sawmill or log processing works; Sewage treatment plants; Sex services premises; Shops; Specialised retail premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wholesale supplies

Zone SP1 Special Activities

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of

the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Environmental protection works; Home occupations

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 RE1 Public Recreation

1 Objectives of zone

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

- To protect and enhance the natural environment for environmental purposes.
- To restrict development on land required for future open space purposes.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boat sheds; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Food and drink premises; Forestry; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Moorings; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Signage; Water recreation structures; Water storage facilities

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

Environmental protection works

3 Permitted with consent

Boat sheds; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Food and drink premises; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres;

Roads; Signage; Water recreation structures; Water storage facilities

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 wetland areas from development that could adversely affect their preservation and conservation.
- To preserve wetland areas as habitats for indigenous and migratory wildlife.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Flood mitigation works; Recreation areas; Roads; Water storage facilities

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 varieties of wildlife and their associated habitats and corridors.
- To retain the visual and scenic qualities of the escarpment ridges and foot slopes.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Home occupations

3 Permitted with consent

Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Correctional centres; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Health consulting rooms; Helipads; Home-based child care; Home industries; Hospitals; Places of

public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities

4 Prohibited

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

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To restrict development on land that is inappropriate for development because of its physical characteristics or bushfire risk.
- To ensure that land uses are compatible with existing infrastructure, services and facilities and with the environmental capabilities of the land.
- To encourage existing sustainable agricultural activities.
- To ensure that development does not create or contribute to rural land use conflicts.
- To promote the conservation and enhancement of local native vegetation, including the habitat of threatened species, populations and ecological communities by encouraging development to occur in areas already cleared of vegetation.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.

2 Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Extensive

agriculture; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Flood mitigation works; Food and drink premises; Forestry; Health consulting rooms; Helipads; Heliports; Home-based child care; Home industries; Hospitals; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Sawmill or log processing works; Stock and sale yards; Tourist and visitor accommodation; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; 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; Environmental facilities; Environmental protection works; Flood mitigation works; Jetties; Moorings; Water recreation structures

4 Prohibited

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

Zone W2 Recreational Waterways

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat sheds; Building identification signs; Business identification signs; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Jetties; Kiosks; Marinas; Moorings; Mooring pens; Recreation areas; Recreation facilities (outdoor); Water recreation structures

4 Prohibited

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

Part 3 Exempt and complying development

3.1 Exempt development

Note—

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

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*, 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, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note—

See *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and Part 5A of the *Local Land Services Act 2013*.

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

3.2 Complying development

(1) The objective of this clause is to identify development as complying development.

(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:

(a) the development standards specified in relation to that development, and

(b) the requirements of this Part,

is complying development.

Note—

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

(3) To be complying development, the development must:

(a) be permissible, with development consent, in the zone in which it is carried out, and

(b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and

(c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.

(5) A heading to an item in Schedule 3 is part of that Schedule.

3.3 Environmentally sensitive areas excluded

(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.

(2) For the purposes of this clause:

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

(a) the coastal waters of the State,

(b) a coastal lake,

(c) land within the coastal wetlands and littoral rainforests area (within the meaning of the *Coastal Management Act 2016*),

- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,
- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land that is a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to ensure that the pattern of lots created by subdivision and the location of any buildings on those lots will minimise the impact on any threatened species, populations or endangered ecological community or regionally significant wetland, waterways and groundwater as well as any agricultural activity in the vicinity,
 - (b) to ensure that each lot created in a subdivision contains a suitable area for the erection of a dwelling house, an appropriate asset protection zone relating to bush fire hazard and a location for on-site effluent disposal if sewerage is not available,
 - (c) to ensure a ratio between the depth of the lot and the frontage of the lot that is satisfactory having regard to the purpose for which the lot is to be used.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

- (3A) If a lot in a following zone is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size:
- (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential.
- (4) This clause does not apply in relation to the subdivision of any land:
- (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by any kind of subdivision under the *Community Land Development Act 1989*.

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows:
- (a) to ensure that land to which this clause applies is not fragmented by inappropriate subdivisions that would create additional dwelling entitlements.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones:
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone RU5 Village,
 - (e) Zone R1 General Residential,
 - (f) Zone R2 Low Density Residential,
 - (g) Zone R3 Medium Density Residential,
 - (h) Zone R5 Large Lot Residential,
 - (i) Zone E3 Environmental Management,
 - (j) Zone E4 Environmental Living,
- but does not apply to a subdivision by the registration of a strata plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the

Community Land Development Act 1989) is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

- (3A) If a lot in a following zone is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size:
- (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential.
- (4) This clause applies despite clause 4.1.

4.1A Minimum subdivision lot size for strata plan schemes in certain rural, residential and environmental protection zones

- (1) The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
- (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 RU5 Village,
 - (e) Zone R1 General Residential,
 - (f) Zone R2 Low Density Residential,
 - (g) Zone R3 Medium Density Residential,
 - (h) Zone R5 Large Lot Residential,
 - (i) Zone E3 Environmental Management,
 - (j) Zone E4 Environmental Living.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or *Strata Schemes (Leasehold Development) Act 1986*) is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

Note—

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

- (4) If a lot in a following zone is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size:
- (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential.

4.1B Additional requirements for subdivision in certain rural, residential and environmental protection 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 RU5 Village,
 - (e) Zone R5 Large Lot Residential,
 - (f) Zone E3 Environmental Management,
 - (g) Zone E4 Environmental Living.
- (2) Development consent must not be granted to a subdivision of land to which this clause applies unless:
- (a) the pattern of lots created by the subdivision and the location of any buildings on those lots is not likely to have a significant impact on any threatened species, populations or endangered ecological community or regionally significant wetland, waterways, groundwater or agricultural activities in the locality, and
 - (b) the consent authority is satisfied that each lot to be created contains a suitable area for a dwelling house, an appropriate asset protection zone relating to bush fire hazard and an adequate sewage management system if sewerage is not available, and
 - (c) if sewerage is not available—the consent authority has considered a geotechnical assessment that demonstrates the land is adequate for the on-site disposal of effluent, and
 - (d) the consent authority is satisfied that there is a satisfactory ratio between the depth of each lot and the frontage of each lot, having regard to the purpose for which the lot is to be used.

4.1C Exceptions to minimum subdivision lot size for rural and large lot residential zones

- (1) The objective of this clause is to provide an alternative method to clause 4.1 for the subdivision of land to which this clause applies.
- (2) This clause applies to land in the following zones that is identified as “U”, “Y” or “Z” on the [Lot Averaging Map](#):
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU4 Primary Production Small Lots,
 - (c) Zone R5 Large Lot Residential.
- (3) Despite clauses 4.1 and 4.1AA, development consent may be granted under this clause for an averaging subdivision of land to which this clause applies if the size of any lot resulting from that subdivision will not be less than the minimum size shown on the [Lot Averaging Map](#) in relation to that land.
- (4) Before development consent may be granted for an averaging subdivision of land in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots, the consent authority must be satisfied of all of the following:
 - (a) that at least 20% of the original lot for the land being subdivided is occupied by an endangered ecological community or is a regionally significant wetland,
 - (b) that there will be a better environmental outcome from an averaging subdivision than there would be without such a subdivision and that the long-term survival of the endangered ecological community or regionally significant wetland will be enhanced,
 - (c) that any endangered ecological community will be contained in, and managed on, neighbourhood property under the [Community Land Development Act 1989](#),
 - (d) that any regionally significant wetland will be contained in, and managed on, neighbourhood property under the [Community Land Development Act 1989](#) or on a lot designed for large scale agriculture,
 - (e) that the lots to be created for dwelling houses do not contain an endangered ecological community or, unless they are lots designed for large-scale agriculture, a regionally significant wetland.

- (5) In this clause:

averaging subdivision means the subdivision of land to which this clause applies that will not create more lots than the number resulting from:

- (a) if the land is in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots—dividing the area (in hectares) of the original lot for the land being

subdivided by the minimum lot size (in hectares) shown on the [Lot Size Map](#) in relation to that land, or

- (b) if the land is in Zone R5 Large Lot Residential—multiplying the area of the original lot (in hectares) for the land being subdivided by the density control number shown on the [Lot Averaging Map](#) in relation to that land.

endangered ecological community means any endangered ecological community referred to in Part 3 of Schedule 1 to the [Threatened Species Conservation Act 1995](#).

lot does not include a lot created for a public purpose or a lot created as neighbourhood property under the [Community Land Development Act 1989](#).

original lot for land being subdivided means a lot that includes the land being subdivided:

- (a) that existed on 24 March 2005 (the day lot averaging provisions commenced under [Hawkesbury Local Environmental Plan 1989](#)), and
- (b) that is in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone R5 Large Lot Residential, and
- (c) for which a minimum lot size is shown on the [Lot Averaging Map](#).

regionally significant wetland means any land shown as wetland on “the map” within the meaning of [Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River \(No 2—1997\)](#).

4.1D Exceptions to minimum subdivision lot size for certain land

- (1) Despite clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land that is identified as “Area A” and edged heavy blue on the [Lot Size Map](#) if:
- (a) arrangements satisfactory to the consent authority have not been made before the application is determined to ensure that each lot created by the subdivision will be serviced by a reticulated sewerage system from the date it is created, and
- (b) the area of any lot created by the subdivision that contains or is to contain a dwelling house is less than 4,000 square metres.
- (2) Despite subclause (1) and subject to subclause (3), development consent may be granted for the subdivision of land in the following zones into separate lots for the purpose of dual occupancies, multi dwelling housing, residential flat buildings or shop top housing, if the development for that purpose has been previously approved:
- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,

(c) Zone R3 Medium Density Residential.

(3) Subclause (2) (b) does not apply to land in Glossodia.

4.1E Exceptions to minimum subdivision lot size for Grose Wold

(1) The objective of this clause is to provide an alternative method to clause 4.1 for the subdivision of land to which this clause applies in a way that ensures the protection of the Cumberland Plain Woodland.

(2) This clause applies to land in the area known as “Grose Wold”, being the land identified as “Area B” and edged heavy yellow on the [Lot Size Map](#).

(3) Development consent may be granted for the subdivision of land to which this clauses applies only if:

(a) the consent authority is satisfied that the pattern of lots to be created by the subdivision and the location of any buildings on those lots will minimise the impact on any Cumberland Plain Woodland, any land in an environmental constraint area and waterways and groundwater, and

(b) the consent authority has considered a geotechnical assessment demonstrating the land is adequate for the on-site disposal of effluent in accordance with best practice, and

(c) the Cumberland Plain Woodland and any land in an environmental constraint area is retained in one lot as much as possible, and

(d) the consent authority is satisfied there will be no significant adverse impacts on Cumberland Plain Woodland or land in any environmental constraint area located downstream or surrounding the development.

(4) Despite clauses 4.1, 4.1AA, 4.1A and 4.1C, if land to which this clause applies contains an environmental constraint area, development consent must not be granted for the subdivision of that lot unless:

(a) the number of lots to be created for a dwelling house by the subdivision will not exceed the area of the original lot for the land to be subdivided, in hectares, divided by 4, and

(b) any lot created for a dwelling house will contain at least one hectare of land that is not in an environmental constraint area.

(5) When considering a development application to which this clause relates, the consent authority must have regard to the effect the development is likely to have on the following:

(a) the water quality and water quantity in the Grose River and its tributaries,

(b) the scenic quality of the area,

(c) existing riparian vegetation, the rehabilitation of local native riparian vegetation located along the Grose River and along drainage lines and creeks.

(6) In this clause:

Cumberland Plain Woodland means the critically endangered ecological community with that name referred to in Part 2 of Schedule 1A to the [Threatened Species Conservation Act 1995](#).

environmental constraint area means land identified as “Environmental Constraint Area” on the [Environmental Constraints Area Map](#).

original lot for land being subdivided means a lot that existed immediately before 2 June 2000 that included the land.

4.1F Exceptions to minimum subdivision lot size for certain land in North Richmond

Despite clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land in North Richmond that is identified as “Area C” and edged heavy red on the [Lot Size Map](#) if any lot that would result from the subdivision would be a battle-axe-lot (or a lot with an access handle) with an area of less than 700 square metres.

4.1G Restriction on the number of lots created by subdivision of certain land

(1) This clause applies to land identified as “Restricted Lot Yield” on the [Restricted Lot Yield Map](#).

(2) The total number of lots that may be created by the subdivision of land to which this clause applies must not exceed the number shown on the Restricted Lot Yield Map in relation to that land.

(3) In this clause:

lot does not include a lot created for a public purpose or a lot created as neighbourhood property under the [Community Land Development Act 1989](#).

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 Zone RU6 Transition.

- (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 Residential development and subdivision prohibited on certain land

- (1) The objectives of this clause are as follows:
 - (a) to prohibit residential development on a lot resulting from the closure of a road,
 - (b) to prohibit the erection of dwelling houses on certain land that is flood planning land or was subdivided for agricultural purposes.
- (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 RU5 Village,
 - (e) Zone R5 Large Lot Residential,
 - (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 a lot resulting from the closure of part or all of a road, irrespective of when that closure occurred.
- (4) Subclause (3) does not apply to a lot created by the consolidation of a lot resulting from a road closure with an adjoining lot that did not result from a road closure.

- (5) Development consent must not be granted for the erection of a dwelling house on a lot:
 - (a) below the level of a 1:100 ARI (average recurrent interval) flood event, and
 - (b) resulting from a subdivision for the purpose of agriculture for which development consent was granted before 27 June 2003.

4.2B Additional requirements for subdivisions in certain flood planning areas

- (1) This clause applies to the subdivision of land:
 - (a) under clause 4.1, 4.1AA, 4.1A, 4.1C, 4.1E, 4.1G or 4.2, and
 - (b) that creates a lot other than for use for a public purpose, and
 - (c) in the following zones:
 - (i) Zone RU1 Primary Production,
 - (ii) Zone RU2 Rural Landscape,
 - (iii) Zone RU4 Primary Production Small Lots,
 - (iv) Zone R5 Large Lot Residential,
 - (v) Zone E4 Environmental Living.
- (2) Development consent must not be granted for a subdivision to which this clause applies unless the consent authority is satisfied that there is an area of land on the lot that is above flood planning level and is sufficient for the erection of a dwelling house.
- (3) For the purposes of subclause (2), an area of land is **above flood planning level** if the land is above the level of a 1:100 ARI (average recurrent interval) flood event (whether the level is a natural surface level or a level achieved by filling carried out with a previous development consent).

