

# Queanbeyan-Palerang Regional Local Environmental Plan 2022

[2022-600]



New South Wales

## Status Information

### Currency of version

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### Provisions in force

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

### About this plan

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

### Authorisation

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

File last modified 1 October 2023

# Queanbeyan-Palerang Regional Local Environmental Plan 2022



New South Wales

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# Queanbeyan-Palerang Regional Local Environmental Plan 2022



New South Wales

## Part 1 Preliminary

### 1.1 Name of Plan

This Plan is *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.

### 1.1AA Commencement

This Plan commences on 14 November 2022 and is required to be published on the NSW legislation website.

### 1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in the Queanbeyan-Palerang Regional local government area 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 protect and improve the economic, environmental, social and cultural resources and prospects of the community,
  - (b) to facilitate the orderly and economic use and development of land having regard to ecological sustainability principles,
  - (c) to provide for a diversity of housing to meet the needs of the community into the future,
  - (d) to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development that caters for the retail, commercial and service needs of the community,
  - (e) to keep and protect important natural habitat and biodiversity,

- (f) to protect water quality, aquifers and waterways,
- (g) to keep, protect and encourage sustainable primary industry and associated commerce in rural areas,
- (h) to identify and protect the cultural heritage of the area, including the built heritage and the Aboriginal heritage,
- (i) to protect important scenic quality, views and vistas,
- (j) to facilitate the orderly growth of urban release areas,
- (k) to ensure development does not unreasonably increase the demand for public services or public facilities,
- (l) to identify, protect and provide areas for community health and recreational activities.

### **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—

[\*Queanbeyan Local Environmental Plan 1991\*](#)

[\*Queanbeyan Local Environmental Plan 1998\*](#)

[\*Queanbeyan Local Environmental Plan 2012\*](#)

[\*Queanbeyan Local Environmental Plan \(South Jerrabomberra\) 2012\*](#)

[\*Queanbeyan Local Environmental Plan \(West Jerrabomberra\) 2013\*](#)

[\*Yarrowlumla Local Environmental Plan 2002\*](#)

[\*Palerang Local Environmental Plan 2014\*](#)

- (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 the Act, Division 3.5, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires

public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

### **1.9 Application of SEPPs**

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.
- (2) [Not applicable]

#### **1.9A Suspension of covenants, agreements and instruments**

- (1) For the purpose of enabling development on land in a zone to be carried out in accordance with this Plan or with a consent granted under the Act, an agreement, covenant or other similar instrument that restricts the carrying out of the development does not apply to the extent necessary to serve the 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 a biodiversity certification conferred under the *Biodiversity Conservation Act 2016*, Part 8, or
  - (c) to a private land conservation agreement within the meaning of the *Biodiversity Conservation Act 2016*, or
  - (d) to a relevant instrument within the meaning of the *Crown Land Management Act 2016*, section 13.4, or
  - (e) to the relevant provisions of a land management (native vegetation) code, and the necessary mandatory code compliant certificate, in relation to a set aside area under the *Local Land Services Act 2013*, Part 5A, or
  - (f) to a conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (g) to a property vegetation plan within the meaning of the *Native Vegetation Act 2003* that is continued in force by the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, or
  - (h) to a Trust agreement within the meaning of the *Nature Conservation Trust Act 2001* that is continued in force by the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, or
  - (i) to a planning agreement within the meaning of the Act, Division 7.1.
- (3) This clause does not affect the rights or interests of a public authority under a

registered instrument.

- (4) Under the Act, section 3.16, the Governor, before the making of this clause, approved of subclauses (1)–(3).

## **Part 2 Permitted or prohibited development**

### **2.1 Land use zones**

The land use zones under this Plan are as follows—

#### **Rural Zones**

RU1 Primary Production

RU2 Rural Landscape

RU3 Forestry

RU5 Village

#### **Residential Zones**

R1 General Residential

R2 Low Density Residential

R3 Medium Density Residential

R4 High Density Residential

R5 Large Lot Residential

#### **Employment Zones**

E1 Local Centre

E2 Commercial Centre

E3 Productivity Support

E4 General Industrial

#### **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

C3 Environmental Management

C4 Environmental Living

**Waterway Zones**

W1 Natural Waterways

**2.2 Zoning of land to which Plan applies**

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

**2.3 Zone objectives and Land Use Table**

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

**Notes—**

- 1** Schedule 1 sets out additional permitted uses for particular land.

