

Hunters Hill Local Environmental Plan 2012 (2013 EPI 34)

[2013-34]



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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Hunters Hill Local Environmental Plan 2012 (2013 EPI 34)



New South Wales

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Hunters Hill Local Environmental Plan 2012*.

1.1AA Commencement

This Plan commences on 12 August 2013 and is required to be published on the NSW legislation website.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Hunters Hill in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
 - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
 - (a) to maintain and enhance the character and identity of established neighbourhoods in Hunters Hill by regulating the use and development of land,
 - (b) to maintain and enhance biodiversity values by conserving natural features and scenic qualities that distinguish the municipality,
 - (c) to conserve Aboriginal heritage and European heritage that influence the character and identity of the municipality,
 - (d) to accommodate a range of housing that will maintain the garden suburb character of the municipality, while responding to the needs of a growing population and changing demographics,
 - (e) to consolidate housing growth in locations that are well-served by shops,

transport and community services,

- (f) to provide for employment and a variety of businesses that service residents of the municipality and surrounding areas,
- (g) to maintain a network of open spaces that conserve natural and scenic qualities, as well as providing a variety of active and passive recreation opportunities for residents of the municipality and surrounding areas,
- (h) to accommodate a range of community and educational infrastructure for residents of the municipality and surrounding areas,
- (i) to promote high standards of urban and architectural design quality.

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- (1AA) (Repealed)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

- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note—

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

1.8 Repeal of planning instruments applying to land

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

Note—

The following local environmental plans are repealed under this provision—

Hunters Hill Local Environmental Plan No 1

Hunters Hill Local Environmental Plan (Hunters Hill Village) 2009

Hunters Hill Local Environmental Plan (Gladesville Village Centre) 2010

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

1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply—
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, 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 Subdivision 2 of Division 7.1 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 3.16 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows—

Residential Zones

R2 Low Density Residential

R3 Medium Density Residential

Employment Zones

E1 Local Centre

Mixed Use Zones

MU1 Mixed Use

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Conservation Zones

C1 National Parks and Nature Reserves

C2 Environmental Conservation

Waterway Zones

W4 Working Waterfront

2.2 Zoning of land to which Plan applies

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

2.3 Zone objectives and Land Use Table

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

(4) This clause is subject to the other provisions of this Plan.

Notes—

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

2.4 Unzoned land

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

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out—
 - (a) with development consent, or
 - (b) if the Schedule so provides—without development consent,in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

2.6 Subdivision—consent requirements

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

Notes—

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

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

Note—

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

2.7 Demolition requires development consent

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

Note—

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

2.8 Temporary use of land

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

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

2.9 Canal estate development prohibited

- (1) Canal estate development is prohibited on land to which this Plan applies.
- (2) In this Plan, **canal estate development** means development that involves—
- (a) a constructed canal, or other waterway or waterbody, that—
 - (i) is inundated by surface water or groundwater movement, or
 - (ii) drains to a waterway or waterbody by surface water or groundwater movement, and
 - (b) the erection of a dwelling, and
 - (c) one or both of the following—
 - (i) the use of fill material to raise the level of all or part of the land on which the dwelling will be erected to comply with requirements for residential development in the flood planning area,
 - (ii) excavation to create a waterway.
- (3) Canal estate development does not include development for the purposes of drainage or the supply or treatment of water if the development is—
- (a) carried out by or with the authority of a person or body responsible for the drainage, supply or treatment, and
 - (b) limited to the minimum reasonable size and capacity.
- (4) In this clause—
- flood planning area** has the same meaning as in clause 5.21.

Land Use Table

Note—

State environmental planning policies, including the following, may be relevant to development on land to which this Plan applies—

[State Environmental Planning Policy \(Housing\) 2021](#)

[State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#), Chapter 2—relating to infrastructure facilities, including air transport, correction, education, electricity generating works and solar energy systems, health services, ports,

railways, roads, waste management and water supply systems

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

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

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

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

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 maintain the identity of Hunters Hill by ensuring that new buildings are compatible with the garden suburb character and heritage values that distinguish the low density localities.
- To provide for high levels of amenity that are consistent with a low density residential environment.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Bed and breakfast accommodation; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Secondary dwellings; Tank-based aquaculture

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 ensure that development is compatible with the character and heritage of the locality.
- To provide for levels of amenity that are reasonable for a medium density residential environment.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture

4 Prohibited

Any other development not specified in item 2 or 3

Zone E1 Local Centre

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

2 Permitted without consent

Roads

3 Permitted with consent

Amusement centres; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home businesses; Home industries; Home occupations; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Zone MU1 Mixed Use

1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To ensure that new buildings provide an appropriate transition between employment zones and surrounding residential localities.

2 Permitted without consent

Roads

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Multi dwelling housing; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Zone SP1 Special Activities

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

Roads

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

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

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

Aquaculture; Community facilities; Kiosks; Recreation areas

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To facilitate development that is in keeping with the special characteristics of the site and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

Aquaculture; Community facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor)

4 Prohibited

Any development not specified in item 2 or 3

Zone C1 National Parks and Nature Reserves

1 Objectives of zone

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

2 Permitted without consent

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

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone C2 Environmental Conservation

1 Objectives of zone

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

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Environmental facilities Oyster aquaculture

4 Prohibited

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

Zone W4 Working Waterfront

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat launching ramps; Charter and tourism boating facilities; Jetties; Light industries; Marinas; Roads

4 Prohibited

Any development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
- (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
- (3) To be exempt development, the development—
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the [Heritage Act 1977](#) or that is subject to an interim heritage order under the [Heritage Act 1977](#).
- (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2-9 is exempt development only if—
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
- (5) To be exempt development, the development must—

- (a) be installed in accordance with the manufacturer's specifications, if applicable, and
- (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note—

See *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2 and the *Local Land Services Act 2013*, Part 5A.

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

3.2 Complying development

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

Note—

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

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

3.3 Environmentally sensitive areas excluded

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

(2) For the purposes of this clause—

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

- (a) the coastal waters of the State,
- (b) a coastal lake,
- (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the [Coastal Management Act 2016](#)),
- (d) land reserved as an aquatic reserve under the [Fisheries Management Act 1994](#) or as a marine park under the [Marine Parks Act 1997](#),
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved under the [National Parks and Wildlife Act 1974](#) or land acquired under Part 11 of that Act,
- (i) land reserved or dedicated under the [Crown Land Management Act 2016](#) for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land that is a declared area of outstanding biodiversity value under the [Biodiversity Conservation Act 2016](#) or declared critical habitat under Part 7A of the [Fisheries Management Act 1994](#),
- (ja) land identified as “River Front Area” on the [River Front Area Map](#).

Part 4 Principal development standards

4.1 Minimum subdivision lot size

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

- (a) to soften visual impacts of residential developments when viewed from any waterway, park or road by providing sufficient space for trees and plantings around every building,
- (b) to accommodate residential developments that would be compatible with the size, scale and existing character of surrounding buildings.

- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or
 - (b) by any kind of subdivision under the [Community Land Development Act 2021](#).

4.1AA Minimum subdivision lot size for community title schemes

[Not adopted]

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

- (1) The objective of this clause is to achieve planned residential density in certain zones.
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential, Zone R3 Medium Density Residential	700 square metres
Dual occupancy (detached)	Zone R2 Low Density Residential, Zone R3 Medium Density Residential	900 square metres
Multi dwelling housing	Zone R3 Medium Density Residential, Zone MU1 Mixed Use	900 square metres
Residential flat building	Zone R3 Medium Density Residential, Zone MU1 Mixed Use	900 square metres

4.2 Rural subdivision

[Not applicable]

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to specify limits for the size and scale of development that would be compatible with the character, amenity and potential of particular locations,
 - (b) to maintain the character and identity of Hunters Hill by limiting the scale of buildings to a maximum of two storeys in the low density residential zone, heritage conservation areas and foreshore areas facing Lane Cove River or Parramatta River,
 - (c) to consolidate developments that would be taller than two storeys in Zone E1 or MU1, while ensuring a suitable visual transition to the adjoining zones,
 - (d) to protect existing dwellings from excessive overshadowing, loss of privacy, obstruction of views and general visual impacts.
- (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

- (1) The objectives of this clause are as follows—
 - (a) to specify limits for the size of development that would be compatible with the character and potential of particular locations,
 - (b) to encourage higher-intensity development in Zones E1 and MU1 so that the zones are well-served by public transport and shops,
 - (c) to manage the density and intensity of multi unit residential development according to the purpose of each residential zone,
 - (d) to encourage buildings that maximise the proportion of site area that may be retained as landscaped area.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).
- (2A) Despite subclause (2), if a dwelling house on any land complies with clause 4.3, in respect of height, and clause 6.9, in respect of landscaping, there is no maximum floor space ratio for that dwelling house.
- (2B) Despite subclause (2), the maximum floor space ratio for a building being used for one of the following purposes is—
 - (a) a dual occupancy—0.5:1,

- (b) multi dwelling housing—0.6:1.

4.4A Exception to floor space ratios for certain land in the Hunters Hill Village

- (1) The maximum floor space ratio for a building on land identified as “Area 1” on the [Floor Space Ratio Map](#) is—
 - (a) for a site that has an area of at least 600 square metres but less than 900 square metres—1.75:1, and
 - (b) for a site that has an area of 900 square metres or more—2:1.
- (2) The maximum floor space ratio for a residential flat building on land identified as “Area 2” on the [Floor Space Ratio Map](#) that has a site area of 1,000 square metres or more is 0.8:1.

4.5 Calculation of floor space ratio and site area

- (1) **Objectives** The objectives of this clause are as follows—
 - (a) to define **floor space ratio**,
 - (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to—
 - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
 - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
 - (iii) require community land and public places to be dealt with separately.
- (2) **Definition of “floor space ratio”** The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.
- (3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be—
 - (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
 - (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

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

- (4) **Exclusions from site area** The following land must be excluded from the site area—

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

Government Act 1993.

4.6 Exceptions to development standards

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

- (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note—

When this Plan was made it did not include 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 E3 Environmental Management or Zone E4 Environmental Living.

- (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,
 - (caa) clause 5.5.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

initiated acquisition provisions).

Note—

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

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

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked “Local open space”	Council
Zone RE1 Public Recreation and marked “Regional open space”	The corporation constituted under section 2.5 of the Act
Zone SP2 Infrastructure and marked “Classified road”	Transport for NSW
Zone C1 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](#)).

5.2 Classification and reclassification of public land

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

Note—

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

reclassified under this Plan as operational land.

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

Note—

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

5.3 Development near zone boundaries

[Not adopted]

5.4 Controls relating to miscellaneous permissible uses

- (1) **Bed and breakfast accommodation** If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 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 30 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 30 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) 67% 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 3 bedrooms in buildings.
- (6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 20 square metres.
- (7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 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 9 square metres.
- (9) **Secondary dwellings on land other than land in a rural zone** If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—
 - (a) 60 square metres,
 - (b) 30% of the total floor area of the principal dwelling.
- (10) **Artisan food and drink industry exclusion** If development for the purposes of an artisan food and drink industry is permitted under this Plan in Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Waterfront or a rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—

- (a) 67% of the gross floor area of the industry, or
 - (b) 400 square metres,
- whichever is the lesser.

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

[Not adopted]

5.6 Architectural roof features

[Not applicable]

5.7 Development below mean high water mark

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

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.
- (2) The following development may be carried out, but only with development consent—
 - (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
 - (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
 - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
- (3) Development to which subclause (2) applies is complying development if it consists only of—
 - (a) internal alterations to a building, or
 - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.

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

(5) In this clause—

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

5.9 Dwelling house or secondary dwelling affected by natural disaster

[Not adopted]

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

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

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having

reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) **When consent not required** However, development consent under this clause is not required if—

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

(d) the development is exempt development.

- (4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) **Heritage assessment** The consent authority may, before granting consent to any development—
- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—
- (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
 - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response

received within 28 days after the notice is sent.

- (9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—
- (a) notify the Heritage Council about the application, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) **Conservation incentives** The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—
- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
 - (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
 - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
 - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
 - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

5.11 Bush fire hazard reduction

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

Note—

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

Infrastructure) 2021, Chapter 2.

- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

5.13 Eco-tourist facilities

[Not applicable]

5.14 Siding Spring Observatory—maintaining dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

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

[Not applicable]

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

[Not applicable]

5.18 Intensive livestock agriculture

[Not applicable]

5.19 Pond-based, tank-based and oyster aquaculture

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

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

(2) **Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent** The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—

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

- (b) in the case of—
- (i) pond-based aquaculture in Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use—that the development is for the purpose of small scale aquarium fish production, and
 - (ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive aquaculture, and
 - (iii) tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and
 - (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.
- (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.
- (4) **Extensive pond-based aquaculture permitted without consent in certain zones**
Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—
- (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and
 - (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.
- (5) **Oyster aquaculture—additional matters that consent authority must consider in determining a development application** In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—
- (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and

(b) the *NSW Oyster Industry Sustainable Aquaculture Strategy*.

(6) **Oyster aquaculture permitted without consent in priority oyster aquaculture areas**

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

(a) on land that is wholly within a priority oyster aquaculture area, or

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

(7) **Definitions** In this clause—

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

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

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

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

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

(1) The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—

(a) the playing or performance of music, including the following—

(i) the genre of music played or performed, or

(ii) whether the music played or performed is live or amplified, or

(iii) whether the music played or performed is original music, or

(iv) the number of musicians or live entertainment acts playing or performing, or

(v) the type of instruments played,

(b) whether dancing occurs,

(c) the presence or use of a dance floor or another area ordinarily used for dancing,

- (d) the direction in which a stage for players or performers faces,
 - (e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.
- (2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.
- (3) In this clause—

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

5.21 Flood planning

- (1) The objectives of this clause are as follows—
- (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
 - (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
 - (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.
- (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—
- (a) is compatible with the flood function and behaviour on the land, and
 - (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
 - (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

- (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—
 - (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
 - (b) the intended design and scale of buildings resulting from the development,
 - (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
 - (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.
- (4) A word or expression used in this clause has the same meaning as it has in the *Considering Flooding in Land Use Planning Guideline* unless it is otherwise defined in this clause.
- (5) In this clause—

Considering Flooding in Land Use Planning Guideline means the *Considering Flooding in Land Use Planning Guideline* published on the Department’s website on 14 July 2021.

flood planning area has the same meaning as it has in the *Floodplain Development Manual*.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

5.22 Special flood considerations

[Not adopted]

5.23 Public bushland

- (1) The objective of this clause is to protect and ensure the ecological viability of bushland, including rehabilitated areas in urban areas, by—
 - (a) preserving biodiversity, habitat corridors and links between public bushland and other nearby bushland, and
 - (b) preserving bushland as a natural stabiliser of the soil surface, and
 - (c) preserving existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, and
 - (d) preserving the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of bushland, and

- (e) mitigating disturbance caused by development.
- (2) Development that will disturb, or is reasonably likely to disturb, public bushland is permitted with development consent.
- (3) Development consent must not be granted to development that will disturb, or is reasonably likely to disturb, public bushland unless the consent authority is satisfied of the following—
 - (a) the disturbance of the bushland is essential for a purpose in the public interest,
 - (b) there is no reasonable alternative to the disturbance,
 - (c) the development minimises the amount of bushland to be disturbed,
 - (d) the development includes measures to remediate the disturbed bushland.
- (4) Despite subclause (2), development that will disturb, or is reasonably likely to disturb, public bushland is permitted without development consent if the development is for the following purposes—
 - (a) the construction, operation or maintenance of pipelines to carry water, sewerage or gas or pipelines licensed under the *Pipelines Act 1967*,
 - (b) the construction, operation or maintenance of electricity or telecommunication lines,
 - (c) bush fire hazard reduction,
 - (d) the construction or maintenance of classified roads,
 - (e) facilitating the recreational use of the public bushland.
- (5) Development specified in subclause (4)(e) is permitted without development consent only if it is carried out in accordance with a plan of management for the public bushland, adopted by the Council in the same way a plan of management is required to be adopted for community land under the *Local Government Act 1993*, Chapter 6, Part 2, Division 2, that includes measures for the following—
 - (a) the recreational use of the land,
 - (b) bush fire hazard reduction,
 - (c) the prevention of degradation, including the alteration of drainage patterns, rubbish dumping, vehicle intrusion and infestation with weeds or non-native plants,
 - (d) the remediation of degraded public bushland.
- (6) This clause does not require development consent for clearing of native vegetation if

the clearing is of a kind that is authorised under the *Local Land Services Act 2013*, section 600.

- (7) In deciding whether to grant development consent to development on land adjoining public bushland, the consent authority must consider the following—
- (a) the need to retain public bushland adjoining the site of the development,
 - (b) the likely effect of the development on public bushland, including the following—
 - (i) the erosion of soil,
 - (ii) the siltation of streams and waterways,
 - (iii) the spread of weeds and non-native plants within public bushland,
 - (c) other matters the consent authority considers relevant to the protection and preservation of public bushland.
- (8) This clause does not apply to the following land that is public bushland—
- (a) land in Zone RU1, RU2, RU3, RU4 or RU5,
 - (b) land reserved, dedicated or acquired under the *National Parks and Wildlife Act 1974*,
 - (c) land within a State forest, flora reserve or timber reserve within the meaning of the *Forestry Act 2012*,
 - (d) land to which *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 7 applies.
- (9) In this clause—
- disturb** public bushland means—
- (a) remove vegetation from public bushland, or
 - (b) cause a change in the natural ecology of public bushland that results in the destruction or degradation of the public bushland.
- non-native plant** means a plant that is not native vegetation.
- public bushland** means land—
- (a) on which there is vegetation that is—
 - (i) a remainder of the natural vegetation of the land, or
 - (ii) representative of the structure and floristics of the natural vegetation of the land, and

- (b) that is owned, managed or reserved for open space or environmental conservation by the Council or a public authority.

5.24 Farm stay accommodation

[Not adopted]

5.25 Farm gate premises

[Not adopted]

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, and
 - (b) the works are not likely to lower the watertable.

6.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks and associated groundwater dewatering for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks and associated groundwater dewatering unless—
 - (a) the earthworks and associated groundwater dewatering are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks and associated groundwater dewatering are ancillary to development that is permitted without consent under this Plan or to development

for which development consent has been given.

- (3) Before granting development consent for earthworks and associated groundwater dewatering (or for development involving ancillary earthworks), the consent authority must consider the following matters—
- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
 - (b) the effect of the development on the likely future use or redevelopment of the land,
 - (c) the quality of the fill or the soil to be excavated, or both,
 - (d) the effect of the development on the existing and likely amenity of adjoining properties,
 - (e) the source of any fill material and the destination of any excavated material,
 - (f) the likelihood of disturbing relics,
 - (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
 - (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Note—

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

6.3 Stormwater management

- (1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.
- (2) This clause applies to all land in the following zones—
- (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone E1 Local Centre,
 - (d) Zone MU1 Mixed Use,
 - (e) Zone W4 Working Waterfront.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
- (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
- (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

6.4 Terrestrial biodiversity

- (1) The objective of this clause is to protect, maintain and improve the diversity and condition of native vegetation and habitat, including the following—
 - (a) protecting biological diversity of native fauna and flora,
 - (b) protecting the ecological processes necessary for their continued existence,
 - (c) encouraging the recovery of threatened species, communities, populations and their habitats,
 - (d) protecting, restoring and enhancing biodiversity corridors.
- (2) This clause applies to land identified as “Areas of biodiversity significance” and “Areas of high biodiversity significance” on the [Biodiversity Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
 - (a) the impact of the proposed development on the following—
 - (i) any native vegetation community,
 - (ii) the habitat of any threatened species, population or ecological community,
 - (iii) any regionally significant species of plant, animal or habitat,
 - (iv) any biodiversity corridor,
 - (v) any wetland,
 - (vi) the biodiversity values within any reserve,
 - (vii) the stability of the land, and
 - (b) any proposed measure to be undertaken to ameliorate any potential adverse environmental impact, and
 - (c) any opportunity to restore or enhance remnant vegetation, habitat and

biodiversity corridors.

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

biodiversity corridor means an area that facilitates the connection and maintenance of native fauna and flora habitats and within the urban landscape includes areas that may be broken by roads and other urban elements and may include remnant trees and associated native and exotic vegetation.

6.5 Riparian land and adjoining waterways

- (1) The objective of this clause is to protect and maintain the following—
 - (a) water quality within any adjoining waterway,
 - (b) the stability of the bed and banks of any adjoining waterway,
 - (c) aquatic and riparian habitats,
 - (d) ecological processes within any adjoining waterway and riparian areas.
- (2) This clause applies to land identified as “Riparian Land” on the [Riparian Land and Waterways Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the impact of the development on the following—
 - (a) water quality in any adjoining waterway,
 - (b) the natural flow regime, including groundwater flows to any adjoining waterway,
 - (c) aquatic and riparian habitats and ecosystems,
 - (d) the stability of the bed, shore and banks of any adjoining waterway,
 - (e) the free passage of native aquatic and terrestrial organisms within or along any adjoining waterway and riparian land,

- (f) the habitat of any threatened species, population or ecological community.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
- the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - if that impact cannot be minimised—the development will be managed to mitigate that impact.

Note—

State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6 also applies to the Foreshores and Waterways Area within the meaning of the Chapter.

6.6 Limited development on foreshore area

The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.

- (2) Development consent must not be granted to development on land in the foreshore area except for the following purposes—
- (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,
 - (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,
 - (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).
- (3) Development consent must not be granted under this clause unless the consent authority is satisfied that—
- (a) the development will contribute to achieving the objectives for the zone in which the land is located, and
 - (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
 - (c) the development will not cause environmental harm such as—
 - (i) pollution or siltation of the waterway, or

- (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or
 - (iii) an adverse effect on drainage patterns, and
 - (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
 - (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
 - (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and
 - (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.
- (4) In this clause—

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody.

foreshore building line means the line shown as the foreshore building line on the [Foreshore Building Line Map](#).

Note—

[State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6 also applies to the Foreshores and Waterways Area within the meaning of the Chapter.

6.7 Development on river front areas

- (1) The objectives of this clause are as follows—
- (a) to identify river front areas that have particular scenic value when viewed from waterways and adjacent foreshore areas,
 - (b) to ensure that development in these areas minimises visual impacts by appropriate siting and design of buildings together with the conservation of existing trees,
 - (c) to maintain existing views and vistas towards waterways from public places.
- (2) This clause applies to land identified as “River Front Area” on the [River Front Area Map](#).
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—

- (a) measures will be taken, including in relation to the location, design and appearance of the development and conservation of existing trees, to minimise the visual impact of the development to and from the nearest waterway, and
- (b) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out, and of surrounding land, will be maintained, and
- (c) existing views towards waterways from public roads and reserves would not be obstructed.

Note—

State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6 also applies to the Foreshores and Waterways Area within the meaning of the Chapter.

6.8 Minimum street frontage for medium density residential development

- (1) The objectives of this clause are as follows—
 - (a) to maintain the character and identity of Hunters Hill by ensuring that gardens are provided around every building that is part of a medium density residential development,
 - (b) to provide for medium density residential developments that are compatible with surrounding buildings in terms of size, scale and existing character.
- (2) Development consent must not be granted for development for the purpose of multi dwelling housing or a residential flat building unless the site has at least one frontage to a road (other than a service lane) that is greater than 18 metres.

6.9 Landscaped area for dwelling houses and secondary dwellings

- (1) The objectives of this clause are as follows—
 - (a) to maintain the character and identity of Hunters Hill by ensuring that dwelling houses and secondary dwellings are surrounded and separated by individual gardens,
 - (b) to soften the visual impacts of dwelling houses and secondary dwellings when viewed from any waterway, park or road by providing sufficient space for trees and plantings around every building,
 - (c) to protect and preserve native vegetation in general, and in particular, native vegetation that occurs in a riverfront area or on riparian land,
 - (d) to ensure that the size and scale of dwelling houses and secondary dwellings are compatible with the existing character of their surrounding locality,
 - (e) to minimise the discharge of stormwater from any site, whether by drainage or by

overland flow.