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to protect privacy and the use of private open space in new development and on adjoining land,
 - (b) to ensure that the bulk of development is not excessive and relates well to the local context,
 - (c) to nominate heights that will provide a transition in built form and land use intensity,
 - (d) to ensure an appropriate height transition between new buildings and heritage

items.

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

4.4 Floor space ratio

[Not adopted]

4.5 Calculation of floor space ratio and site area

[Not adopted]

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 Zone RU3 Forestry or Zone RU6 Transition.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,

(c) clause 5.4,

(ca) clause 5.13A or 5.13B.

(8A) This clause does not allow development consent to be granted for development that

would contravene a development standard under clause 4.1, 4.1AA, 4.1A, 4.1C, 4.1D, 4.1E or 4.1G that applies to any of the following:

- (a) land in Zone RU5 Village,
- (b) land in Zone R2 Low Density Residential at Glossodia,
- (c) land identified as “Exceptions to Development Standards Area” on the [Exceptions to Development Standards Map](#),
- (d) land identified as “Density Control” on the [Pitt Town Subdivision and Designated State Public Infrastructure Map](#),
- (e) land identified as “Restricted Lot Yield” on the [Restricted Lot Yield Map](#).

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 SP2 Infrastructure and marked “Local road” | Council |

Zone E1 National Parks and Nature Reserves and marked “National Park”

Minister administering the *National Parks and Wildlife Act 1974*

- (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.

Note—

If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning and Infrastructure (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

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 SP2 Infrastructure and marked “Classified road” | Roads |
| Zone SP2 Infrastructure and marked “Local road” | Roads |
| Zone RE1 Public Recreation and marked “Local open space” | Recreation areas |

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

- (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 4 bedrooms.

Note—

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

- (2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.
- (3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.
- (4) **Industrial retail outlets** If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:
- (a) 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 400 square metres,

whichever is the lesser.

- (5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 4 bedrooms.
- (6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 25 square metres.
- (7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 200 square metres.
- (7AA) **Neighbourhood supermarkets** If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.
- (8) **Roadside stalls** If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 75 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) 10% of the total floor area of the principal dwelling.
- (10) **Artisan food and drink industry exclusion** If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:
 - (a) 20% of the gross floor area of the industry, or
 - (b) 400 square metres,whichever is the lesser.

5.5 (Repealed)

5.6 Architectural roof features

[Not adopted]

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, 5.9AA (Repealed)

5.10 Heritage conservation

Note—

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

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

- (a) to conserve the environmental heritage of Hawkesbury,
- (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.

5.14 Siding Spring Observatory—maintaining dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

Part 5A Urban release areas

5.13A Arrangements for certain designated State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of relevant 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 relevant 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).
- (5) In this clause:

relevant 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).

5.13B 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.

5.13C 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.

Part 6 Additional local provisions

6.1 Acid sulfate soils

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

| Class of land | Works |
|----------------------|--|
| 1 | Any works. |
| 2 | Works below the natural ground surface. Works by which the watertable is likely to be lowered. |
| 3 | Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface. |
| 4 | Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface. |

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

- (3) Development consent must not be granted under this clause for the carrying out of works unless 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, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins), foundations or flood mitigation works, or
 - (b) the works are not likely to lower the watertable.

6.2 Earthworks

- (1) The objectives of this clause are as follows:
 - (a) 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,
 - (b) to allow earthworks of a minor nature without requiring separate development consent.
- (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 other development for which development consent has been given.
- (3) Before granting development consent for earthworks, the consent authority must consider the following matters:
 - (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,
 - (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 watercourse, 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 disturbing or excavating land and Aboriginal objects.

6.3 Flood planning

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

- (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to 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) is not likely to 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) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual*(ISBN 0 7347 5476 0), published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause:
- flood planning level*** means the level of a 1:100 ARI (average recurrent interval) flood event.

6.4 Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by:
- (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as "Significant vegetation" and "Connectivity between significant vegetation" on the [Terrestrial Biodiversity Map](#).

- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
 - (a) whether the development:
 - (i) is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
 - (iii) has any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) is likely to have any adverse impact on the habitat elements providing connectivity on the land.
 - (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.

6.5 Wetlands

- (1) The objective of this clause is to ensure that wetlands are preserved and protected from the impacts of development.
- (2) This clause applies to land identified as “Wetlands” on the [Wetlands 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 significant adverse impact on the following:
 - (i) the condition and significance of the existing native fauna and flora on the land,
 - (ii) the provision and quality of habitats on the land for indigenous and migratory species,

- (iii) the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity,
 - (iv) the growth and survival of native fauna and flora,
 - (v) any wetlands in the vicinity of the development, 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—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

6.6 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows:
 - (a) to prevent certain noise sensitive developments from being located near the RAAF Base Richmond and its flight paths,
 - (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,
 - (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.
- (2) This clause applies to development that:
 - (a) is on land that:
 - (i) is near the RAAF Base Richmond, and
 - (ii) is in an ANEF contour of 20 or greater, and
 - (b) the consent authority considers is likely to be adversely affected by aircraft noise.
- (3) 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 be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—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 the RAAF Base Richmond prepared by the Department of the Commonwealth responsible for airports.

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

6.7 Essential services

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

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

6.8 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 land to which this clause applies is subdivided, to satisfy needs that arise from development on the land.
- (2) This clause applies to the land identified as “Density Control” on the [Pitt Town Subdivision and Designated State Public Infrastructure Map](#).
- (3) This clause does not apply:
 - (a) unless the subdivision would result in the density controls shown on that map

being exceeded, or

(b) if all or any part of the land is in a special contributions area (as defined by section 93C of the Act).

(4) Development consent must not be granted for the subdivision of land to which this clause applies 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 land.

(5) Subclause (4) 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.

6.9 Additional requirements for subdividing in Pitt Town Heritage Area

(1) This clause applies to land identified as a “Potential archaeological site” or a “Potential place of Aboriginal heritage significance” on the [Pitt Town Heritage Map](#).

(2) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority has, in addition to any other requirement specified by this Plan:

(a) considered a heritage impact statement that explains how the development will affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) in relation to any potential place of Aboriginal heritage significance—notified the local Aboriginal communities (in such a way as it thinks appropriate) of the development application and taken into consideration any comments received in response within 21 days after the notice was sent.

(3) This clause does not apply to the subdivision of land to which clause 5.10 (2) (f) applies.

Note—

Before the development is carried out, it may also be necessary to obtain an excavation permit under the [Heritage Act 1977](#) and consent or permission under the [National Parks and Wildlife Act 1974](#).

6.10 Certain development on Lot 1, DP 827148, Richmond Road, Clarendon

- (1) This clause applies to Lot 1, DP 827148, Richmond Road, Clarendon.
- (2) Despite any other provision of this Plan, development consent must not be granted for the carrying out of development on the land to which this clause applies unless the consent authority has consulted with the Department of Defence about the following matters and has taken into consideration any submission made by the Department of Defence within 28 days of the consultation:
 - (a) the effect the development may have on the aircraft operations of the RAAF Base Richmond,
 - (b) the height of any proposed building, having regard to any Obstruction Clearance Surfaces (OCS) applying to the land as determined by the Department of Defence from time to time,
 - (c) the reflectivity of materials to be used on any building,
 - (d) whether any building to be erected satisfies AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction*,
 - (e) birdlife attraction,
 - (f) any other matter the Department of Defence considers relevant.

6.11 Residential accommodation at Johnston and New Streets, Windsor

- (1) Despite any other provision of this Plan, development consent must not be granted for the purpose of residential accommodation, on any lot described in the Table to this clause, if that development would increase the number of dwellings on that lot, unless:
 - (a) no dwelling is lawfully situated on that lot, and
 - (b) the relevant lot is suitable for residential accommodation, and
 - (c) the development is for the erection of no more than one dwelling.
- (2) In this clause:

residential accommodation does not include hostels or rural workers' dwellings.

| Property description | Address |
|-----------------------------|--|
| Part Lot 20, DP 1114152 | Land on the south western side of Johnston Street, Windsor (off 227 George Street including the walkway to New Street) |
| Lot 1, DP 70063 | 17 Johnston Street, Windsor |

| | |
|---------------------------|--------------------------------|
| SP 49911 | 19 Johnston Street, Windsor |
| Lot 1, DP 800664 | 23-27 Johnston Street, Windsor |
| Lots 11 and 12, DP 854037 | 2 New Street, Windsor |
| Lot 1, DP 1114150 | 4 New Street, Windsor |
| Lot 6, DP 1066233 | 6 New Street, Windsor |
| Lot 8, DP 1066324 | 8 New Street, Windsor |

6.12 Certain development at Richmond Lowlands

- (1) This clause applies to that part of the following land that is within Zone RU2 Rural Landscape:
 - (a) Lot 1, DP 70128,
 - (b) Lot 1, DP 77207,
 - (c) Lot 1, DP 120794,
 - (d) Lot A, DP 365391,
 - (e) Lot 27, DP 566434,
 - (f) Lot 1, DP 659412,
 - (g) Lot 25, DP 663770,
 - (h) Lot 1, DP 797310,
 - (i) Lot 1, DP 972649,
 - (j) Lot 1, DP 997086,
 - (k) Lots 1-3, DP 997087,
 - (l) Lot 25, DP 1100252,
 - (m) Lots 4 and 5, DP 1120860,
 - (n) Lots 1 and 2, DP 1168610.
- (2) The objective of this clause is to facilitate development in connection with the World Polo Championship 2017.
- (3) Consent may be granted to development on land to which this clause applies for the purposes of recreation facilities (major) (including associated car parking facilities, horse training and stabling areas, exhibition and hospitality areas, and events

promotion areas).

- (4) Development consent must not be granted under this clause unless the consent authority is satisfied that:
 - (a) the development is for the purposes of the World Polo Championship 2017 only, and
 - (b) the land will, as far as practicable, be restored to its existing condition after the World Polo Championship 2017.
- (5) Development consent must not be granted under this clause to development that is likely to increase visitation to the land to which this clause applies, unless the consent authority is satisfied that a risk management and evacuation plan has been prepared in consultation with the State Emergency Service.
- (6) This clause ceases to apply on 31 December 2017.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 15B Racecourse Road, Clarendon

- (1) This clause applies to land at 15B Racecourse Road, Clarendon, being Lot 2, DP 1110480.
- (2) Development for the purposes of tourist and visitor accommodation is permitted with consent.

2 Use of certain land at 3351 Singleton Road, Colo Heights

- (1) This clause applies to land at 3351 Singleton Road, Colo Heights, being Lot 69, DP 753774.
- (2) Development for the purposes of a service station is permitted with consent.

3 Use of certain land at 23 Coromandel Road, Ebenezer

- (1) This clause applies to land at 23 Coromandel Road, Ebenezer, being Lot 1, DP 824014.
- (2) Development for the purposes of a dwelling house is permitted with consent.

4 Use of certain land at part of Hawkesbury River as shown on the [Additional Permitted Uses Map](#)

- (1) This clause applies to land at part of Hawkesbury River identified as “1” on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of extractive industry is permitted with consent.

5 Use of certain land at 77-79 Old Bells Line of Road, Kurrajong

- (1) This clause applies to land at 77-79 Old Bells Line of Road, Kurrajong, being Lots 11 and 12, DP 1003591.
- (2) Development for the purposes of a restaurant or cafe and shop is permitted with consent.

6 Use of certain land at 8 Groves Avenue, Mulgrave

- (1) This clause applies to land at 8 Groves Avenue, Mulgrave, being Lot 1, DP 1038365.
- (2) Development for the purposes of shops is permitted with consent.

7 Use of certain land at 60 Bells Line of Road, North Richmond

- (1) This clause applies to land at 60 Bells Line of Road, North Richmond, being Lot 1, DP 783403 (formally known as Lot B, DP 158512).
- (2) Development for the purposes of office premises is permitted with consent.

8 Use of certain land at 81-87 Bells Line Of Road, North Richmond

- (1) This clause applies to land at 81-87 Bells Line Of Road, North Richmond, being Lot 1, DP 834702.
- (2) Development for the purposes of a service station is permitted with consent.

9 Use of certain land at Pitt Town as shown on the [Additional Permitted Uses Map](#)

- (1) This clause applies to land at Pitt Town identified as "2" on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of community facilities is permitted with consent.

10 Use of certain land at 87 Windsor Street, Richmond

- (1) This clause applies to land at 87 Windsor Street, Richmond, being Lot 4, DP 507956.
- (2) Development for the purposes of office premises is permitted with consent.

11 Use of certain land at 739 George Street, South Windsor

- (1) This clause applies to land at 739 George Street, South Windsor, being Lot 1, DP 129442 and Lot 1, 779913.
- (2) Development for the purposes of a service station is permitted with consent.

12 Use of certain land at 5A Curtis Road, Vineyard

- (1) This clause applies to land at 5A Curtis Road, Vineyard, being Lot 6, DP 270412.

(2) Development for the purposes of shops is permitted with consent.

13 Use of certain land at 5B Curtis Road, Vineyard

(1) This clause applies to land at 5B Curtis Road, Vineyard, being SP 73477.

(2) Development for the purposes of shops is permitted with consent.

14 Use of certain land at 535 Wilberforce Road, Wilberforce

(1) This clause applies to land at 535 Wilberforce Road, Wilberforce, being Lot 1, DP 846501.

(2) Development for the purposes of a service station is permitted with consent.

15 Use of certain land at 122-130 Macquarie Street, Windsor

(1) This clause applies to land at 122-130 Macquarie Street, Windsor, being Lot 381, DP 595952, Lot 380, DP 818974, Lot 1, DP 797152 and Lot 1, DP 613929.