- 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act.
- 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4 Clause 2.6 requires consent for subdivision of land.
- 5 Parts 5–7 contain 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

**Note 2—**

Under the *Standard Instrument (Local Environmental Plans) Order 2006*, Schedule 1, clause 6(2), this Plan is, until 26 April 2025, taken to apply to land identified as “Land subject to South Jerrabomberra Regional Jobs Precinct Process” on the [Land Zoning Map](#) (the **subject land**) as if certain amendments to this Plan had not commenced on 26 April 2023. As a result, until 26 April 2025 and to the extent this Plan applies to the subject land, this Plan is taken to include the references to business and industrial zones that were in this Plan immediately before 26 April 2023.

## **Zone RU1 Primary Production**

### **1 Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To minimise the impact of development on the natural environment.
- To ensure development does not unreasonably increase the demand for public services or public facilities.

### **2 Permitted without consent**

Extensive agriculture; Home businesses; Home occupations

### **3 Permitted with consent**

Agritourism; Airstrips; Animal boarding or training establishments; Aquaculture; Backpackers' accommodation; Bed and breakfast accommodation; Biosolids treatment facilities; Building identification signs; Business identification signs; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Extractive industries;



Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Function centres; Garden centres; Helipads; Home-based child care; Home industries; Hotel or motel accommodation; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Neighbourhood shops; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Secondary dwellings; Service stations; Sewage treatment plants; Truck depots; Veterinary hospitals; Water recycling facilities; Water supply systems

#### **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone RU2 Rural Landscape**

#### **1 Objectives of zone**

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

#### **2 Permitted without consent**

Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations

#### **3 Permitted with consent**

Agritourism; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Function centres; Helipads; Home industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Markets; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Secondary

dwellings; Transport depots; Veterinary hospitals; Water supply systems

#### **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone RU3 Forestry**

#### **1 Objectives of zone**

- To enable development for forestry purposes.
- To enable other development that is compatible with forestry land uses.

#### **2 Permitted without consent**

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

#### **3 Permitted with consent**

Aquaculture

#### **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone RU5 Village**

#### **1 Objectives of zone**

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To encourage design and development that enhances the streetscape and village character.
- To ensure development complements the character and amenity of the locality.
- To ensure non-residential uses do not result in adverse impacts on the amenity of existing and future residential premises.

#### **2 Permitted without consent**

Home businesses; Home occupations

### **3 Permitted with consent**

Amusement centres; Attached dwellings; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Function centres; Group homes; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Schools; Secondary dwellings; Self-storage units; Semi-detached dwellings; Service stations; Sewage treatment plants; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water recycling facilities; Water supply systems; Wholesale supplies

### **4 Prohibited**

Serviced apartments; Waste disposal facilities; Any other development not specified in item 2 or 3

## **Zone R1 General Residential**

### **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure development complements the character and amenity of the locality.
- To ensure buildings with non-residential uses have a bulk and scale that is compatible with the zone's predominantly residential character.

### **2 Permitted without consent**

Home businesses; Home occupations

### **3 Permitted with consent**

Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Water supply systems

### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone R2 Low Density Residential**

### **1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure new development complements the scale, density and form of existing development.
- To encourage development that is consistent with the low density amenity of existing and future residents.
- To encourage development that is designed to recognise the bushland character of the locality, where appropriate, and to minimise the impact of urban development, particularly on the edge of the urban area.

### **2 Permitted without consent**

Home businesses; Home occupations

### **3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home industries; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone R3 Medium Density Residential**

### **1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development that is consistent with the amenity of existing and future residents.

### **2 Permitted without consent**

Home businesses; Home occupations

### **3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home industries; Hostels; Information and education facilities; Multi dwelling

housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Water reticulation systems

#### **4 Prohibited**

Any other development not specified in item 2 or 3

### **Zone R4 High Density Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development that is consistent with the amenity of existing and future residents.

#### **2 Permitted without consent**

Home businesses; Home occupations

#### **3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Function centres; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Water reticulation systems

#### **4 Prohibited**

Any other development not specified in item 2 or 3

### **Zone R5 Large Lot Residential**

#### **1 Objectives of zone**

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

#### **2 Permitted without consent**

Home businesses; Home occupations

#### **3 Permitted with consent**

Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Group homes; Home-based child care; Home industries; Intensive plant agriculture; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Secondary dwellings; Tank-based aquaculture

#### **4 Prohibited**

Turf farming; 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.
- To encourage development that is consistent with the character and amenity of the locality.
- To support business development by providing parking and other civic facilities.
- To encourage some limited high density residential uses to create vitality in town centres.