- (2) The landscaped area of any site on which development for the purpose of a dwelling house or a secondary dwelling is carried out must not be less than—
 - (a) for each site with a direct frontage to the Parramatta River or the Lane Cove River—60% of the site area, or
 - (b) for all other sites—50% of the site area.
- (3) For the purposes of subclause (2), the site area is to be calculated under clause 4.5 (3) and any area that has a length or a width of less than 2 metres is not to be included in calculating the proportion of landscaped area.
- (4) Despite subclause (2), the minimum landscaped area may be reduced by not more than 33% for the purpose of accommodating a pathway, a patio, a terrace or a pool (if the pool has an area of less than 40 square metres), but only if the proposed development would be consistent with the objectives of this clause.

6.10 Location of sex services premises

- (1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.
- (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following—
 - (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,
 - (b) the impact that the development and its hours of operation would have on any place likely to be regularly frequented by children—
 - (i) that adjoins the development, or
 - (ii) that can be viewed from the development, or
 - (iii) from which a person can view the development,
 - (c) whether the operation of the premises is likely to cause a disturbance in the neighbourhood—
 - (i) because of its size, location, hours of operation or number of employees, or
 - (ii) taking into account the cumulative impact of the premises along with other sex services premises operating in the neighbourhood during similar hours,

(d) whether the operation of the premises will be likely to interfere with the amenity of the neighbourhood.

- (3) If the sex services premises are proposed to be located in a building that contains one or more dwellings, development consent must not be granted to development for the purpose of sex services premises unless the sex services premises can only be accessed by a separate street entrance that does not provide access to the rest of the building.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 21c Farnell Street, Boronia Park

- (1) This clause applies to land at 21c Farnell Street, Boronia Park, being Lot 13, Section 6, DP 758143 and Crown Reserve R87767.
- (2) Development for the purpose of community facilities is permitted with development consent.

2 Use of certain land at 2, 4, 6 and 8 Flagstaff Street, Gladesville

- (1) This clause applies to land at 2 and 4 Flagstaff Street, Gladesville, being Lots 3 and 4, DP 16241 and land at 6-8 Flagstaff Street, Gladesville, being Lot 1, DP 1022691.
- (2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m², is permitted with development consent.

3 Use of certain land at 17 and 19 Massey Street, Gladesville

- (1) This clause applies to land at 17 and 19 Massey Street, Gladesville, being Lots 1 and 2, DP 16241.
- (2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m², is permitted with development consent.

4 Use of certain land at 20a Alexandra Street, Hunters Hill

- (1) This clause applies to land at 20a Alexandra Street, Hunters Hill, being Lot 1, DP 1070714.
- (2) Development for the purpose of seniors housing is permitted with development consent.

5 Use of certain land at 32 Alexandra Street, Hunters Hill

- (1) This clause applies to land at 32 Alexandra Street, Hunters Hill, being Lot 127, DP 1114617 and comprising the Hunters Hill Post Office.

- (2) Development for the purposes of business premises, multi dwelling housing and shop top housing is permitted with development consent.

6 Use of certain land at 45 and 47 Barons Crescent, 4-20 Gaza Avenue and 118 High Street, Hunters Hill

- (1) This clause applies to land at 45 and 47 Barons Crescent, 4-20 Gaza Avenue and 118 High Street, Hunters Hill, being (respectively) Lot 51, DP 16119, Lot 50, DP 16119, Lots 52-60, DP 16119 and Lot 63, DP 16119.
- (2) Development for the purpose of seniors housing is permitted with development consent.

7 Use of certain land at 49-51 Barons Crescent, Hunters Hill

- (1) This clause applies to land at 49-51 Barons Crescent, Hunters Hill, being Lot 2, DP 312298, Lots 1 and 2, DP 325793 and Lots 9 and 10, DP 724017.
- (2) Development for the purpose of seniors housing is permitted with development consent.

8 Use of certain land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill

- (1) This clause applies to land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill, being Lot 1, DP 302331 and Lot 12, DP 846102.
- (2) Development for the purpose of seniors housing is permitted with development consent.

9 Use of certain land at 1 Durham Street, Hunters Hill

- (1) This clause applies to land at 1 Durham Street, Hunters Hill, being Lots 10 and 11, DP 4614.
- (2) Development for the purpose of community facilities is permitted with development consent.

10 Use of certain land at 35 Gladesville Road, Hunters Hill

- (1) This clause applies to land at 35 Gladesville Road, Hunters Hill, being Lot 38, DP 224608 and Lot 11, DP 846102.
- (2) Development for the purpose of seniors housing is permitted with development consent.

11 Use of certain land at 41 Gladesville Road, Hunters Hill

- (1) This clause applies to land at 41 Gladesville Road, Hunters Hill, being Lot 1, DP 716526.

- (2) Development for the purpose of seniors housing is permitted with development consent.

12 Use of certain land at 43 Gladesville Road, Hunters Hill

- (1) This clause applies to land at 43 Gladesville Road, Hunters Hill, being Lot 2, DP 716526.
- (2) Development for the purpose of seniors housing is permitted with development consent.

13 Use of certain land at 8 Passy Avenue, Hunters Hill

- (1) This clause applies to land at 8 Passy Avenue, Hunters Hill, being Lot 1, DP 133826, Lot 1, DP 206036 and Lot 1, DP 922514.
- (2) Development for the purpose of seniors housing is permitted with development consent.

14 Use of certain land at 10 and 12 Salter Street, Huntleys Cove

- (1) This clause applies to land at 10 and 12 Salter Street, Huntleys Cove, being Lot 1, DP 823988 and known as “The Priory”.
- (2) Development for the purposes of community facilities, function centres and restaurants or cafes is permitted with development consent.

15 Use of certain land at 11 Gladstone Avenue, Woolwich

- (1) This clause applies to land at 11 Gladstone Avenue, Woolwich, being Lots 1-5, Section E, DP 1015 and Lot 1, DP 795282.
- (2) Development for the purpose of seniors housing is permitted with development consent.

16 Use of certain land at 2C Margaret Street, Woolwich

- (1) This clause applies to land at 2C Margaret Street, Woolwich, being Lots 2 and 4, DP 880264.
- (2) Development for the purpose of residential accommodation is permitted with development consent.

17 Use of certain land at 103 Woolwich Road, Woolwich

- (1) This clause applies to land at 103 Woolwich Road, Woolwich, being Lot 5, DP 3110.
- (2) Development for the purposes of restaurants or cafes and shop top housing is permitted with development consent.

Schedule 2 Exempt development

(Clause 3.1)

Note 1—

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

Note 2—

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

Basketball hoops and stands

- (1) Maximum area of backboard—2m².
- (2) Must only be constructed of prefabricated materials.
- (3) Must be installed in accordance with manufacturer's specifications.

Schedule 3 Complying development

(Clause 3.2)

Note—

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

Part 1 Types of development

(When this Plan was made, this Part was blank)

Part 2 Complying development certificate conditions

Note—

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

General conditions

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

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

interests changed

Column 1	Column 2
Locality	Description
Nil	

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

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

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description
Nil	

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item No
Gladesville	Bridge, "Pilkington's Bridge"	Batemans Road over Tarban Creek	Road Reserve	Local	1441
Gladesville	House, "Mendip"	1 Batemans Road	Lot 1, DP 9535	Local	170
Gladesville	House, "Lucknow"	2 Batemans Road	Lot 1, DP 316466	Local	171
Gladesville	House, "Allowah"	6-8 Batemans Road	Lot 78, DP 747268; Lots 1-5, SP 32759	Local	172
Gladesville	House, "Trament"	7 Batemans Road	Lot 4, DP 9535	Local	1513
Gladesville	Stone cottage	10-16 Batemans Road	Lot 1, DP 567284; Lots 1-39, SP 9182	Local	173
Gladesville	House	19 Batemans Road	Lot 9, DP 9535	Local	174
Gladesville	House, "Laureston"	22 Batemans Road	Lot 1, DP 1141619	Local	175
Gladesville	House, "Surrey"	24 Batemans Road	Lot 2, DP 1141619	Local	176

Gladesville	House, "Clifford"	29 Batemans Road	Lot 14, DP 9535	Local	177
Gladesville	House, "Tyrone"	30 Batemans Road	Lot 7, DP 24219	Local	178
Gladesville	House, "Omagh"	32 Batemans Road	Lot 6, DP 24219	Local	179
Gladesville	House, "Cavan"	34 Batemans Road	Lot 5, DP 24219	Local	1430
Gladesville	House	45 Batemans Road	Lot 22, DP 9535	Local	181
Gladesville	House	52 Batemans Road	Lot 51, DP 17742	Local	182
Gladesville	House, "Craigends"	65 Batemans Road	Lot 10, DP 17742	Local	183
Gladesville	House, including pressed metal linings on walls and ceilings but excluding the curtilage	10 Cowell Street	Lot 1, DP 952446	Local	1514
Gladesville	House	1 Earnshaw Street	Lot 3, DP 332731	Local	1506
Gladesville	House	6 Earnshaw Street	Lot 38, DP 1047; Lot 1, DP 133651; Lot 1, DP 923624	Local	1109
Gladesville	Addition to original asylum	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1391
Gladesville	Administration group, formerly Wards 19 and 20	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1393
Gladesville	Escarpment terraces	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1400
Gladesville	Garden	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1440
Gladesville	Guest house, "Gardner's Store"	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1399
Gladesville	House, doctor's residence	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1395
Gladesville	House, formerly the Medical Superintendent's residence	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1402

Gladesville	House, Gardener's Cottage	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1424
Gladesville	House, Gatekeeper's Cottage	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1392
Gladesville	House, Gatekeeper's Lodge	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1403
Gladesville	House, Manager's residence	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1423
Gladesville	House, "Possum Cottage" and water closet	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1409
Gladesville	Industrial Therapy Unit	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1408
Gladesville	Medical Records Department	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1404
Gladesville	Nurses' Quarters	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1407
Gladesville	Pottery building	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1405
Gladesville	Provision store	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1406
Gladesville	Punt Road gates	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1394
Gladesville	Quadrangular asylum ranges	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1390
Gladesville	Sandstone walls in precinct C19	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1398
Gladesville	Service buildings (between asylum and Punt Road gates)	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1396

Gladesville	Southern Campus	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1338
Gladesville	Trees, Cypress Grove	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1419
Gladesville	Wards 17 and 18	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1401
Gladesville	Workshop (west side of Victoria Road)	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1397
Gladesville	Ward 22	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1410
Gladesville	Ward 29	Gladesville Hospital	Lot 877, DP 832717; Lots 1 and 2, DP 877893	Local	1411
Gladesville	House	27 Makinson Street	Lot 5, DP 856443	Local	1217
Gladesville	House	33 Makinson Street	Lot 2, DP 212560	Local	137
Gladesville	House	41 Makinson Street	Lot 34, DP 1047	Local	1507
Gladesville	House	3 Mars Street	Lot 1, DP 406077; Lot D, DP 964184	Local	1231
Gladesville	House	15 Mars Street	Lot 1, DP 208691	Local	1232
Gladesville	House, "Milton"	16 Mars Street	Lot C, DP 342129	Local	1233
Gladesville	House, "Dunham"	2 Massey Street	Lot 9, DP 16155	Local	1480
Gladesville	House	47 Massey Street	Lot 8, DP 3665	Local	1508
Gladesville	Fire station	7a Pittwater	Lot 1, DP 231716	Local	1485
Gladesville	Punt Road Wharf	Punt Road	Lot 2, DP 877893	Local	1434
Gladesville	House	3 Venus Street	Lot 1, DP 834027	Local	1332
Gladesville	Gladesville Bridge	Victoria Road		Local	1387
Gladesville	Life saving house	129 Victoria Road	Lot 155, DP 131136; Lot 56, DP 7341	Local	1486
Gladesville	Houses	143-145 Victoria Road	Lots A and B, DP 441377	Local	1481
Gladesville	Police Station, Watling	147 Victoria Road	Lot 1, DP 903201	Local	1482
Gladesville	Eleni's Tavern	153 Victoria Road	Lot 1, DP 849583	Local	1483