(2) Development for the purposes of office premises and a medical centre is permitted with consent.

16 Use of certain land at Windsor Downs as shown on the [Additional Permitted Uses Map](#)

(1) This clause applies to land at Windsor Downs identified as “3” on the [Additional Permitted Uses Map](#).

(2) Development for the purposes of a dual occupancy (attached) is permitted with consent.

17 Use of certain land at 389 Old Hawkesbury Road, Vineyard

(1) This clause applies to land at 389 Old Hawkesbury Road, Vineyard, being part of Lot 53, DP 593354, identified as “4” on the [Additional Permitted Uses Map](#).

(2) Development for the purposes of sawmill or log processing works, timber yards and associated car parking is permitted with consent if the total area of the land on which that development is carried out is not greater than 10,000m².

(3) Subclause (2) does not apply to a development application lodged more than 2 years after the commencement of the [Hawkesbury Local Environmental Plan 2012 \(Amendment No 3\)](#).

18 Use of certain land at 541 Windsor Road, Vineyard

(1) This clause applies to land at 541 Windsor Road, Vineyard, being part of Lot 5, DP 536674, identified as “5” on the [Additional Permitted Uses Map](#).

(2) Development for the purposes of light industries that relate to saw manufacturing and

repairs, industrial retail outlets and associated car parking is permitted with consent if the total area of the land on which that development is carried out is not greater than 3,000m².

- (3) Development consent under subclause (2) must not be granted for the purposes of industrial retail outlets if the total gross floor area of the development is greater than 150m².
- (4) Subclause (2) does not apply to a development application lodged more than 2 years after the commencement of the [Hawkesbury Local Environmental Plan 2012 \(Amendment No 3\)](#).

19 Use of certain land at 541-547 Windsor Road, Vineyard

- (1) This clause applies to land at 541-547 Windsor Road, Vineyard, being part of Lot 5, DP 536674 and Lots 10 and 11, DP 1080426, identified as “6” on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of hardware and building supplies, vehicle sales or hire premises (but only in relation to the hire of trailers) and associated car parking is permitted with consent if the total area of the land on which that development is carried out is not greater than 5,000m².
- (3) Development consent under subclause (2) must not be granted:
 - (a) for the purposes of hardware and building supplies if the total gross floor area of the development is greater than 250m², or
 - (b) for the purposes of vehicle sales or hire premises if the total gross floor area of the development is greater than 325m².
- (4) Subclause (2) does not apply to a development application lodged more than 2 years after the commencement of the [Hawkesbury Local Environmental Plan 2012 \(Amendment No 3\)](#).

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.

Community event or festival involving parades, stalls, amusement devices and public entertainment (and includes fairs and fundraising events carried out by charitable and non-profit organisations) but only if carried out for not more than 14 days in any calendar year on land in public ownership

- (1) No amplified noise.
- (2) Daylight hours only.

Signs—general requirements

- (1) Must not be moving, illuminated or flashing.
- (2) Must not be placed above awnings or on the roof of buildings.
- (3) Must be at least 600mm from any public road.
- (4) Must be at least 2.6m above any public footpath.
- (5) Must relate to the lawful use of the premises (except temporary signs).
- (6) Must be within the boundary of the property to which it applies, unless in a business or an industrial zone.
- (7) Must have the consent of the owner of the property on which the sign is located.

Signs—business identification signs for businesses other than sex services premises in business and industrial zones

(1) Under awning sign

- (a) Must be attached to the underside of an awning other than a fascia or return end.
- (b) Must meet the general requirements for signs.
- (c) 1 sign per ground floor premises with street frontage.
- (d) Maximum length—2.5m.
- (e) Maximum height—0.5m.

(2) Flush wall sign

- (a) Must be attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 300mm.
- (b) Must meet the general requirements for signs.
- (c) Maximum area—2.5m².

(3) Top hamper sign

- (a) Must be attached to the transom of a doorway or display window of a building.
- (b) Must meet the general requirements for signs.
- (c) Maximum area—2.5m².

(4) Fascia signs

- (a) Must be attached to the fascia or return of the awning.
- (b) Must meet the general requirements for signs.
- (c) Must not project over, or more than 50mm out from, the fascia or return end of the awning to which it is attached.

(5) Pylon signs

- (a) Must meet the general requirements for signs.
- (b) 1 pole or pylon sign per premises (including any directory board for multiple occupancies).
- (c) Maximum height of sign—6m.
- (d) Must be within 5m of any public entry point to the premises.

Signs—business identification signs in residential, rural and environmental protection zones

- (1) Must meet the general requirements for signs.
- (2) 1 sign per premises.
- (3) Maximum area—0.75m².
- (4) Maximum height—2.5m.

Signs—in a site, but not visible from outside of that site (other than sex services premises)

Must meet the general requirements for signs.

Signs—real estate signs (advertising land development)

- (1) Must meet the general requirements for signs.
- (2) Maximum area—6m² for each 25 lots.

Signs—real estate signs (advertising premises or land for sale or rent) in business or industrial zones

- (1) Must meet the general requirements for signs.

- (2) Maximum area—4m².
- (3) Maximum height—3m.
- (4) Must be within the boundary of the advertised property.
- (5) Must be removed within 14 days after the premises or land is sold or let.

Signs—real estate signs (advertising premises or land for sale or rent) in residential, rural or environmental protection zones

- (1) Must meet the general requirements for signs.
- (2) 1 sign per street/road frontage.
- (3) Maximum area—2.5m².
- (4) Maximum height—2m.
- (5) Must be within the boundary of the advertised property.
- (6) Must be removed within 14 days after the premises or land is sold or let.

Signs—shop window signs in business and industrial zones (other than sex services premises)

- (1) Must meet the general requirements for signs.
- (2) Must not occupy more than 25% of the area of the window.

Signs—temporary signs for religious, cultural, social or recreational events

- (1) Must meet the general requirements for signs.
- (2) 1 sign per street frontage.
- (3) Maximum area—2.5m² and maximum height—2m in residential, rural and environmental protection zones.
- (4) Maximum area—4m² and maximum height—3m in business and industrial zones.
- (5) Must not include commercial advertising apart from name of event sponsor.
- (6) Must not be displayed earlier than 14 days before, or later than 2 days after, the event.
- (7) Must not be used in relation to weekly or monthly recurring events.

Signs—sandwich boards (A frame)

- (1) If located on private property in business and industrial zones:

- (a) maximum area 2.4m² on each of the 2 faces, and
 - (b) maximum of 1 sign per business.
- (2) If located on council property and public places:
- (a) maximum area 1.2m² on each of the 2 faces, and
 - (b) must not to be placed so as to obstruct pedestrians or the view of drivers of motor vehicles, and
 - (c) must be located no more than 5m from the business to which it relates, and
 - (d) maximum of 1 sign per business.

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

Building alterations and additions (external) to industrial buildings in Zones IN1 and IN2

- (1) Total area of all additions must not exceed 1,000m².
- (2) Must not be carried out on land:
 - (a) in Zone E2 Environmental Conservation, or within 20 metres of land so zoned, or
 - (b) that is lower than 1.2m below the 1 in 100 year flood level for the land, or
 - (c) that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*, or
 - (d) that is on a register maintained by the Council as land that is subject to landslip, or
 - (e) that is identified on the *Acid Sulfate Soils Map* as land containing potential acid sulfate soils of Class 1, 2 or 3, or
 - (f) that is identified as a scenic area of the riverine corridor or as a conservation area sub-catchment under *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)*.
- (3) Maximum height above ground level (existing)—9m.

- (4) Must be set back from the front property boundary:
 - (a) on classified roads—15m, and
 - (b) on all other roads—10m.
- (5) Must not be on a corner lot or a lot that is adjacent to land in a residential or recreation zone.
- (6) Earthworks must not extend more than:
 - (a) 900mm above ground level (existing), or
 - (b) 600mm below ground level (existing).
- (7) Must provide and maintain, adjacent to any street boundary, a landscaped area with a minimum width of 5m that is designed by a suitably qualified landscape architect. Car parking spaces are not to be provided for in this area.
- (8) Must ensure that there are in each landscaped area at least 3 trees (that grow to a mature height of over 5m), 6 shrubs (that grow to a mature height of over 1.5m) and 20 smaller plants.
- (9) Building facades to street frontages must be constructed predominantly of face brick, concrete panels or pre-coloured masonry blocks (not standard concrete blocks) or glazing.
- (10) Roller shutters and loading docks must not face the street frontage.
- (11) Maximum reflectivity index permissible for any external glazing—20%.
- (12) The colour scheme and design features must unify all additions to the premises.
- (13) Any fencing must be provided behind the landscaped area and must not be prepainted solid metal fencing.
- (14) Must provide car parking spaces for additions to building area of at least:
 - (a) 4 car parking spaces for any part of the first 300m² of additional gross floor area, and
 - (b) 1 car parking space for each additional 90m², or part thereof, of additional gross floor area.
- (15) Must provide at least 1 car parking space for each 30m², or part thereof, of additional gross floor area proposed to be used for the purpose of office premises.
- (16) Car parking spaces must be perpendicular to the driveway and at least 5.5m long and 2.6m wide with a minimum driveway width of 6.7m.

- (17) Any additional driveway must be at least 1m from the closest property boundary.
- (18) On-site manoeuvring areas must be of sufficient size to permit all vehicles to enter and exit the site in a forward direction.
- (19) Garbage and storage areas must be located behind the building line and be screened from the road and adjoining land.
- (20) Any additional roof or surface drainage area must have a gravity fed drainage system that:
 - (a) captures the water from the additional roof or surface drainage area, and
 - (b) discharges that water into the inter-allotment or street stormwater drainage system, and
 - (c) limits the rate of that discharge into Council's kerb and gutter to less than 20 litres per second per outlet, and
 - (d) is constructed of Rolled Hollow Section (RHS) not greater than 100mm in height with not more than two outlets located adjacent to each other, and
 - (e) does not permit the post-development flow rate to exceed the pre-development flow rate for all recurrence intervals from the 1 year event to the 100 year event.
- (21) All additions must be connected to a reticulated sewerage system.

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*.

Conditions relating to building alterations and additions (external) to industrial building in Zones IN1 and IN2

Required payments Evidence of any payments required in relation to any of the following must be provided to the Council on or before the lodging of the complying development certificate with the Council:

- (a) developer, sewerage, drainage or stormwater contributions,
- (b) road reserve deposits,

- (c) opening of roads,
- (d) inspections,
- (e) long service levy.

Conditions applying during the works

Note—

The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

Survey—industrial buildings and additions The building must be set out by a registered surveyor. The survey certificate of the building showing the position of the external walls under construction and in compliance with the approved plans must be lodged with the principal certifying authority.

Construction requirements

Parking, driveways and turning areas Off-street car parking spaces, together with access driveways and turning areas, must be constructed, paved, line marked, signposted and maintained.

Before issue of occupation certificate

Where required:

- (a) a Section 73 Certificate from Sydney Water must be submitted to the principal certifying authority,
- (b) written clearance from Integral Energy must be submitted to the principal certifying authority.

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 |
| Bligh Park, 11A Peter Place | Lot 102, DP 849072 |
| McGraths Hill | Lot 249, DP 1150102 |
| McGraths Hill, 254 Windsor Road | Lot 8, DP 804460 |
| North Richmond, 23 Bells Line of Road | Lot 1, DP 832969 |

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|--|-----------------------------|
| North Richmond, 31 Bells Line of Road | Lot 10, DP 801727 |
| North Richmond, 33 Bells Line of Road | Lot 19, Section A, DP 17017 |
| North Richmond, 39A Bells Line of Road | Lot 6, DP 748866 |
| North Richmond, 47A Bells Line of Road | Lot 122, DP 771719 |
| North Richmond, 49B Bells Line of Road | Lot 102, DP 776172 |
| North Richmond, 22 Elizabeth Street | Lots 56-59, DP 236754 |
| North Richmond, 3 Grose Vale Road | Lot 2, DP 748866 |
| North Richmond, 3A Grose Vale Road | Lot 4, DP 748866 |
| North Richmond, 3B Grose Vale Road | Lot 101, DP 776172 |
| North Richmond, 5 Grose Vale Road | Lot 82, DP 634539 |
| North Richmond, 9 Grose Vale Road | Lot 1, DP 1127035 |
| North Richmond, 2 Riverview Street | Lot 17, Section B, DP 17017 |
| North Richmond, 4 Riverview Street | Lot 18, Section B, DP 17017 |
| North Richmond, 10A Riverview Street | Lot 3, DP 748082 |
| North Richmond, 20 Riverview Street | Lot 9, Section B, DP 17017 |
| North Richmond, 22 Riverview Street | Lot 8, Section B, DP 17017 |
| North Richmond, 24A Riverview Street | Lot 123, DP 774812 |
| North Richmond, 32A Riverview Street | Lot 104, DP 785779 |
| Richmond, 122 Francis Street | Lot 1, DP 567637 |
| Richmond, 124 Francis Street | Lot 14, DP 578972 |
| Richmond, 126 Francis Street | Lot 7, DP 738003 |
| Richmond, 128A Francis Street | Lot 2, DP 1008837 |
| Richmond, 110 March Street | Lot 6, DP 560899 |
| Richmond, 5 Mussen Lane | Lot 4, DP 223656 |
| Richmond, 8 Mussen Lane | Lot 4, DP 738084 |
| Richmond, 7 West Market Street | Lot 3, DP 1173020 |
| Richmond, 11 West Market Street | Lot 18, DP 236567 |
| Richmond, 11A West Market Street | Lot 17, DP 236567 |
| Richmond, 11B West Market Street | Lot 2, DP 561996 |
| Richmond, 11C West Market Street | Lot 15, DP 236567 |
| Richmond, 11D West Market Street | Lot 12, DP 236567 |