## **2 Permitted without consent**

Home businesses; Home occupations

## **3 Permitted with consent**

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home occupations (sex services); Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Restricted premises; Roads; Respite day care centres; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals



#### **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone E2 Commercial Centre**

#### **1 Objectives of zone**

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.
- 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 recognise and reinforce the primacy of the Queanbeyan central business district as the commercial and retail centre of Queanbeyan.
- To encourage some limited high density residential uses to create vitality in town centres.

#### **2 Permitted without consent**

Home businesses; Home occupations

#### **3 Permitted with consent**

Amusement centres; Artisan food and drink industries; Backpackers' accommodation; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Group homes; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals;

Any other development not specified in item 2 or 4

#### **4 Prohibited**

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

### **Zone E3 Productivity Support**

#### **1 Objectives of zone**

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- To maintain the retail hierarchy of Queanbeyan.

- To provide for a well-designed business park that appropriately responds to site constraints and adjoining residential development.

## **2 Permitted without consent**

Home businesses; Home occupations

## **3 Permitted with consent**

Agricultural produce industries; Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Environmental protection works; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Home-based child care; Home occupations (sex services); Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restricted premises; Roads; Rural supplies; Service stations; Sex services premises; Signage; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recycling facilities; Wholesale supplies

## **4 Prohibited**

Any development not specified in item 2 or 3

### **Zone E4 General Industrial**

#### **1 Objectives of zone**

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.

- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To ensure development complements the character and amenity of the locality.

## **2 Permitted without consent**

Home businesses; Home occupations

## **3 Permitted with consent**

Agricultural produce industries; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Environmental protection works; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Health consulting rooms; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Markets; Medical centres; Mortuaries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restricted premises; Roads; Rural supplies; Self-storage units; Service stations; Sex services premises; Signage; Specialised retail premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water supply systems; Wholesale supplies

## **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 development complements the character and amenity of the locality.
- To support business development by providing parking and other civic facilities.
- To strengthen the viability of existing business centres as places for investment, employment and cultural activity.

## **2 Permitted without consent**

Home businesses; Home occupations

## **3 Permitted with consent**

Amusement centres; Attached dwellings; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home occupations (sex services); Hostels; 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); Recreation facilities (outdoor); Registered clubs; Research stations; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Secondary dwellings; Semi-detached dwellings; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations

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

### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone SP2 Infrastructure**

### **1 Objectives of zone**

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

### **2 Permitted without consent**

Nil

### **3 Permitted with consent**

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

### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone RE1 Public Recreation**

### **1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect and enhance the environment generally.
- To ensure areas of high ecological, scientific, cultural or aesthetic value are protected, managed and restored.

### **2 Permitted without consent**

Extensive agriculture

### **3 Permitted with consent**

Aquaculture; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Information and education facilities; Kiosks; Markets; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures

### **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 protect and enhance the scenic and environmental resources of the land.
- To ensure the scale and character of development is compatible with the

established land uses of the locality.

## **2 Permitted without consent**

Nil

## **3 Permitted with consent**

Aquaculture; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Water recycling facilities

## **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.
- To encourage rehabilitation and regeneration of ecosystems.
- To provide for a limited range of development and land use activities that support environmental conservation outcomes.
- To identify and protect escarpment areas that enhance the visual amenity of Queanbeyan-Palerang Regional local government area and possess special aesthetic or conservational value.
- To protect water quality by preventing inappropriate development within catchment areas.

### **2 Permitted without consent**

Home businesses; Home occupations

### **3 Permitted with consent**

Bed and breakfast accommodation; Building identification signs; Business identification signs; Environmental facilities; Environmental protection works; Farm stay accommodation; Flood mitigation works; Home-based child care; Oyster aquaculture; Roads

### **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 C3 Environmental Management**

### **1 Objectives of zone**

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.

- To provide for a limited range of development that does not have an adverse effect on those values.
- To encourage development that is visually compatible with the landscape.
- To promote ecologically sustainable development.
- To protect water quality by preventing inappropriate development within catchment areas.