Gladesville	House, former post office	163 Victoria Road	Lot 1, DP 1057844	Local	I484
Gladesville	Shops/Hotel	173-183 Victoria Road	Lots 2-5, DP 13770; Lots A and B, DP 410923	Local	I490
Gladesville	Shops/Hotel	197-199 Victoria Road	Lots 1 and 2, DP 201362	Local	I489
Gladesville	Bank	219 Victoria Road	Lot B, DP 185405	Local	I488
Gladesville	House	261-263 Victoria Road	Lot 1, DP 947594	Local	I487
Henley	Punt ramp	Dick Street, south end	Road Reserve	Local	I455
Henley	House	6 Dick Street	Lot 1, DP 169707	Local	I102
Henley	House	8 Dick Street	Lot 17, Section 5, DP 810	Local	I103
Henley	House	9 Dick Street	Lot 6, Section 7, DP 810	Local	I104
Henley	House	21 Dick Street	Lot 200, DP 1067764	Local	I105
Henley	House, "Clifton"	23 Dick Street	Lot 11, Section 6, DP 810	Local	I106
Henley	House, "Burnham"	24 Dick Street	Lot 5, DP 13418	Local	I107
Henley	House, "Lochnagar", formerly "St Elmo"	35 Dick Street	Lot 171, DP 819463	Local	I108
Henley	House, "The Rest"	10 Gray Street	Lot 6, Section 8, DP 810	Local	I174
Henley	House, "Yuma"	2 Kelly Street	Lot A, DP 405361	Local	I194
Henley	Searle Monument	Parramatta River		Local	I389
Henley	Blandville Wharf	William Street	Road Reserve	Local	I437
Henley	House	5 William Street	Lot 1, DP 313247	Local	I348
Hunters Hill	Wharf remains	Ady Street, north end	Road Reserve	Local	I453
Hunters Hill	Pair of joined houses, "Browns Lane House"	5 Ady Street	Lot A, DP 380444; Lot 1, DP 922857; Lot 1, DP 922858	Local	I10
Hunters Hill	Garden, "Innisfree"	11a Ady Street	Lot G, DP 398472	Local	I438

Hunters Hill	House, "Innisfree", originally named "Ferncliffe"	11a Ady Street	Lot G, DP 398472	Local	I12
Hunters Hill	Congregational church	Alexandra and Ferdinand Streets	Lot 1, DP 1070714	Local	I28
Hunters Hill	Wharf	Alexandra Street, east end	Road Reserve	Local	I454
Hunters Hill	House, "Berwyn"	1 Alexandra Street	Lot 3, DP 293	Local	I13
Hunters Hill	Hotel, "The Gladstone Hotel"	2 Alexandra Street	Lot 1, DP 556151; Lots 1-7, SP 7046	Local	I14
Hunters Hill	House, "Trafalgar Cottage"	3 Alexandra Street	Lot 1, DP 960960	Local	I15
Hunters Hill	House	4 Alexandra Street	Lot 6, DP 59085	Local	I16
Hunters Hill	House and shop	5-7 Alexandra Street	Lot 5, DP 293; Lot 4, DP 455790	Local	I17
Hunters Hill	House, "Ardath", formerly "Crucia"	6 Alexandra Street	Lot 5, Section 1, DP 976337	Local	I18
Hunters Hill	House, "Iolanthe"	8 Alexandra Street	Lot 4, DP 65530	Local	I19
Hunters Hill	House, "Ivanhoe"	9 Alexandra Street	Lot 1, DP 929967	Local	I20
Hunters Hill	Terrace	10 Alexandra Street	Lot A, DP 327792	Local	I21
Hunters Hill	House and shop	11-13 Alexandra Street	Lots 1 and 2, DP 226699	Local	I24
Hunters Hill	Terrace, "Parkvilla"	12 Alexandra Street	Lot B, DP 327792	Local	I22
Hunters Hill	House, "Badenscotch"	14 Alexandra Street	Lot C, DP 976337	Local	I23
Hunters Hill	House, "Wyangah"	15 Alexandra Street	Lot 1, DP 565770	Local	I25
Hunters Hill	House, "Hayling"	16 Alexandra Street	Lot 1, DP 799121	Local	I26
Hunters Hill	Hunters Hill Primary School	17 Alexandra Street	Lots 15-19, DP 293; Lot 873, DP 40159; Lots 1 and 2, DP 535913; Lot 2, DP 565770; Lot 1, DP 903416	Local	I27
Hunters Hill	House, "Merilbah"	19 Alexandra Street	Lot 21, DP 574736	Local	I31
Hunters Hill	Units, "Merimbah", formerly "Merilbah"	21 Alexandra Street	Lots 1-8, SP 216, DP 203985	Local	I32

Hunters Hill	Town Hall	22 Alexandra Street	Lot 456, DP 1089713; Lot 2, DP 585740; Lot 2, DP 615620; Lot 3, DP 76902	Local	I30
Hunters Hill	House, former post office	23 Alexandra Street	Lot 1, DP 361216	Local	I33
Hunters Hill	House, "Dunheved"	26 Alexandra Street	Lot 2, DP 223459	Local	I34
Hunters Hill	House, "Alcee"	29 Alexandra Street	Lot 1, DP 499853	Local	I35
Hunters Hill	Post Office	32 Alexandra Street	Lot 127, DP 1114617	Local	I36
Hunters Hill	Old Bakery	33 Alexandra Street	Lot A, DP 32783	Local	I413
Hunters Hill	House, "Alroy"	34 Alexandra Street	Lot 1, DP 716976	Local	I80
Hunters Hill	Mixed business, "Cuneo"	35 Alexandra Street	Lots 1-9, SP 32594, DP 749842	Local	I38
Hunters Hill	House, "Redleaf"	36 Alexandra Street	Lot B, DP 77688	Local	I39
Hunters Hill	Garibaldi Inn	37 Alexandra Street	Lot 1, DP 924009	State	I1
Hunters Hill	House, Vienna and adjoining orchard	38-40 Alexandra Street	Lots C and D, DP 77688	State	I2
Hunters Hill	Shop	39 Alexandra Street	Lot 1, DP 114317	Local	I40
Hunters Hill	House	43 Alexandra Street	Lot 1, DP 953726	Local	I491
Hunters Hill	House, "Cintra"	47 Alexandra Street	Lot 1, DP 924155	Local	I41
Hunters Hill	Houses, semi-detached pair	48-50 Alexandra Street	Lots 1 and 2, DP 436309	Local	I42
Hunters Hill	House, "Luscombe"	51 Alexandra Street	Lot 1, DP 982471	Local	I43
Hunters Hill	Shop	54 Alexandra Street	Lot 1, DP 794981	Local	I44
Hunters Hill	The Granary	54 Alexandra Street	Lot 1, DP 794981	Local	I9
Hunters Hill	House, "Kiola"	55 Alexandra Street	Lot 1, DP 982470	Local	I45
Hunters Hill	House, "The Eagles"	57 Alexandra Street	Lot A, DP 394595	Local	I46
Hunters Hill	House, "Orroroo"	59 Alexandra Street	Lot A, DP 100984	Local	I47
Hunters Hill	House, "Quedgley"	64 Alexandra Street	Lot 3, DP 920469	Local	I48
Hunters Hill	House, "Moocooboolah"	65 Alexandra Street	Lot 3, DP 17022	Local	I49
Hunters Hill	House, "Blair Athol"	66 Alexandra Street	Lot 1, DP 180275	Local	I50
Hunters Hill	House, "Esher"	68 Alexandra Street	Lot 1, DP 317138	Local	I51

Hunters Hill	House, "Aruluen"	71 Alexandra Street	Lot 2, DP 216443	Local	152
Hunters Hill	House, "Orewa"	72 Alexandra Street	Lot 1, Section 1, DP 1969	Local	153
Hunters Hill	House, "Kurrowah"	74 Alexandra Street	Lot 2, DP 403126	Local	154
Hunters Hill	House, "Rydal"	1 Ambrose Street	Lot A, DP 33467	Local	161
Hunters Hill	All Saints Anglican Church Rectory	2 Ambrose Street	Part of Lot 100, DP 739292	Local	162
Hunters Hill	House, "Montefalco", formerly "Alverton"	4 Ambrose Street	Lot 1, DP 654296	Local	163
Hunters Hill	House, "Koe"	1 Avenue Road	Lot C, DP 415792; Lots 1-4, SP 19546	Local	164
Hunters Hill	House	12 Avenue Road	Lot 10, DP 7691	Local	165
Hunters Hill	House, "Cressy", formerly "Lennah"	20 Avenue Road	Lot 32, Section 1, DP 988	Local	166
Hunters Hill	House, "The Bungalow"	22 Avenue Road	Lot B, DP 342013	Local	167
Hunters Hill	House, "Saintonge"	24 Avenue Road	Lot 1, DP 202571	Local	168
Hunters Hill	House, "Kaoota"	26 Avenue Road	Lot 3, DP 202571	Local	169
Hunters Hill	House	41 Blaxland Street	Lot 18, DP 7412	Local	1509
Hunters Hill	House, "Nardoo"	62 Blaxland Street	Lot 6, DP 18388	Local	184
Hunters Hill	House, former boatshed	31 Bonnefin Road	Lot 35A, DP 411324	Local	185
Hunters Hill	House	33 Bonnefin Road	Lot 35B, DP 411324	Local	1218
Hunters Hill	Park, Mornington Reserve	Brookes Street	Lots 7341 and 7342, DP 1155948	Local	1429
Hunters Hill	House, "Hurworth"	7 Campbell Street	Lot 1, DP 113074	Local	188
Hunters Hill	House, portion of cottage	7 Campbell Street	Lot 1, DP 113074	Local	189
Hunters Hill	House, "Astroea"	26 Church Street	Lot 2, DP 34047	Local	191
Hunters Hill	Site of Garrick's Wharf	Crescent Street, north end	Road Reserve	Local	1457
Hunters Hill	House, "Wilton Bank"	1 Crescent Street	Lot 2, DP 172803	Local	194
Hunters Hill	House, "Braeburn"	3 Crescent Street	Lot 1, DP 172803	Local	195
Hunters Hill	House, "Milthorpe"	12 Crescent Street	Lot 1, DP 600500	State	13

Hunters Hill	House, "Hestock"	14 Crescent Street	Lot 5, DP 538646	State	I4
Hunters Hill	House, "St Ives"	15 Crescent Street	Lot 101, DP 625359	Local	I96
Hunters Hill	House	2 D'Aram Street	Lot 1, DP 218452	Local	I97
Hunters Hill	House, "Glenroy"	4 D'Aram Street	Lot 22, DP 749516	Local	I98
Hunters Hill	Wharf site	De Milhau Road	Road Reserve	Local	I443
Hunters Hill	House, "Paraza"	7 De Milhau Road	Lot 2, DP 359804	Local	I99
Hunters Hill	House	11 De Milhau Road	Lot 1, DP 535451	Local	I100
Hunters Hill	House	1 Ernest Street	Lot 10, DP 1085960	Local	I205
Hunters Hill	House	5 Ernest Street	Lot B, DP 321119	Local	I110
Hunters Hill	House, "Ysabel", formerly "Huaba"	6 Ernest Street	Lot 1, DP 221263	Local	I111
Hunters Hill	House, "Windermere"	25 Ernest Street	Lots 1 and 2, DP 207762	Local	I414
Hunters Hill	House, "Llanthony"	6 Everard Street	CP Lot, SP 15041	Local	I112
Hunters Hill	Park, rock face, stone steps, old well, stone retaining walls and remains of wharf	Ferdinand Street	Lot 7348, DP 1156969	Local	I465
Hunters Hill	House, "Congregational Manse"	1 Ferdinand Street	Lot 1, DP 1070714	Local	I113
Hunters Hill	House, "Isere"	2 Ferdinand Street	Lot 1, DP 197755	Local	I114
Hunters Hill	House	5 Ferdinand Street	Lot 1, DP 782745	Local	I115
Hunters Hill	House, "Penventon"	11 Ferdinand Street	Lot 1, DP 84538	Local	I116
Hunters Hill	House, "Maruna"	12 Ferdinand Street	Lot 3, DP 234097	Local	I117
Hunters Hill	House, "Corio"	15 Ferdinand Street	Lots 8 and 9, Section 2, DP 976381	Local	I118
Hunters Hill	House, "Kareela"	17 Ferdinand Street	Lot 1, DP 738921	Local	I119
Hunters Hill	House, "Walshale"	18 Ferdinand Street	Lot 2, DP 844218	Local	I120
Hunters Hill	House, "Nowra"	19 Ferdinand Street	Lot A, DP 158773	Local	I121
Hunters Hill	House, "Cleverton"	21 Ferdinand Street	Lot 1, DP 539241	Local	I122
Hunters Hill	House	9-11 Fern Road	Lots 1 and 2, DP 555231	Local	I492