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|----------------------------------|-----------------------------|
| Richmond, 11E West Market Street | Lot 11, DP 236567 |
| Richmond, 11F West Market Street | Lot 10, DP 236567 |
| Richmond, 11G West Market Street | Lot 9, DP 236567 |
| Richmond, 11H West Market Street | Lot 14, DP 236567 |
| Richmond, 11I West Market Street | Lot 13, DP 236567 |
| Richmond, 12 West Market Street | Lot 1, DP 236567 |
| Richmond, 12A West Market Street | Lot 4, DP 236567 |
| Richmond, 12B West Market Street | Lot 5, DP 236567 |
| Richmond, 12C West Market Street | Lot 6, DP 236567 |
| Richmond, 12D West Market Street | Lot 7, DP 236567 |
| Richmond, 12E West Market Street | Lot 8, DP 236567 |
| Richmond, 12F West Market Street | Lot 3, DP 236567 |
| Richmond, 14B West Market Street | Lot 221, DP 1088937 |
| Richmond, 14D West Market Street | Lot 222, DP 1088938 |
| Richmond, 23 West Market Street | Lot 6, DP 738084 |
| Richmond, 185A Windsor Street | Lot 2, DP 554317 |
| Richmond, 255A Windsor Street | Lot 223, DP 1088987 |
| Richmond, 263A Windsor Street | Lot 102, DP 870478 |
| South Windsor, 22 Berger Road | Lot 336, DP 752061 |
| St Albans, 1672 St Albans Road | Lot 7303, DP 1157507 |
| Windsor, George Street | Lots 102 and 103, DP 737270 |
| Windsor, 45 Macquarie Street | Lot 5, DP 259300 |
| Windsor Downs, 23 Burnside Grove | Lot 698, DP 835336 |
| Windsor Downs, 18 Nutwood Drive | Lot 1137, DP 834695 |

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

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

Part 3 Land classified, or reclassified, as community land

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

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

| Suburb | Item name | Address | Property description | Significance | Item no |
|-------------------|-------------------------------|------------------------------|-----------------------------|--------------|---------|
| Agnes Banks | "Bronte" | 248 Castlereagh Road | Lot 46, DP 1113776 | Local | I444 |
| Agnes Banks | House | 333 Castlereagh Road | Lot 5, DP 236076 | Local | I445 |
| Agnes Banks | House | 354 Castlereagh Road | Part Lot 1, DP 383981 | Local | I501 |
| Agnes Banks | House | 2 Price Lane | Lot 1, DP 593577 | Local | I500 |
| Agnes Banks | "Blue Gardens" | 254 Yarramundi Lane | Lot 220, DP 808633 | Local | I446 |
| Berambing | "Bulga Matta" | 57 Bulgamatta Road | Lot 1, DP 195276 | Local | I416 |
| Blaxlands Ridge | "Kooroowal" | 173 Blaxlands Ridge Road | Lot 4, DP 738221 | Local | I505 |
| Blaxlands Ridge | Blaxlands Ridge Public School | 227-231 Blaxlands Ridge Road | Lots 72 and 73, DP 751658 | Local | I447 |
| Bowen Mountain | "Bowen Hut" | 110-112 Lt Bowen Drive | Lots 476 and 477, DP 210305 | Local | I327 |
| Cattai | "Ukamurra" | 439 Cattai Road | Part Lot 258, DP 752050 | Local | I323 |
| Cattai | House | 268 Pebbly Hill Road | Lot 3, DP 226309 | Local | I324 |
| Cattai | "Macquarie Retreat" | 143 Threlkeld Drive | Lot 16, DP 259650 | Local | I325 |
| Central MacDonald | Jurd's Private Cemetery | 987 Settlers Road | Lot 76, DP 755258 | Local | I430 |
| Central MacDonald | Slab-built dwelling | 1202 Settlers Road | Lot 1, DP 789303 | Local | I424 |
| Central MacDonald | St Jude's Cemetery | 1231 St Albans Road | Lot 1, DP 633910 | Local | I417 |

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|----------------|---|-------------------------------------|------------------------------|-------|--------|
| Clarendon | "Prestonville" | 120-162 Hawkesbury Valley Way | Lots 2 and 3, DP 700263 | Local | I322 |
| Clarendon | "Rhodesia" | 210 Hawkesbury Valley Way | Lot B, DP 160847 | Local | I321 |
| Clarendon | House | 211 Hawkesbury Valley Way | Part Lot 1, DP 745143 | Local | I319 |
| Clarendon | Former hotel | 216 Hawkesbury Valley Way | Lot 10, DP 624818 | Local | I318 |
| Clarendon | Former inn | 221 Hawkesbury Valley Way | Lot 1, DP 1017298 | Local | I320 |
| Clarendon | "Jonlyn" | 130-144 Percival Street | Lots 12 and 13, DP 563483 | Local | I255 |
| East Kurrajong | House | 829 Putty Road | Lot 773, DP 787251 | Local | I448 |
| Ebenezer | Uniting Church (including former schoolhouse) and Uniting Church Cemetery | 95 Coromandel Road | Lot 2, Part A, DP 740305 | State | I00138 |
| Ebenezer | "Port Erringhi" | 53 Port Erringhi Road | Lot 21, DP 232576 | Local | I332 |
| Ebenezer | "Portland Head Farm" | 147 Portland Head Road | Lot B, DP 161016 | Local | I333 |
| Ebenezer | House | 368 Sackville Road | Lot 2, DP 1035246 | Local | I336 |
| Ebenezer | "Kinlew" | 477 Sackville Road | Lot 51, DP 804631 | Local | I337 |
| Ebenezer | Former public school | 664 Sackville Road | Lot 12, DP 603763 | Local | I340 |
| Ebenezer | "Coromandel" | 665 Sackville Road | Lot 1, DP 1008634 | Local | I334 |
| Ebenezer | "Rockleigh" | 695 Sackville Road | Lot 42, DP 1071916 | Local | I335 |
| Ebenezer | "Pickwick Park" | 799 Sackville Road | Lot 1, DP 533774 | Local | I338 |
| Ebenezer | Cottage | 812 Sackville Road | Lot 102, DP 1001775 | Local | I339 |
| Ebenezer | House | 75 Tizzana Road | Lot 1, DP 1003326 | Local | I343 |
| Ebenezer | "Ebenezer Villa" | 105 Tizzana Road | Lot 1, DP 997974 | Local | I342 |
| Ebenezer | Tizzana Winery | 518 Tizzana Road | Lot 5, DP 227211 | Local | I375 |
| Fernances | Slab-built dwelling | 1269 Wollombi Road | Lot 32, DP 832093 | Local | I437 |
| Freemans Reach | House and barn | 11 Blacktown Road | Lot 202, DP 872566 | Local | I328 |

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|------------------|--------------------------------|---------------------------|---|-------|------|
| Freemans Reach | War Memorial in public reserve | 194 Blacktown Road | Lot 475, DP 751665 | Local | I344 |
| Freemans Reach | House and barn | 353 Freemans Reach Road | Lot 4, DP 538611 | Local | I347 |
| Freemans Reach | House and slab barns | 375 Freemans Reach Road | Lot 2, DP 77951 | Local | I346 |
| Freemans Reach | "Sunny Farm" | 435 Freemans Reach Road | Lot 7, DP 1117693 | Local | I345 |
| Freemans Reach | "Reibycroft" | 32-94 Smiths Lane | Lots 5 and 6, DP 247875; Lot 4, DP 847231 | Local | I348 |
| Freemans Reach | "Bridgeview" | 27 Wilberforce Road | Lot A, DP 370895 | Local | I274 |
| Grose Vale | "Buena Vista" | 5 Bowen Mountain Road | Lot 1, DP 546192 | Local | I449 |
| Grose Vale | "La Tosca" | 6 Bowen Mountain Road | Lot 2, DP 876389 | Local | I453 |
| Grose Vale | "Calool" | 33 Carters Road | Lot 201, DP 707842 | Local | I450 |
| Grose Vale | "Pleasant Way" | 62 Carters Road | Lot 2, DP 879572 | Local | I326 |
| Grose Vale | House | 663 Grose Vale Road | Lot 32, DP 1004590 | Local | I451 |
| Grose Vale | House | 767 Grose Vale Road | Lot 1, DP 808258 | Local | I503 |
| Grose Vale | "Cooraba" | 816 Grose Vale Road | Lot 1, DP 828723 | Local | I452 |
| Grose Vale | "Westbury" | 15 Westbury Road | Lot 3, DP 232606 | Local | I454 |
| Higher MacDonald | Slab-built dwelling | 2180 Upper MacDonald Road | Lot 11, DP 755206 | Local | I423 |
| Higher MacDonald | Higher MacDonald Church | 3053 Upper MacDonald Road | Lot 1, DP 753827 | Local | I421 |
| Kurmond | "Inverary" | 340 Bells Line of Road | Lot 16, DP 218801 | Local | I455 |
| Kurmond | "Longleat" | 74 Longleat Lane | Lot 3, DP 747089 | Local | I458 |
| Kurrajong | House | 114 Comleroy Road | Lot 1, DP 72843 | Local | I456 |
| Kurrajong | "Vanay" | 463 Comleroy Road | Lot 3, DP 1039892 | Local | I457 |
| Kurrajong | "Ridgeacre" | 941 Grose Vale Road | Lot 1, DP 502131 | Local | I354 |

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|-------------------|--|------------------------------|------------------------|-------|------|
| Kurrajong | St Stephen the Martyr Anglican Church | 1005 Grose Vale Road | Lot 133, DP 603158 | Local | I352 |
| Kurrajong | Cemetery and manse | 1005 Grose Vale Road | Lot 133, DP 603158 | Local | I353 |
| Kurrajong | "Curraweena" | 1033 Grose Vale Road | Lot 1, DP 153901 | Local | I515 |
| Kurrajong | House | 1040 Grose Vale Road | Lot 1, DP 745040 | Local | I355 |
| Kurrajong | "Arthona" | 1046 Grose Vale Road | Lot 1, DP 562514 | Local | I351 |
| Kurrajong | The Collectors Theatre | 101 Old Bells Line of Road | Lot B, DP 349803 | Local | I358 |
| Kurrajong | "Goldfinders" (former inn) | 164 Old Bells Line of Road | Lot 123, DP 1063011 | Local | I357 |
| Kurrajong Heights | House | 36 Bellbird Avenue | Lot 101, DP 806616 | Local | I365 |
| Kurrajong Heights | House | 1229 Bells Line of Road | Lot 1, DP 576199 | Local | I364 |
| Kurrajong Heights | Former St James' Anglican Church | 1235 Bells Line of Road | Lot 1, DP 723931 | Local | I363 |
| Kurrajong Heights | St David's Uniting Church | 1251 Bells Line of Road | Lot 100, DP 807610 | Local | I362 |
| Kurrajong Heights | Former post office and store | 1255 Bells Line of Road | Lot 2, DP 706131 | Local | I361 |
| Kurrajong Heights | "Allambie" | 1256-1258 Bells Line of Road | Lots A and B, DP 14931 | Local | I504 |
| Kurrajong Heights | "Ivy Cottage" (formerly "Lochiel") | 1259 Bells Line of Road | Lot 1, DP 558605 | Local | I360 |
| Kurrajong Heights | "Patricks Pressoir" | 1271-1275 Bells Line of Road | Lots 1-3, DP 1091218 | Local | I370 |
| Kurrajong Heights | "Rainridge" | 1 Burrelow Road | Lot C, DP 164492 | Local | I368 |
| Kurrajong Heights | "The Hermitage" (formerly "Fernmount") | 89 Burrelow Road | Lot 1, DP 1084814 | Local | I366 |
| Kurrajong Heights | Shop and residence | 1A Warks Hill Road | Lot 204, DP 839939 | Local | I369 |
| Kurrajong Heights | "Surinam" (formerly "Belmore Lodge") | 9 Warks Hill Road | Lot 2, DP 785631 | Local | I367 |

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|-----------------|-------------------------------------|---|---------------------------------------|-------|------|
| Kurrajong Hills | "Beechwood" | 41 Baileys Lane | Lot 51, DP 1045434 | Local | I349 |
| Kurrajong Hills | House | 968-970 Bells Line of Road | Lot 2, DP 582139; Lot 1, DP 791743 | Local | I350 |
| Kurrajong Hills | "Loxley" | 993 Bells Line of Road | Lot 22, DP 867849 | Local | I502 |
| Kurrajong Hills | "Sunnyside" | 49 Hermitage Road | Lot 12, DP 634076 | Local | I356 |
| Kurrajong Hills | "Bernilla" | 93 Hermitage Road | Lot 103, DP 1068395 | Local | I507 |
| Kurrajong Hills | "Springrove" | 55 Springrove Lane | Lot 11, DP 834958 | Local | I359 |
| Kurrajong Hills | Public school | 1 Stone Terrace and 1030 Bells Line of Road | Lot 1, DP 194010; Lot 1, DP 588702 | Local | I371 |
| Lower MacDonald | Davidson's Dairy | 335 Settlers Road | Lot 1, DP 1138319 | Local | I425 |
| Lower MacDonald | "Penrose", ruins | 707-707A Settlers Road | Lots 13 and 14, DP 755258 | Local | I431 |
| Lower Macdonald | Wooden mile post | St Albans Road | Adjacent to Lot 81, DP 753828 | Local | I418 |
| Lower MacDonald | St Joseph's Catholic Church (ruins) | 1029 St Albans Road | Part Lot 1, DP 605179 | Local | I427 |
| Lower MacDonald | St Joseph's Cemetery | 1029 St Albans Road | Part Lot 1, DP 605179 | Local | I428 |
| Lower Portland | "Hawkesbury Retreat" | 78 Greens Road | Lot 1, DP 862897 | Local | I511 |
| Lower Portland | Monument to Aboriginal people | 239 Laws Farm Road | Lot 201, DP 824060 | Local | I372 |
| Lower Portland | "Ventiaville" | 1235 West Portland Road | Lot 101, DP 739219 | Local | I518 |
| Lower Portland | "Riverside", slab-barn | 1280 West Portland Road | Lot 1, DP 586231 | Local | I508 |
| Lower Portland | Lower Portland Public School | 1930 Wheelbarrow Ridge Road | Lot 1, DP 794605 | Local | I509 |
| Lower Portland | St John's Anglican Church | 1932 Wheelbarrow Ridge Road | Lot 1, DP 1022812 | Local | I510 |
| McGraths Hill | "Spring Hill Farm" (house and barn) | 21 Beddeck Street | Lot 1, DP 743108 | Local | I311 |
| McGraths Hill | Cemetery | 5 Charles Street | Lot 249, 1150102 | Local | I312 |
| McGraths Hill | "McGraths Hill Inn" | 1 Pitt Town Road | Lot 1, DP 702263 | Local | I315 |