## **2 Permitted without consent**

Extensive agriculture; Home businesses; Home occupations

## **3 Permitted with consent**

Agriculture; Animal boarding or training establishments; Building identification signs; Business identification signs; Camping grounds; Community facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Information and education facilities; Home-based child care; Home industries; Oyster aquaculture; Pond-based aquaculture; Research stations; Roads; Roadside stalls; Rural workers' dwellings; Secondary dwellings; Tank-based aquaculture; Tourist and visitor accommodation; Water reticulation systems; Water storage facilities

## **4 Prohibited**

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

## **Zone C4 Environmental Living**

### **1 Objectives of zone**

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

- To minimise the impact of development on the natural environment.
- To ensure development does not unreasonably increase the demand for public services or public facilities.

## **2 Permitted without consent**

Extensive agriculture; Home businesses; Home occupations

## **3 Permitted with consent**

Agritourism; Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Function centres; Home-based child care; Home industries; Information and education facilities; Intensive plant agriculture; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Pond-based aquaculture; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Secondary dwellings; Tank-based aquaculture; Water reticulation systems; Water storage facilities

## **4 Prohibited**

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

### **Zone W1 Natural Waterways**

#### **1 Objectives of zone**

- To protect the ecological and scenic values of natural waterways.
- To prevent development that would have an adverse effect on the natural values of waterways in this zone.
- To provide for sustainable fishing industries and recreational fishing.

#### **2 Permitted without consent**

Environmental protection works

#### **3 Permitted with consent**

Aquaculture; Environmental facilities; Flood mitigation works; Water recreation

structures; Water supply systems

#### **4 Prohibited**

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

### **Part 3 Exempt and complying development**

#### **3.1 Exempt development**

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

and

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

**Note—**

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

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

### **3.2 Complying development**

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

**Note—**

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

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

### **3.3 Environmentally sensitive areas excluded**

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

(2) For the purposes of this clause—

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

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

## **Part 4 Principal development standards**

### **4.1 Minimum subdivision lot size**

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

- (a) to ensure lots are large enough to accommodate future development,
- (b) to ensure the subdivision of land reflects and reinforces the predominant subdivision pattern or desired future pattern of the area,
- (c) to minimise the likely adverse impact of development on—
  - (i) the amenity of the area, and

- (ii) the function and safety of main roads,
  - (d) to ensure lots are large enough to protect special attributes, including natural or cultural features,
  - (e) to ensure land is subdivided in a way that—
    - (i) reflects constraints associated with flooding, bush fire risk and other hazards, and
    - (ii) minimises the risk that the development will be affected by natural hazards,
  - (f) to ensure new lots are adequately serviced.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (3A) The minimum lot size shown on the [Lot Size Map](#) does not apply if—
- (a) the land could have been subdivided under this clause if the land had not been affected by one or more of the following—
    - (i) a minor realignment of boundaries that did not create an additional lot,
    - (ii) a subdivision creating or widening a public road or public reserve, or for another public purpose,
    - (iii) a consolidation with an adjoining public road or public reserve, or for another public purpose, and
  - (b) the number of resulting lots does not exceed the number of lots that could have resulted from a subdivision under this clause had the land not been affected by a matter specified in paragraph (a).
- (4) This clause does not apply in relation to the subdivision of any land—
- (a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or
  - (b) by any kind of subdivision under the [Community Land Development Act 2021](#).

#### **4.1AA Minimum subdivision lot size for community title schemes**

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

- (a) to prevent fragmentation of land.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the [Community Land Development Act 2021](#) of land in any of the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU5 Village,
  - (d) Zone R1 General Residential,
  - (e) Zone R2 Low Density Residential,
  - (f) Zone R5 Large Lot Residential,
  - (g) Zone C3 Environmental Management,
  - (h) Zone C4 Environmental Living,but does not apply to a subdivision by the registration of a strata plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the [Community Land Development Act 2021](#)) is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) This clause applies despite clause 4.1.

#### **4.1A Minimum subdivision lot size for certain strata subdivisions**

- (1) The objective of this clause is to prevent fragmentation of land.
- (2) This clause applies to land used, or proposed to be used, for the purposes of residential accommodation or tourist and visitor accommodation in the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone R5 Large Lot Residential,
  - (d) Zone C3 Environmental Management,
  - (e) Zone C4 Environmental Living.
- (3) Development consent must not be granted to the subdivision of land by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes](#)



*Development Act 2015* if the subdivision would result in lots that are smaller than the minimum size shown on the [Lot Size Map](#).