Hunters Hill	All Saints Church of England	Ferry Street	Part of Lot 100, DP 739292	Local	I135
Hunters Hill	Hunters Hill Wharf and waiting shed	Ferry Street	Lot 1, DP 178660	Local	I428
Hunters Hill	Port Jackson Fig Tree	Ferry Street, near wharf	Eastern side of waiting shed	Local	I449
Hunters Hill	House, "Eskdaile"	8 Ferry Street	Lot 2, DP 13564	Local	I123
Hunters Hill	Trees	9 Ferry Street	Lot 4, DP 397256	Local	I471
Hunters Hill	House, "Oatlands"	10 Ferry Street	Lot B, DP 358967	Local	I124
Hunters Hill	House, "Riversleigh"	12 Ferry Street	Lot 1, DP 604436	Local	I125
Hunters Hill	House, formerly "Cassola"	14 Ferry Street	Lot 1, DP 977325; Lot 2, DP 923852	Local	I126
Hunters Hill	Shop and house	16 Ferry Street	Lot 1, DP 923852	Local	I127
Hunters Hill	House, "Carey Cottage"	18-20 Ferry Street	Lot 502, DP 789159	Local	I128
Hunters Hill	Shop	18-20 Ferry Street	Lot 502, DP 789159	Local	I129
Hunters Hill	House, "Mia"	22 Ferry Street	Lot 501, DP 789159	Local	I130
Hunters Hill	House	24 Ferry Street	CP, SP 5425; Lots 3 and 4, SP 76916	Local	I131
Hunters Hill	House, "Bellamy"	26 Ferry Street	Lot 2, DP 841005	Local	I132
Hunters Hill	House, "Fortuna"	28 Ferry Street	Lot A, DP 318253	Local	I133
Hunters Hill	House, "Eurodux"	30 Ferry Street	Lot B, DP 318253	Local	I134
Hunters Hill	St Mark's Church (originally Figtree Chapel)	Figtree Road	Lot 4, DP 202571	Local	I141
Hunters Hill	House, "Warrawillah"	1 Figtree Road	Lot 41, DP 988	Local	I136
Hunters Hill	House	10 Figtree Road	Lot 9, Section 2, DP 806	Local	I137
Hunters Hill	House, "Stoneleigh"	14 Figtree Road	Lot B, DP 419759	Local	I138
Hunters Hill	House, "Shirley"	16 Figtree Road	Lot 12, Section 2, DP 806	Local	I139
Hunters Hill	House, "Cressy"	20 Figtree Road	Lot 14, Section 2, DP 806	Local	I140
Hunters Hill	House, "Marveen"	1 Foss Street	Lot B, DP 32783	Local	I142

Hunters Hill	House	3 Foss Street	Lot C, DP 32783	Local	I143
Hunters Hill	House, "Ellesmere"	20 Foss Street	Lots 1-6, CP/SP 13135	Local	I144
Hunters Hill	St Peter Chanel Roman Catholic Church	Futuna Street	Lots 2 and 3, DP 1116569	Local	I146
Hunters Hill	House, formerly "Wyralla"	2 Futuna Street	Lot 1, DP 981124	Local	I147
Hunters Hill	House, "Herne"	5 Futuna Street	Lot 9, DP 3202	Local	I148
Hunters Hill	House, "Lugano"	7 Futuna Street	Lot 10, Section C, DP 3202	Local	I149
Hunters Hill	House, "Meryla"	9 Futuna Street	Lot A, DP 318202	Local	I150
Hunters Hill	House	8 Gladesville Road	Lot 3, DP 208467	Local	I161
Hunters Hill	House, "Dene Hollow"	10 Gladesville Road	Lot 1, DP 127662	Local	I162
Hunters Hill	House, "Nobel"	18 Gladesville Road	Lot 10, Section 1, DP 235	Local	I163
Hunters Hill	House, "Leura"	34 Gladesville Road	Lot 2, DP 714838	Local	I510
Hunters Hill	School, "Toronto"	41 Gladesville Road	Lot 1, DP 716526	Local	I164
Hunters Hill	House, "St Kevins"	50 Gladesville Road	Lot 2, DP 326205	Local	I477
Hunters Hill	House, "Hillrest"	62 Gladesville Road	Lot 1, DP 127725	Local	I478
Hunters Hill	Hotel	64-68 Gladesville Road	Lot A, DP 387849; Lot 1, DP 903544; Lots C, E and F, DP 392378	Local	I479
Hunters Hill	House	1 Gladstone Avenue	Lot 4, DP 11304	Local	I165
Hunters Hill	House, "Gledswood", formerly "The Rook"	2 Gladstone Avenue	Lot 1, DP 300568	Local	I168
Hunters Hill	House	3 Gladstone Avenue	Lot 3, DP 11304	Local	I166
Hunters Hill	House, "The View"	4 Gladstone Avenue	Lot 1, DP 329171	Local	I169
Hunters Hill	House	5 Gladstone Avenue	Lot 2, DP 11304	Local	I167
Hunters Hill	House, formerly "Carleith"	6 Gladstone Avenue	Lot B, DP 410670	Local	I170
Hunters Hill	House, "Glenview"	21 Glenview Crescent	Lots 10 and 11, DP 830737	Local	I171

Hunters Hill	House, "Glencairn"	25 Glenview Crescent	Lot 1, DP 911986	Local	I172
Hunters Hill	House, "Glenrock"	27 Glenview Crescent	Lot A, DP 414550	Local	I173
Hunters Hill	Herberton Avenue Wharf	Herberton Avenue	Road Reserve	Local	I432
Hunters Hill	House, "Boswell"	2 Herberton Avenue	Lot 3, DP 367788	Local	I175
Hunters Hill	House, "Gultrow"	4 Herberton Avenue	Lot A, DP 372689	Local	I176
Hunters Hill	House, "Drumkeerin"	6 Herberton Avenue	Lot 17, DP 1414	Local	I177
Hunters Hill	House	7 Herberton Avenue	Lot 14, DP 1102105	Local	I178
Hunters Hill	House, "Mona"	15 Herberton Avenue	Lot 16, DP 1414	Local	I179
Hunters Hill	Garden, "Montefiore Home"	High Street, corner Barons Crescent	Lot 2, DP 312298; Lots 1 and 2, DP 325793; Lots 9 and 10, DP 724017	Local	I472
Hunters Hill	Stone walls			Local	I287
Hunters Hill	House, "Richmond"	1 James Street	Lot A, DP 405849	Local	I183
Hunters Hill	House, "Daybreak", formerly "College View"	2 James Street	Lots 16 and 17, Section 1, DP 806	Local	I184
Hunters Hill	Moreton Bay Fig Tree	2 James Street	Lots 16 and 17, Section 1, DP 806	Local	I243
Hunters Hill	House, "Wybalena"	3 Jeanneret Avenue	Lot 1, DP 418803	Local	I185
Hunters Hill	House	10 Jeanneret Avenue	Lot 5, DP 9291	Local	I493
Hunters Hill	House	1 John Street	Lot 20, DP 234759	Local	I186
Hunters Hill	House	1a John Street	Lot 3, DP 749274	Local	I187
Hunters Hill	House, "Cambridge"	14 John Street	Lot 1, DP 747345	Local	I188
Hunters Hill	Remains of Figtree Bridge	Joubert Street, north end	Road Reserve	Local	I444
Hunters Hill	Site of Figtree Tea Rooms and Aquatic Tea Rooms	Joubert Street, north end on east side	Lot A, DP 359620; Lot 6, DP 245558	Local	I460
Hunters Hill	Site of Figtree Wharf and Boatshed	Joubert Street, north end on east side	Lot A, DP 359620; Lot 6, DP 245558	Local	I459

Hunters Hill	House, "Villa Euthella"	2 Joubert Street	Lot C, DP 407439	Local	I189
Hunters Hill	House, "Coorabel"	28 Joubert Street	Lot 1, DP 227416	Local	I190
Hunters Hill	House, "Annabel Lea"	28a Joubert Street	Lot 2, DP 227416	Local	I191
Hunters Hill	House, "Cliff Cottage"	34 Joubert Street	Lot 1, DP 527780; Lot 839, DP 752035	Local	I192
Hunters Hill	House, "Doonbah", formerly "Maryville"	15 Kareelah Road	Lot 5, DP 243115	Local	I193
Hunters Hill	House, "Kokera"	2 Kokera Street	Lot 18, DP 514877	Local	I55
Hunters Hill	House	1 Lloyd Avenue	Lot 2, DP 505825	Local	I195
Hunters Hill	House, "Lowana", formerly "Wotonga"	5 Lloyd Avenue	Lot 2, DP 206621	Local	I196
Hunters Hill	House	6 Lloyd Avenue	Lot 1, DP 922309	Local	I197
Hunters Hill	House, "Moonmeera"	8 Lloyd Avenue	Lot 1, DP 920457	Local	I198
Hunters Hill	House, "Rosebriar"	6 Lot Lane	Lot 3, DP 589631	Local	I199
Hunters Hill	House, "Cambridge", formerly "Fernbank and Molesworth"	19 Lyndhurst Crescent	Lot 2, DP 510220	Local	I200
Hunters Hill	House, "Kyarra"	1 Madeline Street	Lot 1, DP 72346	Local	I203
Hunters Hill	House, "Wyaldra"	3-5 Madeline Street	Part of Lot A, DP 163227; Lot 4, DP 1083755	Local	I204
Hunters Hill	House	11 Madeline Street	Lot 1, DP 615620	Local	I206
Hunters Hill	House, "Genoa"	15 Madeline Street	Lot 1, DP 585740	Local	I207
Hunters Hill	House, "Ricarda"	17 Madeline Street	Lot 71, DP 552062	Local	I208
Hunters Hill	House	19 Madeline Street	Lot 1, DP 86176	Local	I209
Hunters Hill	Pine tree	19 Madeline Street	Lot 1, DP 86176	Local	I466
Hunters Hill	House	22 Madeline Street	Lot 2, DP 304183; Lot 1, DP 928059	Local	I210
Hunters Hill	House, "Bathurst"	23 Madeline Street	Lot A, DP 321119	Local	I211
Hunters Hill	House, "Mrs Quirk's Cottage"	25 Madeline Street	Lot 5, DP 192155	Local	I212

Hunters Hill	House, originally stables for 1 McBride Avenue	26 Madeline Street	Lot 1, DP 964511	Local	I213
Hunters Hill	House, "Myall"	27 Madeline Street	Lot 6, DP 192155	Local	I214
Hunters Hill	House, "Braemar"	29 Madeline Street	Lot 1, DP 505805	Local	I215
Hunters Hill	House, "Clevedon", formerly "Milano"	31 Madeline Street	Lot B, DP 432254	Local	I216
Hunters Hill	House and shop	4-6 Mark Street	Lots A and B, DP 406207	Local	I225
Hunters Hill	House	11 Mark Street	Lot 1, DP 660890	Local	I226
Hunters Hill	House, "Glenrosa"	12 Mark Street	Lot 17, Section 5, DP 235	Local	I227
Hunters Hill	Moreton Bay Fig Tree	12 Mark Street	Lot 17, Section 5, DP 235	Local	I284
Hunters Hill	House	13 Mark Street	Lot 1, DP 1141996	Local	I245
Hunters Hill	House	17 Mark Street	Lot B, DP 435110	Local	I228
Hunters Hill	House	19 Mark Street	Lot A, DP 435110	Local	I229
Hunters Hill	House	21 Mark Street	Lot 4, DP 652804	Local	I230
Hunters Hill	House, "Josie"	2 Martin Street	Lot 4, DP 9100	Local	I234
Hunters Hill	House, "Woodville"	5 Martin Street	Lot 21, Section 2, DP 806	Local	I235
Hunters Hill	House, "Lilyville"	10 Martin Street	Lot 1, DP 911706	Local	I236
Hunters Hill	House, "Wairoa"	11 Martin Street	Lot 18, Section, 2, DP 806	Local	I237
Hunters Hill	House, "Melba"	12 Martin Street	Lot 1, DP 917193	Local	I238
Hunters Hill	House, "Dorisville"	13 Martin Street	Lot 1, DP 507599	Local	I239
Hunters Hill	House, "Wainload"	14 Martin Street	Lot 2, DP 917193	Local	I240
Hunters Hill	House, old stone cottage at rear	27 Martin Street	Lot 16, DP 9243	Local	I241
Hunters Hill	St Joseph's College, including stone walls and gates	Mary Street, corner Mark and Luke Streets	Lots 1 and 2, DP 527024	Local	I242
Hunters Hill	Villa Maria church monastery and grounds	1 Mary Street	Lot 2, DP 550463	Local	I244
Hunters Hill	House	29 Mary Street	Lot 1, DP 202137	Local	I246