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|----------------|---|-------------------------|---|-------|------|
| McGraths Hill | Cottage | 96 Pitt Town Road | Lot 3, DP 242319 | Local | I314 |
| McGraths Hill | Pair of cottages | 109-113 Windsor Road | Lot 10, DP 1037789; Lot 1, DP 986076 | Local | I316 |
| Mogo Creek | Slab-built dwelling | 2500 Wollombi Road | Lot 3, DP 755236 | Local | I429 |
| Mulgrave | Railway stationmaster's residence | Mulgrave Road | | Local | I403 |
| Mulgrave | Railway station | Mulgrave Road | | Local | I404 |
| Mulgrave | "Tall Trees" | 124 Mulgrave Road | Lot 13, DP 736138 | Local | I405 |
| North Richmond | Former police station and residence | 39 Bells Line of Road | Lot 1, DP 1124671 | Local | I406 |
| North Richmond | Seventh Day Adventist Church | 54 Bells Line of Road | Part Lot 120, DP 751637 | Local | I407 |
| North Richmond | House | 91 Bells Line of Road | SP 64373 | Local | I410 |
| North Richmond | House | 101A Bells Line of Road | Lot 1, DP 1021039 | Local | I493 |
| North Richmond | St Phillip's Anglican Church and cemetery | 151 Bells Line of Road | Lot 1, DP 870269 | Local | I408 |
| North Richmond | "Hill Crest" | 219 Bells Line of Road | Lot 87, DP 1040092 | Local | I409 |
| North Richmond | "Rouse Farm" | 266 Crooked Lane | Lot 9, DP 595333 | Local | I411 |
| North Richmond | House | 15 Grose Vale Road | Lot 12, DP 719031 | Local | I495 |
| North Richmond | St John of God Hospital (former "Belmont Park", mansion, garden, building, gatehouse and curtilage) | 177-235 Grose Vale Road | Lots 11 and 12, DP 1134453 | Local | I412 |
| North Richmond | "Sunnyside" (former O'Dea's dairy) | 21 Pitt Lane | Lot 1, DP 749146 | Local | I413 |
| North Richmond | "The Terraces" | 227 Terrace Road | Lot 410, DP 715738 | Local | I415 |
| Oakville | "Killarney Homestead" | 23 Clare Crescent | Lot 4, DP 247391 | Local | I313 |
| Pitt Town | "Bona Vista" (house and slab barns) | 11 Amelia Grove | Lot 131, DP 1025876 | Local | I286 |
| Pitt Town | Cottage | 22 Bathurst Street | Lot 1, DP 986055 | Local | I277 |

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|-----------|---|----------------------------|---------------------------|-------|--------|
| Pitt Town | Former "Bird in the Hand Inn" | 81 Bathurst Street | Lot 1, DP 786863 | State | I00373 |
| Pitt Town | Pitt Town Hardware Produce and Fuel store | 85 Bathurst Street | Lot 3, DP 627983 | Local | I280 |
| Pitt Town | House | 94 Bathurst Street | Lot 1, DP 719885 | Local | I287 |
| Pitt Town | Scots Uniting Church | 99 and 99A Bathurst Street | Lots D and F, DP 392264 | Local | I281 |
| Pitt Town | "Macquarie Arms Inn" complex (former inn and slab barn) | 104 Bathurst Street | Lot 2, DP 515997 | State | I00282 |
| Pitt Town | St James' Anglican Church | 112 Bathurst Street | Lot 1, DP 1061612 | Local | I283 |
| Pitt Town | "Myrtle Cottage" and slab barn | 126 Bathurst Street | Lot 1, DP 999548 | Local | I284 |
| Pitt Town | "Vine House" | 132 Bathurst Street | Lot 1, DP 1000076 | Local | I285 |
| Pitt Town | Slab cottage and slab barn | 132-134 Bathurst Street | Lots 1 and 2, DP 1000076 | Local | I468 |
| Pitt Town | Slab barn | 140 Bathurst Street | Lot 1, DP 779079 | Local | I1007 |
| Pitt Town | Slab barn | 142 Bathurst Street | Part Lot 2602, DP 1003585 | Local | I288 |
| Pitt Town | House | 142 Bathurst Street | Part Lot 2602, DP 1003585 | Local | I1006 |
| Pitt Town | Pitt Town Public School and residence | 17 Buckingham Street | Lot 51, DP 851875 | Local | I291 |
| Pitt Town | "Strathmore" (cottage and slab barn) | 20-22 Buckingham Street | Lot 101, DP 1150587 | Local | I290 |
| Pitt Town | Slab barn | 26 Buckingham Street | Lot 4, DP 746764 | Local | I292 |
| Pitt Town | House, former shop and former slab barn | 8 Chatham Street | Lot 1, DP 785736 | Local | I293 |
| Pitt Town | "Royville" | 38 Eldon Street | Lot 1, DP 777853 | Local | I294 |
| Pitt Town | "Grenville Cottage" | 10 Grenville Street | Lot 1, DP 741079 | Local | I296 |
| Pitt Town | "Cleary's House" | 14-18 Hall Street | Lots 11 and 12, DP 997997 | Local | I297 |

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| Pitt Town | "Wilbows Stone Cottage" | 102 Hall Street | Lot 15, DP 793787 | Local | I298 |
| Pitt Town | "Lone Acre" | 10-14 Hawkesbury Street | Lots 103-105, DP 1056832 | Local | I299 |
| Pitt Town | "Samuel Cox's House" | 16 Lagoon Road | Lot 1, DP 708230 | Local | I278 |
| Pitt Town | Cemetery | 60 Old Pitt Town Road | Lot 2, DP 544186 | Local | I302 |
| Pitt Town | Cemetery | 524 Old Stock Route Road | Lot 7010, DP 1030967 | Local | I301 |
| Pitt Town | "Lynwood" | 4 Pitt Town Bottoms Road | Lot 3, DP 546915 | Local | I303 |
| Pitt Town | "Huxley's Blacksmith Shop" | 292 Pitt Town Bottoms Road | Lot 11, DP 10192 | Local | I304 |
| Pitt Town | Former manse and farm house | 1 Punt Road | Lot 101, DP 635129 | Local | I310 |
| Pitt Town Bottoms | Slab barn | 163 Pitt Town Bottoms Road | Lot 1, DP 1014860 | Local | I270 |
| Pitt Town Bottoms | House and slab barns | 231 Pitt Town Bottoms Road | Lot 21, DP 730869 | Local | I461 |
| Pitt Town Bottoms | House and slab barn | 251 Pitt Town Bottoms Road | Lot 16, DP 776017 | Local | I462 |
| Pitt Town Bottoms | House and slab barn | 259 Pitt Town Bottoms Road | Lot 9, DP 1079633 | Local | I463 |
| Pitt Town Bottoms | Slab barn | 265 Pitt Town Bottoms Road | Lot 8, DP 1079633 | Local | I464 |
| Pitt Town Bottoms | Slab barn | 284 Pitt Town Bottoms Road | Lot 2, DP 202281 | Local | I306 |
| Pitt Town Bottoms | Slab barns | 293 Pitt Town Bottoms Road | Lot 101, DP 1154658 | Local | I307 |
| Pitt Town Bottoms | Slab barn | 303 Pitt Town Bottoms Road | Lot 26, DP 1125833 | Local | I465 |
| Pitt Town Bottoms | House and slab barn | 313 Pitt Town Bottoms Road | Lot 1, DP 778704 | Local | I466 |
| Pitt Town Bottoms | House and slab barn | 333 Pitt Town Bottoms Road | Lot 1, DP 774609 | Local | I308 |
| Pitt Town Bottoms | House and slab barns | 343 Pitt Town Bottoms Road | Lot 3, DP 618213 | Local | I309 |

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| Pitt Town Bottoms | House and slab barn | 353 Pitt Town Bottoms Road | Lot 1, DP 569711 | Local | I467 |
| Richmond | House | 21 Bosworth Street | Lot 6, DP 1087132 | Local | I1 |
| Richmond | House | 24 Bosworth Street | Lot 1, DP 598169 | State | I00681 |
| Richmond | House | 25-29 Bosworth Street | Lots 7-9, DP 5905 | Local | I3 |
| Richmond | House | 35 Bosworth Street | Lot 2, DP 518997 | Local | I4 |
| Richmond | "Mortimers Cottage" | 42 Bosworth Street | Lot 1, DP 564874 | Local | I5 |
| Richmond | House | 51 Bosworth Street | Lot B, DP 153561 | State | I00753 |
| Richmond | House | 55 Bosworth Street | Lot 18, DP 770857 | Local | I486 |
| Richmond | "The Presbytery" | 1A Bourke Street | Lot 1, DP 874822 | Local | I7 |
| Richmond | St Monica's Roman Catholic Church | 1A Bourke Street | Lot 1, DP 874822 | Local | I132 |
| Richmond | East Richmond Railway Station | 32 Bourke Street | Lot 1, DP 1126383 | Local | I11 |
| Richmond | House | 35 Bourke Street | Lots 4 and 5, DP 210175 | Local | I12 |
| Richmond | House | 8 Burgess Street | Lot B, Section 15, DP 158162 | Local | I13 |
| Richmond | Avenue of trees east and west side of street | Chapel Street | | Local | I18 |
| Richmond | "Josieville" | 2 Chapel Street | Lot 1, DP 634986 | Local | I15 |
| Richmond | "Inew Cottage" | 7 Chapel Street | Lot 1, DP 564060 | Local | I16 |
| Richmond | House | 9 Chapel Street | Lot 1, DP 199910 | Local | I17 |
| Richmond | Administrative block, blacksmith shop and stable square | 2 College Street | Lot 2, DP 1051798 | Local | I9 |
| Richmond | Grandstand | 2 College Street | Lot 2, DP 1051798 | Local | I10 |
| Richmond | House | 13 Conrad Street | Lot 1, DP 734066 | Local | I19 |
| Richmond | House | 15 Conrad Street | Lot 1, DP 742918 | Local | I20 |
| Richmond | "Clarendon" (servants' quarters) | 96 Dight Street | Lot 2, DP 542738 | Local | I21 |
| Richmond | McMahon Homestead | 26 Drift Road | Lot 1, DP 737688 | Local | I82 |

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| Richmond | House | 5 Francis Street | Lot 9, DP 863991 | Local | I26 |
| Richmond | House | 7 Francis Street | Lot 81, DP 1009285 | Local | I27 |
| Richmond | House | 13 Francis Street | Lot 5, Section 26, DP 758881 | Local | I28 |
| Richmond | "Tara" | 21 Francis Street | Lot 17, DP 525067 | Local | I29 |
| Richmond | House | 26 Francis Street | Lot 1, DP 549235 | Local | I30 |
| Richmond | House | 60 Francis Street | Lot 2, DP 508876 | Local | I31 |
| Richmond | "Benson House" | 61 Francis Street | Lots 1 and 2, DP 212262 | Local | I32 |
| Richmond | House | 87A Francis Street | Lot 570, DP 859752 | Local | I33 |
| Richmond | House | 119 Francis Street | Lot 3, DP 563230 | Local | I34 |
| Richmond | "Rosmoynes" | 128 Francis Street | Lot 1, DP 1008837 | Local | I35 |
| Richmond | "Kialla" | 130 Francis Street | Lot 1, DP 1089582 | Local | I36 |
| Richmond | "Zeta" | 132 Francis Street | Lot 1, DP 513769 | Local | I37 |
| Richmond | "Clear Oaks" | 135 Francis Street | Lot 100, DP 789415 | State | I00058 |
| Richmond | House | 142 Francis Street | Lot 1, DP 112529 | Local | I39 |
| Richmond | "Mountain View" | 22 Inalls Lane | Lot 12, DP 588570 | State | I00044 |
| Richmond | House | 32 Inalls Lane | Lot 2, DP 874920 | Local | I41 |
| Richmond | "Hobartville" (including outbuildings) | 36-86 Inalls Lane | Lot 3, DP 596558 | State | I00035 |
| Richmond | Grounds and landscaping surrounding "Hobartville" | 36-86 Inalls Lane | Lots 1 and 2, DP 596558 | Local | I14 |
| Richmond | Cemetery | 16 Jersey Street | Lot 1, DP 724131 | Local | I22 |
| Richmond | House | 35 Lennox Street | Lot 2, DP 862014 | Local | I484 |
| Richmond | House | 56 Lennox Street | Lot 2, DP 511504 | Local | I42 |
| Richmond | House | 72 Lennox Street | Lot 1, DP 160850 | Local | I44 |
| Richmond | House | 74 Lennox Street | Lot 1, DP 1080999 | Local | I45 |
| Richmond | House | 80 Lennox Street | Lot 221, DP 864634 | Local | I491 |
| Richmond | "Carsisle" | 82 Lennox Street | Lot 21, DP 567749 | Local | I46 |
| Richmond | House | 88 Lennox Street | Lot 1, DP 986429 | Local | I47 |
| Richmond | House | 90 Lennox Street | Lot 1, DP 198910 | Local | I48 |