**Note—**

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

**4.1B Minimum lot sizes for multi dwelling housing and residential flat buildings**

- (1) The objective of this clause is to achieve planned residential density for land in—
- (a) Zone R3 Medium Density Residential, and
  - (b) Zone R4 High Density Residential, and
  - (c) for land in Braidwood, Bungendore and Googong—Zone R1 General Residential.
- (2) Development consent must not be granted to development on land specified in Column 1 of the table to this subclause for a purpose specified opposite in Column 2, unless the lot is at least the size specified opposite in Column 3.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
Zone R3 and Zone R4	Multi dwelling housing	750m <sup>2</sup>
Zone R1 in Googong	Multi dwelling housing	750m <sup>2</sup>
Zone R1 in Braidwood and Bungendore	Multi dwelling housing connected to a reticulated sewerage system owned and operated by the Council	2,250m <sup>2</sup>
Zone R1 in Braidwood and Bungendore	Multi dwelling housing not connected to a reticulated sewerage system owned and operated by the Council	12,000m <sup>2</sup>
Zone R4	Residential flat buildings	1,000m <sup>2</sup>
Zone R1 in Googong	Residential flat buildings	1,000m <sup>2</sup>
Zone R1 in Braidwood and Bungendore	Residential flat buildings connected to a reticulated sewerage system owned and operated by the Council	3,000m <sup>2</sup>
Zone R1 in Braidwood and Bungendore	Residential flat buildings not connected to a reticulated sewerage system owned and operated by the Council	16,000m <sup>2</sup>

#### 4.1C Minimum lot sizes for dual occupancies and secondary dwellings

- (1) The objective of this clause is to achieve planned residential density.
- (2) This clause applies to land shown on the [Secondary Dwelling and Dual Occupancy Map](#).
- (3) Development consent must not be granted for the purposes of dual occupancies or secondary dwellings unless the lot is at least the size shown on the [Secondary Dwelling and Dual Occupancy Map](#) for the land.

#### 4.1D Subdivision of certain land in Zones RU1 and C3

- (1) The objectives of this clause are as follows—
  - (a) to prevent fragmentation of land,
  - (b) to ensure land is subdivided taking into account—
    - (i) topographical constraints, and
    - (ii) the agricultural productivity and biodiversity value of the land, and
    - (iii) the environmental impacts of the subdivision.
- (2) This clause applies to land in the following zones identified as “Lot Averaging A” on the [Lot Averaging Map](#)—
  - (a) Zone RU1 Primary Production,
  - (b) Zone C3 Environmental Management.
- (3) Development consent must not be granted to the subdivision of land to which this clause applies unless—
  - (a) the average size of the resulting lots will be at least the minimum size shown on the [Lot Size Map](#) for the land, and
  - (b) no more than 5 resulting lots will be less than the minimum size shown on the [Lot Size Map](#) for the land, and
  - (c) each resulting lot will be at least 8ha.
- (4) Development consent must not be granted to the subdivision of a relevant lot for the purposes of residential accommodation.
- (5) In this clause—

**relevant lot**—

  - (a) means—

- (i) a lot created by a subdivision under a relevant provision, and
- (ii) on which development for the purposes of residential accommodation is permitted with development consent, and
- (b) includes a lot that would have been a lot specified in paragraph (a) had the lot not been affected by—
  - (i) a minor boundary realignment that did not create an additional lot, or
  - (ii) a consolidation with adjoining land, or
  - (iii) a subdivision creating or widening a public road or public reserve, or for another public purpose, or
  - (iv) a consolidation with an adjoining public road or public reserve, or for another public purpose.

**relevant provision** means—

- (a) if the lot was created other than for a public purpose—this clause, or
- (b) *Palerang Local Environmental Plan 2014*, clause 4.1A, before its repeal, or
- (c) *Queanbeyan Local Environmental Plan 2012*, clause 4.1C, before its repeal, or
- (d) *Yarrowlumla Local Environmental Plan 1993*, clause 12, before its repeal, or *Yarrowlumla Local Environmental Plan 2002*, clause 19, before its repeal—if the subdivision created at least 1 lot of less than 80ha for the purposes of residential accommodation, or
- (e) *Cooma-Monaro Local Environmental Plan 1999—(Rural)*, clause 14(2A), before its repeal.