Hunters Hill	House, "Dacre Villa"	36 Mary Street	Lot 2, DP 500700	Local	I247
Hunters Hill	House	38 Mary Street	Lot C, DP 18427	Local	I248
Hunters Hill	House, "Viewforth"	42 Mary Street	Lot 1, DP 749274	Local	I249
Hunters Hill	House, formerly "Toorak"	44a Mary Street	Lot A, DP 372205	Local	I250
Hunters Hill	House, "St Elmo"	46 Mary Street	Lot 11, Section 5, DP 235	Local	I251
Hunters Hill	House, "Haeremai"	54 Mary Street	Lot 501, DP 866399	Local	I252
Hunters Hill	House, "Kentigern"	58 Mary Street	Lot 5, Section 7, DP 235	Local	I253
Hunters Hill	House	60 Mary Street	Lot 1, DP 308727	Local	I254
Hunters Hill	House	62 Mary Street	Lot 2, DP 127609	Local	I255
Hunters Hill	House, "The Haven", formerly "Clarenceville", "Rockleas" and "Asseroe"	1 McBride Avenue	Lot 1, DP 1011486; Lot 3, DP 858139	Local	I201
Hunters Hill	House, "Gatehouse Cottage"	1a McBride Avenue	Lot 1, DP 1011486	Local	I202
Hunters Hill	House	7 Milling Street	Lot 12, DP 56258	Local	I421
Hunters Hill	House, "Loughrea"	10 Milling Street	Lot A, DP 397446	Local	I257
Hunters Hill	House	16a Milling Street	Lot A, DP 372993	Local	I258
Hunters Hill	House	48 Milling Street	Lot 17, DP 7722	Local	I259
Hunters Hill	House, "Moorefield House"	10 Moorefield Avenue	Lot 1, DP 586279	Local	I260
Hunters Hill	Trees, Port Jackson Fig, Moreton Bay Fig and Sydney Peppermint Trees	Mount Street, east side of Sea Street		Local	I464
Hunters Hill	Wharf site	Mount Street, north end	Road Reserve	Local	I467
Hunters Hill	Mount Street Wharf	Mount Street, south end	Road Reserve	Local	I433
Hunters Hill	House, "Formerly Alwood"	3 Mount Street	Lot 2, DP 548591	Local	I439
Hunters Hill	House, "Treago"	5 Mount Street	Lot A, DP 375867; Lots 1-4, SP 61544	Local	I261

Hunters Hill	House, "Kareela", formerly "Elliston" and "Blakewood"	6 Mount Street	Lot A, DP 420514	Local	I262
Hunters Hill	House, "Winden"	7 Mount Street	Lot 1, DP 900995	Local	I263
Hunters Hill	House, "Rosamond"	11 Mount Street	Lot 2, DP 920546	Local	I264
Hunters Hill	House, "Cardington"	12 Mount Street	Lot 4, DP 34047	Local	I420
Hunters Hill	I.O.O.F. Hall	12a Mount Street	Lot 1, DP 724219	Local	I265
Hunters Hill	House, "Everley"	14 Mount Street	Lot 2, DP 542616	Local	I266
Hunters Hill	House	15 Mount Street	Lot 1, DP 70904	Local	I267
Hunters Hill	House, "Lantana", originally "Tregullus"	21 Mount Street	Lot 2, DP 589631	Local	I268
Hunters Hill	House, "Muirbank"	1 Muirbank Avenue	Lot 10, DP 1082980	Local	I269
Hunters Hill	Site of Nemba	Nemba Street, corner Reiby Road		Local	I462
Hunters Hill	House, "Woodbank"	2 North Parade	Lot A, DP 406581	Local	I270
Hunters Hill	House, "Blairgowrie", formerly "Strathallan" and "Erigola"	4 North Parade	Lot 1, DP 61457	Local	I271
Hunters Hill	Boronia Park	Park Road	Lot 7352, DP 1156319; Lot 827, DP 752035	Local	I86
Hunters Hill	Remains of baths	Park Road (Boronia Park)		Local	I431
Hunters Hill	Remains of Mary Street Wharf	Park Road, north end		Local	I445
Hunters Hill	House, "Yamba"	62 Park Road	Lot 3, DP 315222	Local	I272
Hunters Hill	House, "Passy"	1 Passy Avenue	Lot M, DP 445399	Local	I273
Hunters Hill	House, "Tranby"	6 Passy Avenue	Lot 2, DP 206036	Local	I274
Hunters Hill	House, "Wurley Court"	8 Passy Avenue	Lot 1, DP 133826; Lot 1, DP 206036; Lot 1, DP 922514	Local	I275
Hunters Hill	House, "Summerhill", formerly "Wellwood"	59 Pittwater Road	Lot 101, DP 1111668	Local	I276

Hunters Hill	House, "Wirringulla"	2 Prince Edward Parade	Lot 1, DP 944255	Local	I277
Hunters Hill	House, formerly "Dera"	4 Prince Edward Parade	Lot D, DP 940233	Local	I278
Hunters Hill	House, "Oreldalodge"	10 Prince Edward Parade	Lot 10, Section 1, DP 808	Local	I279
Hunters Hill	House, "Canberra"	18 Prince Edward Parade	Lot D, DP 333491	Local	I280
Hunters Hill	House, "Warragamba"	19 Prince Edward Parade	Lot 5, Section 3, DP 808	Local	I281
Hunters Hill	House, "Gadaar"	22 Prince George Parade	Lot 5, DP 666623	Local	I283
Hunters Hill	House, "Terara"	24 Prince George Parade	Lot 6, Section 2, DP 808	Local	I282
Hunters Hill	Wharf site	Princes Street, east end	Boronia Park	Local	I446
Hunters Hill	House	9 Princes Street	Lot 7, DP 7412	Local	I511
Hunters Hill	House	13 Princes Street	Lot 5, DP 7412	Local	I285
Hunters Hill	House	21 Princes Street	Lot 1, DP 7412	Local	I512
Hunters Hill	House, "Figtree House"	1 Reiby Road	Lots 31 and 32, DP 612127; Lot 1, DP 781422	Local	I286
Hunters Hill	House	1 Ryde Road	Lot B, DP 433644	Local	I476
Hunters Hill	House	3 Ryde Road	Lot A, DP 433644	Local	I475
Hunters Hill	House	24 Ryde Road	Lot 5, DP 1202	Local	I288
Hunters Hill	House, "Marika"	46 Ryde Road	Lots 1 and 2, DP 3452	State	I5
Hunters Hill	House	51 Ryde Road	Lot 5, Section 2, DP 806	Local	I289
Hunters Hill	House, "Ardenclutha"	52 Ryde Road	Lot A, DP 388586	Local	I290
Hunters Hill	House, "Irene"	69 Ryde Road	Lot 7, Section 1, DP 806	Local	I291
Hunters Hill	House	73 Ryde Road	Lot 11, Section 1, DP 806	Local	I292
Hunters Hill	House	74 Ryde Road	Lot 1, DP 552855	Local	I293
Hunters Hill	Semi-detached house	75 Ryde Road	Lot 2, DP 825956	Local	I294

Hunters Hill	Semi-detached house	77 Ryde Road	Lot 1, DP 825956	Local	I295
Hunters Hill	House	79 Ryde Road	Lot B, DP 108715	Local	I296
Hunters Hill	House and surrounds, 3 fig trees, sandstone cliffs and sandstone walls	1 Sea Street	Lot B, DP 348803	Local	I297
Hunters Hill	House	3 Short Street	Lot A, DP 386905	Local	I298
Hunters Hill	House	5 Short Street	Lot B, DP 386905	Local	I299
Hunters Hill	House, "Eulbertie", formerly "Stoneleigh" and "Marshall House"	Stanley Road (primary school grounds)	Lot 16, DP 293	Local	I300
Hunters Hill	House, "Loombah"	3 Stanley Road	Lots 4 and 5, DP 223719	Local	I301
Hunters Hill	House, "Lyndhurst"	5 Stanley Road	Lot 1A, DP 28489	Local	I302
Hunters Hill	House, "Lyndcote"	7-9 Stanley Road	Lot 71, DP 1092498	Local	I303
Hunters Hill	House, "Rocklands"	17 The Avenue	Lot 1, DP 953089	Local	I304
Hunters Hill	House, "Tiree"	8 Tiree Avenue	Lot 1, DP 10445; Lots 1-10, SP 6085	Local	I328
Hunters Hill	House, "Alstan"	7 Toocooya Road	Lot 1, DP 974508	Local	I330
Hunters Hill	House, "Blen Cathra"	10 Toocooya Road	Lot 2, DP 217325	Local	I331
Hunters Hill	House, "The Gunyah"	6 Vernon Street	Lots 13 and 14, DP 3509	Local	I333
Hunters Hill	House, "Allowah"	10 Vernon Street	Lot 1, DP 928049	Local	I334
Hunters Hill	House, "Mornington"	16 Vernon Street	Lot 1, DP 607282	Local	I335
Hunters Hill	House, "Sunnyside"	22 Vernon Street	Lot 3, Section B, DP 1015	Local	I336
Hunters Hill	House, "Hollingworth"	24 Vernon Street	Lots 1 and 2, DP 980446	Local	I337
Hunters Hill	Memorial	Viret Street, north eastern end	Road Reserve	Local	I343
Hunters Hill	House, "Craigie-Lea"	1 and 2/2a Viret Street	Lots 3 and 4, SP 57176	Local	I90
Hunters Hill	House, "Windgrove"	3 Viret Street	Lot A, DP 185389	Local	I340

Hunters Hill	House, "Nagle Holme"	5 Viret Street	Lots 12-14, Section 1, DP 1969	Local	I341
Hunters Hill	House	12 Viret Street	Lot 1, DP 938727	Local	I11
Hunters Hill	House, "Enderslea"	30 Viret Street	Lot 2, DP 208509	Local	I342
Hunters Hill	House	34 Viret Street	Lot 2, DP 231878	Local	I498
Hunters Hill	Remains of house and garden, "Wandella"	Wandella Avenue, west end	Lot 5, DP 245558	Local	I458
Hunters Hill	Stone markers	Woolwich Road, near Serpentine and Glenview Roads		Local	I469
Hunters Hill	House, "The Hut"	1 Woolwich Road	Lot 1, DP 397256	Local	I349
Hunters Hill	House, "The Towers"	2-4 Woolwich Road	Lots 11 and 12, DP 703259	Local	I425
Hunters Hill	House, "Bayfield"	3 Woolwich Road	Lot 6, DP 227526	Local	I350
Hunters Hill	House	5 Woolwich Road	Lot A, DP 373713	Local	I351
Hunters Hill	House, formerly "Shaynoo"	6 Woolwich Road	Lot 1, DP 923348	Local	I352
Hunters Hill	House, "Clifton"	7 Woolwich Road	Lot 5, DP 574346	Local	I353
Hunters Hill	House	8 Woolwich Road	Lots 1 and 2, DP 799326	Local	I499
Hunters Hill	House, "Waiwera"	9 Woolwich Road	Lot B, DP 366550	Local	I354
Hunters Hill	House	10 Woolwich Road	Lot 1, DP 940485	Local	I500
Hunters Hill	House	16 Woolwich Road	Lots 17 and 18, DP 3980	Local	I501
Hunters Hill	House, "Threlkeld"	18 Woolwich Road	Lot 3, DP 508968	Local	I355
Hunters Hill	House, "Wybalena"	22 Woolwich Road	Lot 2, DP 3202	Local	I356
Hunters Hill	House	25 Woolwich Road	Lot B, DP 306824	Local	I502
Hunters Hill	House, "Norwood", formerly "Rosenan"	27 Woolwich Road	Lot 19, DP 3202	Local	I357
Hunters Hill	House	28 Woolwich Road	Lot 2, DP 981124	Local	I470
Hunters Hill	House, "Eurondella", formerly "Brynestyn", later "Ulan"	29 Woolwich Road	Lot 20, DP 3202; Lot 1, DP 301719	Local	I358
Hunters Hill	House, "Yandra"	30 Woolwich Road	Lot 4, DP 940982	Local	I359