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| Richmond | House | 102 Lennox Street | Lot 2, DP 207974 | Local | 149 |
| Richmond | House | 112 Lennox Street | Lot 2, DP 802849 | Local | 150 |
| Richmond | House | 114 Lennox Street | Lot 1, DP 802849 | Local | 151 |
| Richmond | House | 122 Lennox Street | Lot 6, DP 997061 | Local | 152 |
| Richmond | Former railway cottage | 1 March Street | Lot 1, DP 836577 | Local | 18 |
| Richmond | House | 8 March Street | Lot 1, DP 745386 | Local | 1481 |
| Richmond | House | 9 March Street | Lot 12, DP 828171 | Local | 154 |
| Richmond | House | 16 March Street | Lot 21, DP 1031945 | Local | 155 |
| Richmond | House | 20 March Street | Lot 1, DP 1040293 | Local | 156 |
| Richmond | House | 22 March Street | Lot 4, DP 997295 | Local | 157 |
| Richmond | House | 52 March Street | Lot 1, DP 1135622 | Local | 1487 |
| Richmond | House | 56 March Street | Lot 102, DP 1155675 | Local | 158 |
| Richmond | Richmond Railway Station | 61 March Street | Lot 1, DP 815813 | State | 101236 |
| Richmond | Cottage | 78 March Street (formerly 63 March Street) | Part Lot 21, DP 872925 | Local | 143 |
| Richmond | Cottage | 78 March Street (formerly 64 March Street) | Part Lot 21, DP 872925 | Local | 159 |
| Richmond | Cottage | 78 March Street (formerly 66 March Street) | Part Lot 21, DP 872925 | Local | 160 |
| Richmond | Cottage | 78 March Street (formerly 67 March Street) | Part Lot 21, DP 872925 | Local | 1480 |
| Richmond | Cottage | 78 March Street (formerly 70 March Street) | Part Lot 21, DP 872925 | Local | 161 |
| Richmond | Cottage | 78 March Street | Part Lot 21, DP 872925 | Local | 1488 |
| Richmond | Cottage | 78 March Street (formerly 80 March Street) | Part Lot 21, DP 872925 | Local | 162 |

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| Richmond | Cottage | 78 March Street (formerly 82 March Street) | Part Lot 21, DP 872925 | Local | 1489 |
| Richmond | House | 102 March Street | Lot 7, DP 1101571 | Local | 164 |
| Richmond | House | 104 March Street | Lot 9, DP 560756 | Local | 163 |
| Richmond | House | 106 March Street | Lot 7, DP 519019 | Local | 165 |
| Richmond | "Pangelis" | 118 March Street | Lot 6, DP 558573 | Local | 166 |
| Richmond | House | 120 March Street | Lot 2, DP 567636 | Local | 167 |
| Richmond | House | 130 March Street | Lot 2, DP 1078198 | Local | 168 |
| Richmond | House | 155 March Street | Lot 2, DP 774156 | Local | 171 |
| Richmond | "Rutherglen" | 158 March Street | Lot A, Section 6, DP 152400 | Local | 169 |
| Richmond | House | 160 March Street | Lot 101, DP 700887 | Local | 1482 |
| Richmond | House | 162 March Street | Lot 2, Section 6, DP 151321 | Local | 1483 |
| Richmond | Former house | 190 March Street | Lot 1, DP 199860 | Local | 172 |
| Richmond | House | 21 Moray Street | Lot 10, DP 1040208 | Local | 174 |
| Richmond | House | 24 Moray Street | Lot B, Section 23, DP 161177 | Local | 175 |
| Richmond | Residence and iron works | 3 Paget Street | Lot 7, DP 3770; Lot 1, DP 1034091 | Local | 176 |
| Richmond | House | 9 Paget Street | Lot 4, Section 11, DP 3770 | Local | 177 |
| Richmond | Former Methodist Church | 10 Paget Street | Lot 1, DP 995840 | Local | 1492 |
| Richmond | House | 59 Paget Street | Lot 8, DP 634613 | Local | 178 |
| Richmond | House | 31 Pitt Street | Lot A, DP 337953 | Local | 179 |
| Richmond | House | 34 Teviot Street | Lot 1, DP 803737 | Local | 180 |
| Richmond | House | 46 Teviot Street | Lot 1, DP 1100473 | Local | 181 |
| Richmond | House | 12 Toxana Street | Lot 22, DP 4906 | Local | 183 |
| Richmond | House | 2 West Market Street | Lot 1, DP 1044430 | Local | 1478 |
| Richmond | Hall at rear of former Masonic Temple | 24 West Market Street | Part Lot A, Section 8, DP 182902 | Local | 186 |

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| Richmond | Former Masonic Temple | 24 West Market Street | Part Lot A, Section 8, DP 182902 | Local | 187 |
| Richmond | St Andrew's Uniting Church Hall | 25 West Market Street | Part Lot 1, DP 196617 | Local | 188 |
| Richmond | St Andrew's Uniting Church | 25 West Market Street | Part Lot 1, DP 196617 | Local | 189 |
| Richmond | School of Arts | 26 West Market Street | Lot 1, DP 880771 | Local | 184 |
| Richmond | Former Richmond Rest Home | Corner 27 West Market Street and 139 March Street | Lot 1, DP 313724; Lot 192, DP 1111231 | Local | 185 |
| Richmond | Former Richmond Council Chambers | 29 West Market Street | Lot A, DP 313725 | Local | 170 |
| Richmond | House | 30 West Market Street | Lot 1, DP 198726 | Local | 191 |
| Richmond | House | 38 West Market Street | Lot 2, DP 38231 | Local | 192 |
| Richmond | Avenue of plane trees along eastern approach to Richmond | Windsor Street | | Local | 193 |
| Richmond | House | 61 Windsor Street | Lot 3, DP 527542 | Local | 194 |
| Richmond | House | 63 Windsor Street | Lot 13, DP 547659 | Local | 195 |
| Richmond | House | 65 Windsor Street | Lot 2, DP 513998 | Local | 196 |
| Richmond | House | Corner 67 Windsor Street and 14 Bourke Street | Lots B and C, DP 372517 | Local | 197 |
| Richmond | House | 70 Windsor Street | Lot A, DP 375626 | Local | 198 |
| Richmond | House | 82 Windsor Street and 13 William Street | Lots D and E, DP 164971 | Local | 1490 |
| Richmond | House | 89 Windsor Street | Lot 6, DP 519411 | Local | 199 |
| Richmond | Gate post at "Kamilario" at entrance to Richmond Public School | 103 Windsor Street | Lot 16, DP 13068 | Local | 1100 |
| Richmond | "Vicky's House" | 106 Windsor Street | Lot 3, DP 270031 | Local | 1101 |
| Richmond | House | 117 Windsor Street | Lot 1, DP 71437 | Local | 1102 |

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| Richmond | House | 122 Windsor Street | Lot 3, DP 18568 | Local | I103 |
| Richmond | House | 125 Windsor Street | Lot 3, DP 3770 | Local | I104 |
| Richmond | House | 126-128 Windsor Street | Lot 21, DP 713157; Part Lot 50, DP 1039235 | State | I00045 |
| Richmond | House | 127 Windsor Street | Lot 2, DP 3770 | Local | I106 |
| Richmond | House | 129 Windsor Street | Lot 1, DP 3770 | Local | I107 |
| Richmond | House | 131 Windsor Street | Lot 25, DP 4906 | Local | I108 |
| Richmond | House | 133 Windsor Street | Lot 24, DP 4906 | Local | I109 |
| Richmond | House | 135 Windsor Street | Lot 23, DP 4906 | Local | I110 |
| Richmond | Regent Theatre | 145 Windsor Street | Lot 2, DP 514053 | Local | I111 |
| Richmond | "Toxana" | 147 Windsor Street | Lot C, DP 330610 | State | I00014 |
| Richmond | Royal Hotel | 167 Windsor Street | Lot 1, DP 123560 | Local | I131 |
| Richmond | House | 179 Windsor Street | Lot 40, DP 1040134 | Local | I112 |
| Richmond | Richmond Park Pavilion and statue | 180 Windsor Street | Lot 81, DP 1153844 | State | I01808 |
| Richmond | Shop | 187 Windsor Street | Lot 1, DP 544317 | Local | I113 |
| Richmond | Commercial Hotel | 193 Windsor Street | Lot 1, DP 577982 | Local | I114 |
| Richmond | Shop | 201-205 Windsor Street | Lot 1, DP 232921; Lots 11 and 12, DP 609265 | Local | I115 |
| Richmond | Westpac Bank | 237 Windsor Street | Lot A, DP 83011 | Local | I116 |
| Richmond | Shop (former barn) | 239 Windsor Street | Lot 1, DP 770613 | Local | I90 |
| Richmond | "Chalmers Building" | 239 Windsor Street | Lot 1, DP 770613 | Local | I117 |
| Richmond | House | 245 Windsor Street | Lot 2, DP 270402 | Local | I118 |
| Richmond | Shops | 255-257 Windsor Street | Lot 1, DP 714745; Part Lot 1, DP 798313 | State | I00610 |
| Richmond | Post and telegraph office and stables | 286 Windsor Street | Lot 180, DP 41869 | State | I01410 |
| Richmond | Court house and police station | 288 Windsor Street | Lot 701, DP 1125383 | Local | I121 |
| Richmond | Bank and stables | 294 Windsor Street | Lot 1, DP 905037 | Local | I136 |
| Richmond | Shop | 295 Windsor Street | Lot 1, SP 33332 | Local | I122 |
| Richmond | House | 312 Windsor Street | Lot 1, DP 67973 | Local | I123 |

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| Richmond | "The cottage" | 313-315 Windsor Street | Lots 1 and 2, DP 1037730 | Local | I124 |
| Richmond | "Eltham" | 317 Windsor Street | Lot 1, DP 817350 | Local | I125 |
| Richmond | Former "Black Horse Inn" | 334-340 Windsor Street | Lots A and B, DP 335179; Lot A, DP 154628 | Local | I130 |
| Richmond | House | 335 Windsor Street | Lot 1, DP 744729 | Local | I126 |
| Richmond | House | 337 Windsor Street | Lot 1, DP 743154 | Local | I127 |
| Richmond | House | 339 Windsor Street | SP 60767 | Local | I128 |
| Richmond | Anglican church hall and cemetery | 347, 347A and 349 Windsor Street | Lot 2, DP 547256; Lot 1, DP 1033368; Lot 1, DP 1033136 | Local | I129 |
| Richmond | "Bowman House" | 368-370 Windsor Street | Part Lot 11, DP 629453 | State | I00468 |
| Richmond | St Peter's Anglican Church | 384 Windsor Street | Lot 8, DP 238149; Lot 1, DP 1024037 | Local | I134 |
| Richmond Lowlands | Hawkesbury Agricultural College River Farm | 173 Cornwells Lane | Lot 19, DP 752032 | Local | I23 |
| Richmond Lowlands | "The Pines" (residence and trees) | 149 Edwards Road | Lot 21, DP 659030 | Local | I24 |
| Richmond Lowlands | Georgian farmhouse | 216 Edwards Road | Lots 1 and 2, DP 229549 | Local | I25 |
| Sackville | Residence and barn | 888 Sackville Road | Lot 4, DP 616167 | Local | I373 |
| Sackville | St Thomas' Anglican Church | 597 Tizzana Road | Part Lot 500, DP 751665 | Local | I374 |
| Sackville | St Thomas' Anglican Cemetery | 614 Tizzana Road | Lot 503, DP 751665 | Local | I376 |
| Sackville | House | 742 Tizzana Road | Lot 241, DP 616673 | Local | I377 |
| Sackville | "Lilburndale" | 413 West Portland Road | Lot 18, DP 1096890 | Local | I512 |
| South Windsor | Windsor Presbyterian Cemetery | 8 Church Street | Lot 7305, DP 1154151 | Local | I155 |
| South Windsor | House | 440 George Street | Lot 6, DP 38768 | Local | I224 |
| South Windsor | House | 450 George Street | Lot 1, DP 38768 | Local | I471 |
| South Windsor | House | 456 George Street | Lot 1, DP 838389 | Local | I225 |

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| South Windsor | House | 458 George Street | Lot 3, DP 1087379 | Local | I226 |
| South Windsor | House | 464 George Street | Lot 1, SP 69563 | Local | I472 |
| South Windsor | "Glenroy" | 465-465B George Street | Lots 15 and 16, Section O, DP 759096; Lot 1, DP 195535 | Local | I227 |
| South Windsor | Houses | 482-486 George Street | Lots 1-3, DP 736578 | Local | I228 |
| South Windsor | House | 540 George Street | Lot 21, DP 871420 | Local | I230 |
| South Windsor | House | 546 George Street | Lot 1, SP 36706 | Local | I231 |
| South Windsor | "Mountain View" | 550 George Street | Lot B, DP 421200 | Local | I232 |
| South Windsor | Former Windsor Grammar School | 607 George Street | Lot 1, DP 546895 | Local | I233 |
| South Windsor | House | 202 Macquarie Street | Lot 1, DP 225681 | Local | I474 |
| South Windsor | House | 204 Macquarie Street | Lot 2, DP 225681 | Local | I475 |
| South Windsor | House | 205 Macquarie Street | Lot 1, DP 511364 | Local | I469 |
| South Windsor | House | 209 Macquarie Street | Lot 200, DP 1010515 | Local | I473 |
| St Albans | Old Great North Road | Old Great North Road between Devine's Hill and Mount Manning | | State | I0091 |
| St Albans | Old General Cemetery (Settlers Cemetery) | 1626 Settlers Road | Lot 72, DP 755258 | Local | I439 |
| St Albans | St Albans Bridge over MacDonald River | St Albans Road | | State | I01480 |
| St Albans | Gaol, courthouse and stables | 19 Upper MacDonald Road | Lot 55, DP 753793 | Local | I440 |
| St Albans | Price Morris' Cottage | 37 Upper MacDonald Road | Lot 26, DP 753793 | State | I01444 |
| St Albans | Fernance Property Graves | 313 Upper MacDonald Road | Lot 1, DP 574341 | Local | I420 |
| St Albans | Ruins of "Our Lady of Loretto" Chapel and Cemetery | 477 Upper MacDonald Road | Lot 2, DP 1001852 | Local | I419 |