#### **4.1E Subdivision of certain land in Zones C3 and C4**

- (1) The objective of this clause is to ensure land is subdivided taking into account—
  - (a) topographical constraints, and
  - (b) the agricultural productivity and biodiversity value of the land, and
  - (c) the environmental impacts of the subdivision.
- (2) This clause applies to land in—
  - (a) Zone C3 Environmental Management that is identified as “Lot Averaging B” on the [Lot Averaging Map](#), or
  - (b) Zone C4 Environmental Living.

- (3) Development consent must not be granted to the subdivision of land to which this clause applies unless—
- (a) the average size of the resulting lots will be at least the minimum size shown on the [Lot Size Map](#) for the land, and
  - (b) each resulting lot will be at least 2ha.
- (4) Development consent must not be granted to the subdivision of a relevant lot unless the consent authority is satisfied that—
- (a) development for the purposes of residential accommodation will not be carried out on the resulting lots, and
  - (b) the subdivision will not result in a significant adverse environmental impact.

- (5) In this clause—

**relevant lot—**

- (a) means—
  - (i) a lot created by a subdivision under a relevant provision, and
  - (ii) on which development for the purposes of residential accommodation is permitted with development consent, and
- (b) includes a lot that would have been a lot specified in paragraph (a) had the lot not been affected by—
  - (i) a minor boundary realignment that did not create an additional lot, or
  - (ii) a consolidation with adjoining land, or
  - (iii) a subdivision creating or widening a public road or public reserve, or for another public purpose, or
  - (iv) a consolidation with an adjoining public road or public reserve, or for another public purpose, and
- (c) does not include a lot excluded by a relevant provision from the calculation of the average size of the resulting lots.

**relevant provision** means—

- (a) this clause, or
- (b) [Palering Local Environmental Plan 2014](#), clause 4.1B, before its repeal, or
- (c) [Queanbeyan Local Environmental Plan 2012](#), clause 4.1C, before its repeal, or

- (d) *Yarrowlumla Local Environmental Plan 2002*, clause 20, before its repeal, or
- (e) *Yarrowlumla Local Environmental Plan 1993*, clause 13(4) or 13A, before its repeal, or
- (f) *Yarrowlumla Local Environmental Plan 1986*, clause 14(4), before its repeal, or
- (g) *Interim Development Order No 1—Shire of Yarrowlumla*, clause 11B(3) or 11C, before its repeal, or
- (h) *Tallaganda Local Environmental Plan 1991*, clause 16(3), before its repeal.

#### **4.2 Rural subdivision**

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) This clause applies to the following rural zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (baa) Zone RU3 Forestry,
  - (c) Zone RU4 Primary Production Small Lots,
  - (d) Zone RU6 Transition.

**Note—**

When this Plan was made, it did not include land in Zone RU4 Primary Production Small Lots or Zone RU6 Transition.

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

**Note—**

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

#### **4.2A Erection of dwelling houses on land in certain rural, residential, mixed use and**

**conservation zones**

- (1) The objectives of this clause are—
  - (a) to minimise unplanned rural residential development, and
  - (b) to enable the replacement of lawfully erected dwelling houses in certain rural, residential, mixed use and conservation zones.
- (2) This clause applies to land in the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU5 Village,
  - (d) Zone R1 General Residential,
  - (e) Zone R2 Low Density Residential,
  - (f) Zone R5 Large Lot Residential,
  - (g) Zone MU1 Mixed Use,
  - (h) Zone C3 Environmental Management,
  - (i) Zone C4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land—
  - (a) is a lot with at least the minimum lot size shown on the [Lot Size Map](#), or
  - (b) is a lot created in accordance with clauses 4.1, 4.1AA, 4.1A, 4.1D, 4.1E, 7.24, 7.25 or 7.26, or
  - (c) is a lot created before the day on which this Plan commenced and on which the erection of a dwelling house was permissible immediately before that day, or
  - (d) is a lot resulting from a subdivision for which development consent, or equivalent, was granted before the day on which this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that day, or
  - (e) is an existing holding, or
  - (f) would have been a lot or a holding specified in paragraphs (a)–(e) had it not been affected by—

- (i) a minor realignment of boundaries that did not create an additional lot, or
  - (ii) a subdivision creating or widening a public road or public reserve, or for another public purpose, or
  - (iii) a consolidation with an adjoining public road or public reserve, or for another public purpose.
- (4) Development consent may be granted for the erection of a dwelling house on land to which this clause applies if—
- (a) there is a lawfully erected dwelling house on the land, and
  - (b) the dwelling house to be erected is intended only to replace the existing dwelling house.
- (5) In this clause—

**existing holding** means the following land, whether or not there has been a change in the ownership of the holding since the relevant date, and includes other adjoining land acquired by the owner since the relevant date—

- (a) land that was a holding on the relevant date,
- (b) land that is a holding at the time a development application is lodged.