Hunters Hill	House, "Wallawa"	41 Woolwich Road	Lot 1, DP 666728	Local	I360
Hunters Hill	House, "Hollylodge", formerly "Malton"	42 Woolwich Road	Lot 2, DP 567654	Local	I361
Hunters Hill	House, "Gunnagulla"	43 Woolwich Road	Lot 1, DP 942155	Local	I362
Hunters Hill	House, "Watford"	45 Woolwich Road	Lot 11, DP 614736	Local	I363
Hunters Hill	House, "Danbury"	47 Woolwich Road	Lot 12, DP 614736	Local	I364
Hunters Hill	House, "Eumalga"	48 Woolwich Road	Lot C, DP 412707	Local	I365
Hunters Hill	House	51-53 Woolwich Road	Lots 1 and 2, DP 506946	Local	I503
Hunters Hill	House	52 Woolwich Road	Lot 2, DP 577881	Local	I366
Hunters Hill	House, "Morillah"	54 Woolwich Road	Lot 1, DP 625333	Local	I367
Hunters Hill	House, "Helensleigh"	58 Woolwich Road	Lot 6, Section D, DP 1015	Local	I368
Hunters Hill	House, "Lynwood"	59 Woolwich Road	Lot 6, Section 1, DP 808	Local	I369
Hunters Hill	House	61 Woolwich Road	Lot 7, DP 663468	Local	I504
Hunters Hill	House, "Sanderslaben"	63 Woolwich Road	Lot A, DP 390121	Local	I370
Hunters Hill	House, "Morningsea", originally "Karlsruhe", later "Currawong"	1 Wybalena Road	Lot H, DP 409349	Local	I381
Hunters Hill	House, "St Claire"	2 Wybalena Road	Lot 1, DP 309966	Local	I382
Hunters Hill	House, "Windradine"	7 Wybalena Road	Lot 1, DP 593504	Local	I383
Hunters Hill	House, "Labrena"	9 Wybalena Road	Lot 1, DP 578086	Local	I384
Hunters Hill	House	11 Wybalena Road	Lot 1, DP 26618	Local	I426
Hunters Hill	House, "Bentham"	13 Wybalena Road	Lot 2, DP 414943	Local	I385
Hunters Hill	House, "Blenerne"	23 Wybalena Road	Lot 1, DP 220924	Local	I386
Hunters Hill	House	47 Wybalena Road	Lot 1, DP 558950; Lot 1, DP 572571	Local	I505
Hunters Hill	House, "The Chalet"	2 Yerton Avenue	Lot 1, DP 13564	State	I7
Huntleys Cove	Weir on Tarban Creek	Mary Street, south end		Local	I388

Huntleys Cove	Row of fig trees, adjacent to Salter Street	Salter Street	Lot 2, DP 823988	Local	I417
Huntleys Cove	House, "The Priory"	10-12 Salter Street	Lot 1, DP 823988	State	I6
Huntleys Cove	Clump of paperbark trees, south of Tarban Creek on edge of the Cornflats	Tarban Creek	Lot 2, DP 823988	Local	I436
Huntleys Cove	Mill site	Tarban Creek	Lot 2, DP 823988	Local	I461
Huntleys Cove	Natural bushland, north of Tarban Creek	Tarban Creek	Lot 2, DP 823988	Local	I416
Huntleys Cove	Tunnel	Under Victoria Road, near Salter Street		Local	I515
Huntleys Cove	Stone drain near the farm attendant's cottage	Waruda Place	Lot 3, DP 823988	Local	I412
Huntleys Cove	Farm attendant's cottage and curtilage	31 Waruda Place	Lot 3, DP 270751	Local	I101
Huntleys Point	Gladesville Wharf	Huntleys Point Road		Local	I456
Huntleys Point	Moreton Bay Fig Tree	Huntleys Point Road	Lot 7054, DP 93718	Local	I452
Huntleys Point	Remains of Gladesville Bridge	Huntleys Point Road		Local	I468
Huntleys Point	Wharf site and steps	Huntleys Point Road		Local	I442
Huntleys Point	House	19 Huntleys Point Road	Lot 48, DP 4723	Local	I473
Huntleys Point	Point house and garden	34 Huntleys Point Road	Lots 3 and 4, DP 17829	Local	I182
Woolwich	House, "Woodstock"	3 Alfred Street	Lot 1, DP 856893	Local	I56
Woolwich	Terrace	8 Alfred Street	Lot A, DP 928935	Local	I57
Woolwich	Terrace	10 Alfred Street	Lot B, DP 928935	Local	I58
Woolwich	Terrace	12 Alfred Street	Lot 1, DP 232104	Local	I59
Woolwich	Terrace	14 Alfred Street	Lot 2, DP 232104	Local	I60
Woolwich	Clarkes Point Reserve	Clarkes Point	Lot 3, DP 218596	Local	I93

Woolwich	Site of Clarke's House	Clarke Road	Lot 4, DP 573213	Local	I463
Woolwich	Mort's Dry Dock (Woolwich Dock)	Clarke Road and Gale Street	Lot 12, DP 1134544	Local	I92
Woolwich	Wharf	Gale Street, north end	Road Reserve	Local	I448
Woolwich	House	1 Gale Street	Lot 3, DP 229185	Local	I151
Woolwich	Woolwich Pier Hotel	2 Gale Street	Lot 1, DP 56901	Local	I380
Woolwich	House	3 Gale Street	Lot 2, DP 229185	Local	I152
Woolwich	House	5 Gale Street	Lot 1, DP 229185	Local	I153
Woolwich	House, formerly "Avon" (former St John's Rectory)	7 Gale Street	Lot 1, DP 166648	Local	I154
Woolwich	House, "Croxted"	8 Gale Street	Lot 36, DP 165648	Local	I155
Woolwich	House, "Taunton"	15 Gale Street	Lot A, DP 434730	Local	I156
Woolwich	House, "Eldon"	17 Gale Street	Lot B, DP 434730	Local	I157
Woolwich	House, "Wandella"	18 Gale Street	Lot 4, DP 213058	Local	I158
Woolwich	House	21 Gale Street	Lot 1, DP 103409	Local	I159
Woolwich	House, "Newstead"	23 Gale Street	Lot 1, DP 115501	Local	I160
Woolwich	House, "Nalpa", formerly "Exeter"	1 Hunter Street	Lot 1, DP 105852	Local	I180
Woolwich	House, "Verdelais"	9 Hunter Street	Lot 102, DP 531381	Local	I181
Woolwich	Site of Sydney Smelting Works	Margaret Street, Kelly's Bush	Lot 2, DP 549711	Local	I415
Woolwich	St John's Church and hall	Margaret Street	Lot 1, DP 853596	Local	I223
Woolwich	Wharf site	Margaret Street	Road Reserve	Local	I447
Woolwich	House	2a Margaret Street	Lot B, DP 354715	Local	I219
Woolwich	House, "Glen Mahr"	2b Margaret Street	Lot 1, DP 880264	Local	I220
Woolwich	House	3 Margaret Street	Lot 1, DP 514002	Local	I221
Woolwich	House	4 Margaret Street	Lot 2, DP 705537	Local	I222
Woolwich	House, "Ida Villa"	15 Margaret Street	Lot 2, DP 100415	Local	I224
Woolwich	Terrace	16-18 Margaret Street	Lots 1 and 2, DP 612447	Local	I494
Woolwich	House, "Peniarth"	2 Mayfield Avenue	Lot B, DP 405223	Local	I256

Woolwich	Kelly's Bush Park	Nelson Parade	Lot 3, DP 549711	State	I8
Woolwich	House	1 The Point Road	Lot 2, DP 166326; Lot B, DP 373081	Local	I495
Woolwich	House, "Vailele", formerly "Corinda"	2 The Point Road	Lot 1, DP 66511	Local	I305
Woolwich	House	3 The Point Road	Lot A, DP 373081	Local	I306
Woolwich	"Wybarra", formerly "Daisybank"	8 The Point Road	Lot 1, DP 120468	Local	I307
Woolwich	House	11 The Point Road	Lot 101, DP 1063372	Local	I496
Woolwich	House	12 The Point Road	Lot B, DP 950853; Lot 1, DP 588659	Local	I308
Woolwich	House	14 The Point Road	Lot A, DP 950853	Local	I309
Woolwich	House, formerly "Patea"	16 The Point Road	Lot 1, DP 654007; Lot 55, DP 91232	Local	I310
Woolwich	House, "Kialla"	20 The Point Road	Lot 57, DP 64522; Lot 1, DP 928751	Local	I311
Woolwich	House, "Fernbank", originally "Kiltalowan"	24 The Point Road	Lot 1, DP 553535	Local	I312
Woolwich	House, "Drayton", formerly "Valentin"	25 The Point Road	Lot 101, DP 1037214	Local	I313
Woolwich	House, "Sierra Lucena"	26 The Point Road	Lot 4, DP 556783	Local	I314
Woolwich	House	29 The Point Road	Lot 1, DP 133032; Lot 33, DP 279	Local	I29
Woolwich	House, "Wongonui"	38 The Point Road	Part of Lot 5A, DP 80209	Local	I315
Woolwich	House, "Comus villa"	39 The Point Road	Lot 3, DP 226470	Local	I317
Woolwich	House, "Wlangaroa"	40 The Point Road	Part of Lot 5B, DP 380209	Local	I316
Woolwich	House, "Cora Lyn"	41-43 The Point Road	Lot 1, DP 776125	Local	I318
Woolwich	House, formerly "Elsetta"	42 The Point Road	Lot 4, DP 217	Local	I319
Woolwich	House, "Kanimbla"	44 The Point Road	Lots 2 and 3, DP 217	Local	I320

Woolwich	House	45 The Point Road	Lot 1, DP 499762	Local	I321
Woolwich	House	48 The Point Road	Lot 1, DP 101815	Local	I497
Woolwich	House, "Reinga", formerly Church of Christ College	55-57 The Point Road	Lots 20-22, DP 1674; Lot 802, DP 752035	Local	I322
Woolwich	House, "Otranto"	58 The Point Road	Lot 11, DP 1674	Local	I323
Woolwich	House	61 The Point Road	Lot A, DP 437458	Local	I324
Woolwich	House, formerly "Athaliah"	62 The Point Road	Lot 7, DP 1674	Local	I326
Woolwich	House	63 The Point Road	Lot B, DP 437458	Local	I325
Woolwich	House, "Yarrawa"	64 The Point Road	Lot 1, DP 522964	Local	I327
Woolwich	Valentia Street Wharf and waiting shed	Valentia Street	Lot 14, DP 852693	Local	I427
Woolwich	House, "Vineta"	2 View Street	Lots 11 and 12, DP 882776	Local	I339
Woolwich	House	4 View Street	Lot 1, DP 861902	Local	I87
Woolwich	House	6 View Street	Lot B, DP 33659	Local	I145
Woolwich	House, "Arden Lea"	1a Werambie Street	Lot 6, DP 236294	Local	I344
Woolwich	House	4 Werambie Street	Lot 1, DP 101816	Local	I345
Woolwich	House	5 Werambie Street	Lot 3, DP 1674	Local	I346
Woolwich	House, formerly "Wonga" and "Fairhaven"	7 Werambie Street	Lot 4, DP 1674	Local	I347
Woolwich	Site of precision woodware factory	Woolwich Road, opposite Pier Hotel	Part of Lot 11, DP 1134544	Local	I418
Woolwich	Woolwich Primary School	62 Woolwich Road	Lots 1-5, DP 1015; Lot 1, Section E, DP 795282	Local	I474
Woolwich	School and convent	64-66 Woolwich Road	Lots 2-5, DP 1101806; Lot 2, DP 86346	Local	I371
Woolwich	House	65 Woolwich Road	Lot 11, DP 538843	Local	I372
Woolwich	House	67 Woolwich Road	Lot 12, DP 538843	Local	I373
Woolwich	House, "Tybridge"	73 Woolwich Road	Lot 2, DP 946868	Local	I374
Woolwich	House	93 Woolwich Road	Lot A, DP 442148	Local	I375