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| St Albans | Settlers Arm Inn | 1-5 Wharf Street and 6-8 Bulga Street | Lots 3-7, DP 710647 | Local | I436 |
| St Albans | St Albans Anglican Church | 26 Wharf Street | Lot 1A, Section 3, DP 758924 | Local | I432 |
| St Albans | St Albans Permanent Common | Wollombi Road | Lots 7301-7306, DP 1140079 | Local | I438 |
| St Albans | "Industrial Settler" Group ("Bailey's" homestead grave site, slab-built dwelling—Aaron Walter's Cottage) | 135A and 135B Wollombi Road | Lot 4, DP 806902; Lot 2, DP 707535 | Local | I433 |
| St Albans | St Albans New General Cemetery | 140-170 Wollombi Road | Lots 1-16, Section 10, DP 758924 | Local | I434 |
| St Albans | "The Glen" Homestead and, "Governor Bailey's" burial ground | 238-250A Wollombi Road | Lots 53 and 54, DP 740571 | Local | I435 |
| Tennyson | House | 269 Tennyson Road | Lot 2, DP 563819 | Local | I460 |
| The Slopes | "Coonawarra Lodge" | 564 Slopes Road | Lot 11, DP 556607 | Local | I414 |
| Upper MacDonald | Slab-built dwelling | 1349 Upper MacDonald Road | Lot 16, DP 753827 | Local | I422 |
| Vineyard | "Rosemont" | 87 Level Crossing Road | Lot 1, DP 59145 | Local | I459 |
| Webbs Creek | Disused section of Main Road 181 | | Adjacent to Lot 32, DP 753828 | Local | I426 |
| Wilberforce | House and barn | 201 Argyle Reach Road | Lot 23, DP 856258 | Local | I378 |
| Wilberforce | St John's General Cemetery (former Anglican Cemetery) | 39-55 Clergy Road | Lots 7015 and 7016, DP 1032360; Land adjoining and to the south west of Lot 7016, DP 1032360 | Local | I01837 |
| Wilberforce | Uniting Church (formerly Methodist Church) | 2 David Street | Lot A, DP 327443 | Local | I398 |
| Wilberforce | "No Mathatha" | 14 George Road | Lot B, DP 334004 | Local | I379 |
| Wilberforce | House | 43 George Road | Lot 4, DP 568208 | Local | I499 |

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| Wilberforce | War Memorial, Wilberforce Park | 47 George Road | Lot 346, DP 751665 | State | 101868 |
| Wilberforce | House and former shop | 66 George Road | Lot 31, DP 816015 | Local | 1380 |
| Wilberforce | "Stoneleigh" | 108 Grono Farm Road | Lot 2, DP 1064649 | Local | 1331 |
| Wilberforce | "Milby Grange" | 127 Grono Farm Road | Lot 276, DP 751665 | Local | 1381 |
| Wilberforce | House | 9 King Road | Lot 1, DP 195883 | Local | 1382 |
| Wilberforce | House | 24 King Road | Lot 1, DP 834561 | Local | 1497 |
| Wilberforce | House | 43 King Road | Lot 2, DP 703055 | Local | 1383 |
| Wilberforce | The Butcher's Shop | 52 King Road | Lot 1, DP 196502 | Local | 1496 |
| Wilberforce | St John's Anglican Church and schoolhouse | 43 Macquarie Road | Lot 1, DP 771362 | Local | 101836 |
| Wilberforce | "Harmony Farm" | 108 Pitt Town Ferry Road | Lot 1, DP 588784 | Local | 1388 |
| Wilberforce | House | 1 Putty Road | Lot 1, DP 603382 | Local | 1384 |
| Wilberforce | "Primrose Cottage" | 5 Putty Road | Lot 1, DP 799507 | Local | 1394 |
| Wilberforce | "Pareora" | 7 Putty Road | Lot 1, DP 505696 | Local | 1393 |
| Wilberforce | "Rocky Hall" | 546 Putty Road | Lot 1, DP 245757 | Local | 1395 |
| Wilberforce | "Rose Cottage" | 18 Rose Street | Lot 21, DP 829589 | State | 100358 |
| Wilberforce | House | 26 Rose Street | Lot 3, DP 706517 | Local | 1391 |
| Wilberforce | "Barrabadeen" | 52 Salters Road | Lot 287, DP 1082730 | Local | 1392 |
| Wilberforce | "Stannix Park" | 103 Stannix Park Lane | Lot 11, DP 789975 | State | 100598 |
| Wilberforce | Barn | 87 Wilberforce Road | Lot 616, DP 863291 | Local | 1275 |
| Wilberforce | Cottage | 446 Wilberforce Road | Lot 2, DP 595299 | Local | 1498 |
| Wilberforce | Australiana Pioneer Village | 496 Wilberforce Road | Lot 22, DP 829589 | State | 101683 |
| Wilberforce | "Karoola" | 530 Wilberforce Road | Lot 5, DP 791448 | Local | 1397 |
| Wilberforce | Former Police Station | 534 Wilberforce Road | Lot 61, DP 1009304 | Local | 1396 |

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| Wilberforce | House | 541 Wilberforce Road | Lot 4, DP 1135286 | Local | I399 |
| Windsor | “Anschau House” | 1 Anschau Crescent | Lot 2, DP 31098 | Local | I138 |
| Windsor | House | 9 Baker Street | Lot 1, DP 871860 | Local | I140 |
| Windsor | House | 11 Baker Street | Lot 1, DP 111632 | Local | I141 |
| Windsor | Houses | 1-3 Brabyn Street | Lot 1, DP 1130843; Lot 1, DP 197170 | Local | I142 |
| Windsor | House | 9 Brabyn Street | SP 71136 | Local | I143 |
| Windsor | House | 15 Brabyn Street | Lot 5, DP 520176 | Local | I144 |
| Windsor | House | 18 Brabyn Street | Lot 21, DP 1092348 | Local | I145 |
| Windsor | Railway cottage | 21 Brabyn Street | Lot 1, DP 736139 | Local | I146 |
| Windsor | House | 4 Bridge Street | Lot 10, DP 666894 | State | Part of I00126 |
| Windsor | House | 8 Bridge Street | Lot 1, DP 995391 | State | Part of I00126 |
| Windsor | House | 10 Bridge Street | Part Lot A, DP 381403 | State | Part of I00126 |
| Windsor | Former School of Arts | 14 Bridge Street and 1 and 2/52 George Street | Lot 1, DP 136637; Lots 1 and 2, DP 1127620 | State | Part of I00126 |
| Windsor | House | 17 Bridge Street | Lot 1, DP 555685 | State | Part of I00126 |
| Windsor | House | 20 Bridge Street | Part Lot 2, DP 420926 | Local | I147 |
| Windsor | “The Windsor Tavern” | 25-27 Bridge Street | Part Lot 101, DP 1151845; Lots 102 and 103, DP 1151845 | Local | I151 |
| Windsor | “Lock Up” ruins | 32 Bridge Street | Lot 7017, DP 1030415 | Local | I148 |
| Windsor | Former Barrack Wall | 32 Bridge Street | Lot 7017, DP 1030415 | Local | I157 |
| Windsor | Stables at rear of police station | 32 Bridge Street | Lot 7017, DP 1030415; Lot 11, Section 10, DP 759096 | State | I01018 |
| Windsor | The Toll House | 40 Bridge Street | Lot 1, DP 583229 | Local | I150 |

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| Windsor | House | 2-4 Catherine Street | Lots 371 and 372, DP 813236 | Local | I152 |
| Windsor | House | 5-7 Catherine Street | Lot 1, DP 573726; Lot 7, DP 1105572 | Local | I153 |
| Windsor | "Claremont Cottage" | 16 Claremont Crescent | Lot 11, DP 816462 | State | I00738 |
| Windsor | Windsor Roman Catholic Cemetery | Corner George Street, Richmond Road and Macquarie Street | Lots 101-104, DP 1101551 | Local | I259 |
| Windsor | "Windsor Court House" | 34 Court Street | Lot 7018, DP 1060980 | State | I00804 |
| Windsor | "Trevallyn" | 10 Day Street | Lot 50, DP 1137999 | Local | I158 |
| Windsor | Public school | 2-6 Dight Street and 328 George Street | Lot 1, DP 724345; Lot 359, DP 729849; Lot 1, DP 122886 | Local | I159 |
| Windsor | "Fairfield House" | 21 Fairfield Avenue | Lot 8, DP 556639 | Local | I256 |
| Windsor | House | 1 Fitzgerald Street | Lot 1, DP 731707 | Local | I160 |
| Windsor | "Sunny Brae" | 12 Fitzgerald Street | Lot 21, DP 603166 | Local | I161 |
| Windsor | "Mackenzie House" | 29 Fitzgerald Street | Lot 2, DP 580289 | State | Part of I00735 |
| Windsor | House | 12 Forbes Street | Lot 1, DP 199020 | Local | I164 |
| Windsor | House | 16 Forbes Street | Lot 1, DP 572164 | Local | I165 |
| Windsor | Hannabas Dairy | 27 George Street | Lot 2, DP 212542 | Local | I166 |
| Windsor | House | 31 George Street | Lot 3, DP 1119195 | Local | I167 |
| Windsor | House | 32 George Street | Lot 1, DP 136623 | Local | I168 |
| Windsor | House | 34 George Street | Lot 34, DP 742262 | Local | I169 |
| Windsor | House | 35 George Street | Lot 2, DP 770964 | Local | I170 |
| Windsor | House | 40 George Street | Lot 1, DP 713478 | Local | I171 |
| Windsor | House | 41 George Street | Lot 1, DP 995355 | State | I01843 |
| Windsor | House | 43 George Street | Lot 1, DP 203668 | Local | I174 |
| Windsor | House | 45 George Street | Lot 45, DP 1113935 | Local | I173 |
| Windsor | House | 48 George Street | Lot 3, Section 10, DP 759096 | Local | I175 |
| Windsor | Houses | 62-68 George Street | Lots 1 and 2, DP 555685 | State | Part of I00126 |

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|---------|----------------------------|---------------------------------------|---|-------|----------------|
| Windsor | Shop | 70 George Street | Lot 1, DP 1011887 | State | Part of I00126 |
| Windsor | Shop | 74 George Street | Lot 1, DP 87241 | State | Part of I00126 |
| Windsor | Shop | 80-82 George Street | Lots 10 and 11, DP 630209 | State | Part of I00126 |
| Windsor | Macquarie Arms Hotel | 81 George Street | Lot 1, DP 864088 | State | I00041 |
| Windsor | Shop | 84 and 88 George Street | Lot 1, DP 223433; Lot 2, DP 233054 | State | Part of I00126 |
| Windsor | Shop | 109 George Street and 9B Baker Street | Lots 111 and 112, DP 739120 | Local | I176 |
| Windsor | Former house | 117 George Street | Lot 101, DP 737270 | Local | I177 |
| Windsor | Former house | 123 George Street | Lot 104, DP 737270 | Local | I178 |
| Windsor | "Loder House" | 126 George Street | Lot 1, DP 580752 | State | I00003 |
| Windsor | House and shop | 127 George Street | Lot 8, DP 607128 | Local | I180 |
| Windsor | Shop | 131 George Street | Lot B, DP 32825 | Local | I181 |
| Windsor | Shop | 135 George Street | Lot A, DP 32825 | Local | I182 |
| Windsor | House and shop | 136 George Street | Lot 2, DP 659668 | Local | I183 |
| Windsor | Former house | 137 George Street | Lot 1, DP 448270 | Local | I184 |
| Windsor | Bank | 141 George Street | Lot A, DP 160933 | Local | I185 |
| Windsor | Bank | 146 George Street | Lot 4, DP 558970 | Local | I186 |
| Windsor | "Bussell Bros" | 153 George Street | Lot C, DP 394938 | Local | I192 |
| Windsor | Bank | 156 George Street | Lot 3, DP 558970 | Local | I187 |
| Windsor | Shop | 160-160A George Street | Lot 1, DP 742050; Lot 2, DP 537539 | Local | I189 |
| Windsor | "Fitzroy Hotel" | 161 George Street | Lot 1, DP 83287 | Local | I188 |
| Windsor | Shop | 162-166 George Street | Lots X and N, DP 161323; Lot 3, DP 259300 | Local | I190 |
| Windsor | Shop | 167-169 George Street | Lot 1, DP 199771 | Local | I191 |
| Windsor | Former Windsor Post Office | 180 George Street | Lot 1, DP 771874 | Local | I235 |
| Windsor | Shop | 181 George Street | Lot 1, DP 227084 | Local | I193 |

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|---------|---------------------------------------|-----------------------|--------------------------|-------|--------|
| Windsor | Shop | 189 George Street | Lot 11, DP 876951 | Local | I194 |
| Windsor | Former shop | 194 George Street | Lot 1, DP 1008865 | Local | I195 |
| Windsor | Shop | 199 George Street | Lot 4, DP 1072197 | Local | I197 |
| Windsor | Former shop | 200 George Street | Lot 1, DP 75108 | Local | I196 |
| Windsor | Royal Exchange Hotel | 203-207 George Street | Lots 1 and 2, DP 1094217 | Local | I199 |
| Windsor | Shop | 206 George Street | Lot 1, DP 596806 | Local | I198 |
| Windsor | Simmons Hardware Store | 226 George Street | Lot 12, DP 1159754 | State | I00667 |
| Windsor | O'Brien's Building | 242 George Street | Lot 1, DP 566382 | Local | I201 |
| Windsor | Former inn | 265 George Street | Lot 2, DP 82467 | Local | I202 |
| Windsor | "The Royal Theatre" (former) | 266 George Street | Lot 1, DP 435893 | Local | I203 |
| Windsor | House | 267 George Street | Lot 2, DP 602252 | Local | I204 |
| Windsor | House | 268 George Street | Lot 22, DP 1148530 | Local | I205 |
| Windsor | House | 271 George Street | Lot 271, DP 1106015 | Local | I207 |
| Windsor | House | 275 George Street | Lot B, DP 155672 | Local | I208 |
| Windsor | House | 279 George Street | Lot 1, DP 702967 | Local | I209 |
| Windsor | House | 283 George Street | Lot 1, DP 784340 | Local | I210 |
| Windsor | Residence and surgery | 287 George Street | Lot 3, DP 70337 | Local | I211 |
| Windsor | House | 291 George Street | Lot 2, DP 226437 | Local | I212 |
| Windsor | House | 301 George Street | Lot 301, DP 1105735 | Local | I213 |
| Windsor | House | 303 George Street | Lot 3, DP 702966 | Local | I214 |
| Windsor | House | 307 George Street | Lot 1, DP 198135 | Local | I215 |
| Windsor | Former house | 308 George Street | Lot 49, DP 875355 | Local | I516 |
| Windsor | Former house | 310 George Street | Lot B, DP 159779 | Local | I517 |
| Windsor | "Mrs Cope's Cottage" | 312 George Street | Lot 1, DP 605013 | Local | I217 |
| Windsor | Shop | 319 George Street | Lot 21, DP 830445 | Local | I216 |
| Windsor | Dedication stone, Hawkesbury Hospital | 320 George Street | Lot 50, DP 1035291 | Local | I245 |

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|---------|---|--------------------------|--------------------------------------|-------|--------|
| Windsor | Ashlar Morgue Building | 320 George Street | Lot 50, DP 1035291 | Local | I513 |
| Windsor | Well structure | 320 George Street | Lot 50, DP 1035291 | Local | I514 |
| Windsor | Former Windsor Council Chambers | 325 George Street | Lot 4, Section 12, DP 759096 | Local | I219 |
| Windsor | "Tates Hotel" | 339 George Street | Lot A, DP 84001 | Local | I220 |
| Windsor | "The Reverend Turner Cottage" (formerly "Oxalis Cottage") | 360-360A George Street | Part Lot 1, DP 998012 | State | I00202 |
| Windsor | Bandstand rotunda | 361 George Street | Lot 1, DP 556829 | Local | I218 |
| Windsor | "Learholm" | 391-393 George Street | Lots 8 and 9, DP 1093 | Local | I222 |
| Windsor | Shop | 394 George Street | Lot 2, DP 499865 | Local | I223 |
| Windsor | Shop | 396 George Street | Lot 73, DP 1045497 | Local | I477 |
| Windsor | McQuade Park | 361 George Street | Lot 1, DP 556829 | State | I01851 |
| Windsor | Railway Hotel | 419 George Street | Lot 1, Section D, DP 1093 | Local | I229 |
| Windsor | Windsor Railway Station | 425 George Street | Lot 1, DP 1022444 | State | I01287 |
| Windsor | Former inn | 29 Greenway Crescent | Lot 2, DP 816755 | Local | I237 |
| Windsor | House and outbuildings | 22 Hawkesbury Valley Way | Lot 6, DP 654301 | Local | I258 |
| Windsor | Fairfield House Gateway | 52 Hawkesbury Valley Way | Lot 1, DP 243057 | Local | I257 |
| Windsor | House | 25 Johnston Street | Lot 1, DP 800664 | State | I00075 |
| Windsor | "Uralla" | 6 Kable Street | Lot 1, DP 1005845 | Local | I139 |
| Windsor | Former Masonic Hall | 22 Kable Street | Lot 1, DP 998061 | Local | I239 |
| Windsor | Houses | 1-3 Little Church Street | Lot 21, DP 1085640; Lot 1, DP 742156 | Local | I240 |
| Windsor | The Bell Inn | 2-4 Little Church Street | Lots 1 and 2, SP 56964 | Local | I154 |
| Windsor | St Matthew's Roman Catholic Church | 8 Little Church Street | Lot 1, DP 872759 | Local | I262 |
| Windsor | House | 17 Little Church Street | Lot 16, Section 13, DP 759096 | Local | I241 |

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|---------|---|--|-------------------------------------|-------|----------------|
| Windsor | House | 21 Little Church Street | Lot 11, DP 1043426 | Local | I242 |
| Windsor | House | 23 Little Church Street | Lot 1, DP 743317 | Local | I243 |
| Windsor | "Elourea" | 33 Macquarie Street | Lot 3, DP 2995 | Local | I476 |
| Windsor | Former Methodist Parsonage | 49 Macquarie Street | Lot 16, DP 809182 | State | Part of I00735 |
| Windsor | Uniting Church and hall | 53 Macquarie Street | Lot 1, DP 34642 | State | Part of I00735 |
| Windsor | Shop and dwelling | 95 Macquarie Street | Lot 1, DP 1053061 | Local | I246 |
| Windsor | House | 8 Mileham Street | Lot B, DP 373884 | Local | I247 |
| Windsor | "Woodside" (former Melville Cottage) | 39 Mileham Street | Lot 18, DP 998546 | Local | I248 |
| Windsor | St Matthew's Anglican Church, rectory, cemetery and stables | 1 Moses Street | Lot 1, DP 1034515; Lot 17, DP 37952 | State | I00015 |
| Windsor | House | 1 New Street | Lot 1, DP 783338 | Local | I251 |
| Windsor | Former St Matthew's School | 7 New Street | Lot 1, DP 194342 | Local | I252 |
| Windsor | House | 25 North Street | Lot 201, DP 593790 | State | I00150 |
| Windsor | House | 26-28 North Street | Lot 1, DP 749299 | State | I00108 |
| Windsor | House | 29 North Street | Lot 200, DP 593790 | State | I00107 |
| Windsor | Houses | 31-33 North Street | Lot 19, DP 745851 | State | I00142 |
| Windsor | House | 35 North Street | Lot 181, DP 593791 | State | I00109 |
| Windsor | Former Peninsula Inn | 37-39 North Street | Lot 182, DP 593791 | State | I00110 |
| Windsor | Public reserve | 3 Old Bridge Road | Lot 345, DP 752061 | State | Part of I00126 |
| Windsor | "Peninsula House" and observatory | 51 Palmer Street | Lot 1, DP 731655 | State | I00028 |
| Windsor | "Fitzroy Cottage" | 2 Tebbutt Street | Lot 1, DP 734005 | Local | I260 |
| Windsor | House | 4 Tebbutt Street | Lot 4, DP 1117674 | Local | I261 |
| Windsor | House | 6 Tebbutt Street | Lot 1, DP 124494 | Local | I470 |
| Windsor | Thompson Square | The Terrace, George Street and Bridge Street | Lot 7007, DP 1029964 | State | Part of I00126 |

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|---------|----------------------|--------------------------|---------------------------------------|-------|----------------|
| Windsor | House | 74 The Terrace | Lot 2, DP 816331 | Local | I263 |
| Windsor | "Crescentville" | 80 The Terrace | Lot 1, DP 816331 | Local | I264 |
| Windsor | "Riverview Cottage" | 86 The Terrace | Lot 10, DP 882748 | Local | I265 |
| Windsor | "Hill Crest" | 88 The Terrace | Lot 11, DP 882748 | Local | I266 |
| Windsor | House | 92 The Terrace | Lot 15, DP 1105638 | Local | I271 |
| Windsor | "Lindfield House" | 94 The Terrace | Lot 16, DP 1105530 | Local | I267 |
| Windsor | "Fairview" | 98 The Terrace | Lot 1, DP 745516 | Local | I268 |
| Windsor | House | 100 The Terrace | Lot 1, DP 712383 | Local | I269 |
| Windsor | House | 105 and 105A The Terrace | Lots 1 and 2, DP 12710 | Local | I272 |
| Windsor | "The Doctor's House" | 1-3 Thompson Square | Lot B, DP 161643; Lot 1, DP 196531 | State | Part of I00126 |
| Windsor | House | 5 Thompson Square | Lot 1, DP 745036 | Local | I00005 |
| Windsor | Former Coffey's Inn | 7 Thompson Square | Lot 1, DP 60716 | State | Part of I00126 |
| Windsor | Windsor Bridge | Wilberforce Road | | Local | I276 |

Part 2 Heritage conservation areas

| Name of area | Identification of area | Significance |
|-----------------------------------|---|--------------|
| Pitt Town Conservation Area | Shown by red hatching and labelled "C1" on the Heritage Map | Local |
| St Albans' Conservation Area | Shown by red hatching and labelled "C2" on the Heritage Map | Local |
| North Street Conservation Area | Shown by red hatching and labelled "C3" on the Heritage Map | State |
| Thompson Square Conservation Area | Shown by red hatching and labelled "C4" on the Heritage Map | State |

Dictionary

(Clause 1.4)

Note—

The Act and the [Interpretation Act 1987](#) contain definitions and other provisions that affect the interpretation and application of this Plan.

Aboriginal object means any deposit, object or other material evidence (not being a handcraft 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 [Hawkesbury Local Environmental Plan 2012 Acid Sulfate Soils Map](#).

Additional Permitted Uses Map means the [Hawkesbury Local Environmental Plan 2012 Additional Permitted Uses Map](#).

advertisement has the same meaning as in the Act.

Note—

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

advertising structure has the same meaning as in the Act.

Note—

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

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

affordable housing has the same meaning as in the Act.

Note—

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

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds,

fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Note—

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

agriculture means any of the following:

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

Note—

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

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

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

Note—

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

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

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

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

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

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

Note—

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

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

artisan food and drink industry means a building or place the principal purpose of which is the

making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following:

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

Note—

See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

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

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

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

Note—

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

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

backpackers' accommodation means a building or place that:

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

Note—

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

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

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

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

(c) dormitory-style accommodation is not provided.

Note—

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

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

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

Note—

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

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

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

Note—

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

boarding house means a building that:

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

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

Note—

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

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

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

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

brothel has the same meaning as in the Act.

Note—

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

building has the same meaning as in the Act.

Note—

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

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

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

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

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

Note—

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

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

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

whichever distance is the shortest.

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

Note—

The term is defined as follows:

bush fire hazard reduction work means:

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

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

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

Note—

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

centre-based child care facility means:

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

Note—

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

but does not include:

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the [Children \(Education and Care Services\) National Law \(NSW\)](#)), or

- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

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

classified road has the same meaning as in the [Roads Act 1993](#).

Note—

The term is defined as follows:

classified road means any of the following:

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

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

clearing native vegetation has the same meaning as in Part 5A of the [Local Land Services Act 2013](#).

clearing vegetation has the same meaning as in [State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#).

coastal hazard has the same meaning as in the [Coastal Management Act 2016](#).

coastal lake means a body of water identified in Schedule 1 to [State Environmental Planning Policy \(Coastal Management\) 2018](#).

coastal protection works has the same meaning as in the [Coastal Management Act 2016](#).

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

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

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 Hawkesbury 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) land required for regional open space.

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.

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

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

earthworks means excavation or filling.

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

eco-tourist facility means a building or place that:

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

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

Note—

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

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

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

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

electricity generating works means a building or place used for the purpose of 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 Constraints Area Map means the [Hawkesbury Local Environmental Plan 2012 Environmental Constraints Area Map](#).

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.

Exceptions to Development Standards Map means the [Hawkesbury Local Environmental Plan 2012 Exceptions to Development Standards Map](#).

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.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the *Hawkesbury Local Environmental Plan 2012 Floor Space Ratio Map*. [Not adopted. See clause 4.4]

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

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

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

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

Note—

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

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

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

Note—

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

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

Note—

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

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 [Hawkesbury Local Environmental Plan 2012 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 [Hawkesbury Local Environmental Plan 2012 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) a family day care residence (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)), or

Note—

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

- (b) a dwelling used for the purposes of a home based education and care service (within the meaning of the *Children (Education and Care Services) Supplementary Provisions Act 2011*),

at which the education and care service is provided at any one time to no more than 7 children (including any child of the person providing the service) all of whom are under the age of 13 years and no more than 4 of whom are children who do not ordinarily attend school.

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

but does not include a warehouse or distribution centre.

Note—

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

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

Industry means any of the following:

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

but does not include:

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

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

Intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses 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 [Hawkesbury Local Environmental Plan 2012 Land Application Map](#).

Land Reservation Acquisition Map means the [Hawkesbury Local Environmental Plan 2012 Land Reservation Acquisition Map](#).

Land Zoning Map means the [Hawkesbury Local Environmental Plan 2012 Land Zoning Map](#).

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

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

Note—

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

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

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

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.

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

Note—

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

Lot Averaging Map means the [Hawkesbury Local Environmental Plan 2012 Lot Averaging Map](#).

Lot Size Map means the [Hawkesbury Local Environmental Plan 2012 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 Part 5A of the [Local Land Services Act 2013](#).

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

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

Note—

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

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

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

Note—

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

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

nominated State heritage item means a heritage item that:

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

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

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.

Pitt Town Heritage Map means the [Hawkesbury Local Environmental Plan 2012 Pitt Town Heritage Map](#).

Pitt Town Subdivision and Designated State Public Infrastructure Map means the [Hawkesbury Local Environmental Plan 2012 Pitt Town Subdivision and Designated State Public Infrastructure Map](#).

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.

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

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

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

Note—

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

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

public authority has the same meaning as in the Act.

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

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 Lot Yield Map means the [Hawkesbury Local Environmental Plan 2012 Restricted Lot Yield Map](#).

restricted premises means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a

pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

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

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

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

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

Note—

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

road means a public road or a private road within the meaning of the [Roads Act 1993](#), and includes a classified road.

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

Note—

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

Note—

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

school means a government school or non-government school within the meaning of the [Education Act 1990](#).

Note—

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

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

Note—

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

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 and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Note—

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

shop top housing means one or more dwellings located above 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.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires:

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

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note—

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

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

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

Note—

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

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

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

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

swimming pool has the same meaning as in the [Swimming Pools Act 1992](#).

Note—

The term is defined as follows:

swimming pool means an excavation, structure or vessel:

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

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

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

Note—

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

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 [Hawkesbury Local Environmental Plan 2012 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 [Hawkesbury Local Environmental Plan 2012 Urban Release Area Map](#).

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

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

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

Note—

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

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

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

Note—

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

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

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

Note—

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

waste or resource management facility means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note—

Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note—

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

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

Note—

Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note—

Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following:

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

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note—

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means:

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

Wetlands Map means the [Hawkesbury Local Environmental Plan 2012 Wetlands Map](#).

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.