Woolwich	House	95 Woolwich Road	Lot B, DP 442148	Local	1376
Woolwich	House and shop	96 Woolwich Road	Lot 1, DP 930604	Local	1377
Woolwich	House	97 Woolwich Road	Lot A, DP 402560	Local	1378
Woolwich	House	99 Woolwich Road	Lot B, DP 402560	Local	1379

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map	Significance
Department of Housing Subdivision, DP 13260	Shown by green hatching and labelled "C435"	Local
Figtree Subdivision, DP 988	Shown by green hatching and labelled "C450"	Local
Foss' Subdivision—part diagram CT 1-32 date 1866	Shown by green hatching and labelled "C451"	Local
Hunters Hill Conservation Area No 1—The Peninsula	Shown by red hatching and labelled "C1"	Local
Hunters Hill Conservation Area No 2—The Isler	Shown by red hatching and labelled "C2"	Local
Hunters Hill Conservation Area No 3—Gladesville Village	Shown by red hatching and labelled "C3"	Local
Sunnyside Estate Subdivision, DP 808	Shown by green hatching and labelled "C422"	Local

Schedule 6 Pond-based and tank-based aquaculture

(Clause 5.19)

Part 1 Pond-based and tank-based aquaculture

Division 1 Site location requirements

1 Conservation exclusion zones

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

Convention on Wetlands.

- (2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned—
- (a) land declared as an aquatic reserve under the *Marine Estate Management Act 2014*,
 - (b) land declared as a marine park under the *Marine Estate Management Act 2014*.

Note—

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

Division 2 Operational requirements

2 Species selection

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

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

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

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

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

5 Outlets from culture ponds etc

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

6 Definition

In this Division—

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

Part 2 Extensive pond-based aquaculture

Division 1 Site location requirements

7 Conservation exclusion zones

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

Note—

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

8 Flood liability

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

Division 2 Operational requirements

9 Species selection

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

10 Pond design

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

11 Culture water

Must use freshwater.

Dictionary

(Clause 1.4)

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

advertisement has the same meaning as in the Act.

Note—

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

advertising structure has the same meaning as in the Act.

Note—

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

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

affordable housing has the same meaning as in the Act.

Note—

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

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

Note—

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

agriculture means any of the following—

- (aaa) agritourism,
- (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](#).

agritourism means the following—

- (a) farm gate premises,
- (b) farm experience premises.

Note—

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

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

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

Note—

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

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

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

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

and the like.

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

aquaculture has the same meaning as in the *Fisheries Management Act 1994*. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

Note—

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

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

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

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

Note—

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

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

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

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

Note—

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

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

backpackers' accommodation means a building or place that—

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

Note—

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

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

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

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

Note—

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

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

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

Note—

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

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

Biodiversity Map means the [Hunters Hill Local Environmental Plan 2012 Biodiversity Map](#).

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

Note—

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

boarding house means a building or place—

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

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

accommodation, seniors housing or a serviced apartment.

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

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

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

brothel has the same meaning as in the Act.

Note—

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

building has the same meaning as in the Act.

Note—

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

building height (or height of building) means—

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

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

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

Note—

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

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

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

whichever distance is the shortest.

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

Note—

The term is defined as follows—

bush fire hazard reduction work means—

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

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

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

Note—

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

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

business identification sign means a sign—

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

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

Note—

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

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

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

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

Note—

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

camping ground means an area of land, with access to communal amenities, used for the short term

placement of campervans, tents, annexes or other similar portable and lightweight temporary shelters for accommodation and includes a primitive camping ground but does not include—

- (a) a caravan park, or
- (b) farm stay accommodation.

canal estate development—see clause 2.9.

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 an area of land, with access to communal amenities, used for the installation or placement of caravans, or caravans and other moveable dwellings, but does not include farm stay accommodation.

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 **farm gate premises**—see the definition of that term in this Dictionary.

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

centre-based child care facility means—

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

Note—

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

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

Note—

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

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

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

Note—

The term is defined as follows—

classified road means any of the following—

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

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

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

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

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

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

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

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

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

co-living housing means a building or place that—

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

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

Note—

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

commercial farm means a farm on which agriculture is undertaken that is—

- (a) on land categorised as farmland under the *Local Government Act 1993*, section 515, or
- (b) a primary production business within the meaning of the *Income Tax Assessment Act 1997* of the Commonwealth, or part of a primary production business, including a business that—
 - (i) was a primary production business, and
 - (ii) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

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 Council of the Municipality of Hunter's Hill.

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

Note—

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

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

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

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—

- (a) making or generating electricity, or
- (b) electricity storage.

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

emergency services organisation means any of the following—

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

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

environmental facility means a building or place that provides for the recreational use or scientific

study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

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

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

Note—

The term is defined as follows—

estuary means—

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

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

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

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

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

extensive agriculture means any of the following—

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

Note—

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

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

Note—

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

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

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

farm experience premises means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide visitors to the farm, on a commercial basis, with small-scale and low-impact tourist or recreational activities, including the following, but not including motor sports—
 - (i) horse riding,
 - (ii) farm tours,
 - (iii) functions or conferences,
 - (iv) farm field days.

Note—

Farm experience premises are a type of **agritourism**—see the definition of that term in this Dictionary.

farm gate premises—

- (a) means a building or place—
 - (i) on a commercial farm, and
 - (ii) ancillary to the farm, and
 - (iii) used to provide visitors to the farm, on a commercial basis, with agricultural products predominantly from the farm, supplemented by products from other farms in the region, or with services or activities related to the products, including the following—
 - (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) 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,

(C) tastings or workshops,

(D) the provision of information or education related to the products, and

(b) includes cellar door premises.

Note—

Farm gate premises are a type of **agritourism**—see the definition of that term in this Dictionary.

farm stay accommodation means a building or place—

(a) on a commercial farm, and

(b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Note—

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

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Note—

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

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

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

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

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

(a) still photography, or

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

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

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

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

Note—

The term is defined as follows—

Definition of “fish”

(1)

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

(2)

Fish includes—

- (a) oysters and other aquatic molluscs, and
- (b) crustaceans, and
- (c) echinoderms, and
- (d) beachworms and other aquatic polychaetes.

(3)

Fish also includes any part of a fish.

(4)

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

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

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the [Hunters Hill Local Environmental Plan 2012 Floor Space Ratio Map](#).

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

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

Note—

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

Foreshore Building Line Map means the [Hunters Hill Local Environmental Plan 2012 Foreshore Building Line Map](#).

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

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

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

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

Note—

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and

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

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

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

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

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

Note—

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

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

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

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

Note—

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

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

- (a) that is occupied by persons as a single household with or without paid supervision or care and

whether or not those persons are related or payment for board and lodging is required, and

- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

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

Note—

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

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

Note—

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

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

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

Note—

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

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

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

Note—

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

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

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

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

Note—

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

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

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

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

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

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

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

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

Note—

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

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

Note—

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

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

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

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

Note 1—

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

Note 2—

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

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

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

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

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

Note—

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

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

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

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

Note—

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

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

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

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

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

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

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, but does not include a home business or sex services premises.

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

Note—

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

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

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

Note—

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

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

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

Note—

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

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

- (a) comprises rooms or self-contained suites, and
 - (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,
- but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note—

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

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

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

but does not include a hostel.

Note—

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

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

industrial retail outlet means a building or place that—

- (a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural

industry, and

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

but does not include a warehouse or distribution centre.

Note—

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

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

industry means any of the following—

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

but does not include—

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

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

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

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

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

Note—

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

intensive plant agriculture means any of the following—

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

Note—

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

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

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

Note—

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

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

Land Application Map means the [Hunters Hill Local Environmental Plan 2012 Land Application Map](#).

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

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

landholding means an area of land—

- (a) constituted or worked as a single property, and
- (b) if comprising more than 1 lot—the lots are—
 - (i) contiguous, or
 - (ii) separated only by a road or watercourse.

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

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

Note—

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

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

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

Note—

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

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

Note—

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

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

Lot Size Map means the [Hunters Hill 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.

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

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

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

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

Note—

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

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

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

Note—

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

mezzanine means an intermediate floor within a room.

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

mine subsidence district means a mine subsidence district proclaimed under section 15 of the [Mine Subsidence Compensation Act 1961](#).

mining means mining carried out under the [Mining Act 1992](#) or the recovery of minerals under the [Offshore Minerals Act 1999](#), and includes—

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

Note—

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

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

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

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

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

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

Note—

The term is defined as follows—

moveable dwelling means—

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

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

Note—

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

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

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

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

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

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

Note—

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

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

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

Note—

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

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

nominated State heritage item means a heritage item that—

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

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

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

Note—

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

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

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

people who are socially disadvantaged means—

- (a) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or

(b) people who require protection because of domestic violence or upheaval.

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

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

Note—

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

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

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

Note—

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

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

Note—

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

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

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

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

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

Note—

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

primitive camping ground means a camping ground approved under the [Local Government Act 1993](#), Chapter 7, Part 1 as a primitive camping ground.

Note—

Primitive camping ground is a type of **camping ground**—see the definition of that term in this Dictionary.

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

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

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

Note—

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

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

public authority has the same meaning as in the Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

registered club means a club that holds a club licence under the [Liquor Act 2007](#).

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

relic has the same meaning as in the [Heritage Act 1977](#).

Note—

The term is defined as follows—

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

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

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

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

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

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

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

- (a) an artisan food and drink industry, or
- (b) farm gate premises.

Note—

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

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

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

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

- (a), (b) (Repealed)
- (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 farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.

Note—

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

Riparian Land and Waterways Map means the [Hunters Hill Local Environmental Plan 2012 Riparian Land and Waterways Map](#).

River Front Area Map means the [Hunters Hill Local Environmental Plan 2012 River Front Area Map](#).

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

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

Note—

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

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

Note—

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

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

Note—

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

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

Note 1—

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

Note 2—

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

secondary dwelling means a self-contained dwelling that—

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

Note—

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

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

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

Note—

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

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

Note—

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

seniors housing means a building or place that is—

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

but does not include a hospital.

Note—

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

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

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

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

Note—

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

sewage reticulation system means a building or place used for the collection and transfer of

sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated—

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

Note—

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

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

Note—

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

sewerage system means any of the following—

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

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

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

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

Note—

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

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

Note—

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

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

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

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

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

Note—

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

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

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

small bar means a small bar within the meaning of the [Liquor Act 2007](#).

Note—

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

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

Note—

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

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

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

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

Note—

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

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

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

Note—

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

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

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

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

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

Note—

The term is defined as follows—

swimming pool means an excavation, structure or vessel—

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

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

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

Note—

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

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note—

Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

telecommunications facility means—

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

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note—

The term is defined as follows—

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

the Act means the [Environmental Planning and Assessment Act 1979](#).

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

Note—

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

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

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

(e) serviced apartments,

but does not include—

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

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

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

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

Note—

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

underground mining means—

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

but does not include open cut mining.

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, but does not include local distribution premises.

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

Note—

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

waste or resource management facility means any of the following—

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

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

Note—

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

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

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

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

Note—

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

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

Note—

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

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

Note—

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

water supply system means any of the following—

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

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

Note—

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

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

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

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

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

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

wetland means—

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

wharf or boating facilities means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities—

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,

- (b) facilities for the loading or unloading of freight onto or from vessels and associated receiveal, 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.