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

**relevant date** means, for land specified in the table to this definition, the date specified opposite.

<b>Column 1</b>	<b>Column 2</b>
Land to which <a href="#">Cooma-Monaro Local Environmental Plan 1999—(Rural)</a> applied immediately before 19 September 2014	3 March 1997
Land to which <a href="#">Goulburn Mulwaree Local Environmental Plan 2009</a> or <a href="#">Mulwaree Local Environmental Plan 1995</a> applied immediately before 19 September 2014	15 May 1970
Land to which <a href="#">Gunning Local Environmental Plan 1997</a> applied immediately before 19 September 2014	15 July 1966
Land to which <a href="#">Tallaganda Local Environmental Plan 1991</a> applied immediately before 19 September 2014	14 June 1974

Land to which [Yarrowlunla Local Environmental Plan 2002](#) applied immediately before 19 September 2014 13 October 1995

### 4.3 Height of buildings

- (1) The objectives of this clause are as follows—
  - (a) to establish the height of buildings consistent with the character, amenity and landscape of the area in which the buildings will be located,
  - (b) to protect residential amenity and minimise overshadowing,
  - (c) to minimise the visual impact of buildings,
  - (d) to maintain the predominantly low-rise character of buildings in the Queanbeyan-Palerang Regional local government area,
  - (e) to ensure the height of buildings complement the streetscape or the historic character of the area in which the buildings are located,
  - (f) to protect the heritage character of the Queanbeyan-Palerang Regional local government area and the significance of heritage buildings and heritage items,
  - (g) to provide appropriate height transitions between buildings, particularly at zone boundaries.
- (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 ensure the density, bulk and scale of development is appropriate for the site,
  - (b) to ensure the density, bulk and scale of development is consistent with the streetscape and character of the area in which the development will be located,
  - (c) to facilitate development that contributes to the economic growth of the Queanbeyan central business district, the Googong town centre and the neighbourhood centres in Queanbeyan.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

### 4.5 Calculation of floor space ratio and site area

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



- (a) to define **floor space ratio**,
  - (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to—
    - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
    - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
    - (iii) require community land and public places to be dealt with separately.
- (2) **Definition of “floor space ratio”** The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.
- (3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be—
- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
  - (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.
- In addition, subclauses (4)-(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.
- (4) **Exclusions from site area** The following land must be excluded from the site area—
- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
  - (b) community land or a public place (except as provided by subclause (7)).
- (5) **Strata subdivisions** The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.
- (6) **Only significant development to be included** The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.
- (7) **Certain public land to be separately considered** For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that

community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

- (8) **Existing buildings** The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.
- (9) **Covenants to prevent “double dipping”** When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.
- (10) **Covenants affect consolidated sites** If—
- (a) a covenant of the kind referred to in subclause (9) applies to any land (**affected land**), and
  - (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,
- the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.
- (11) **Definition** In this clause, **public place** has the same meaning as it has in the [Local Government Act 1993](#).

#### 4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows—
- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a

development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless—

- (a) the consent authority is satisfied that—
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
  - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (b) the concurrence of the 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 land in Zone RU4 Primary Production Small Lots, Zone RU6

Transition or Zone R5 Large Lot Residential.

- (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.

## 5.2 Classification and reclassification of public land

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

### Note—

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

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

2016).

**Note—**

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

### **5.3 Development near zone boundaries**

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

### **5.4 Controls relating to miscellaneous permissible uses**

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

**Note—**

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

- (2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.
- (3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.
- (4) **Industrial retail outlets** If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed—
  - (a) 50% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
  - (b) 300 square metres,whichever is the lesser.
- (5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms in buildings.
- (6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 40 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 100 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 10 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) 33% of the total floor area of the principal dwelling.

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

(a) 50% of the gross floor area of the industry, or

(b) 300 square metres,

whichever is the lesser.

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

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone, 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) 33% of the total floor area of the principal dwelling.

### **5.6 Architectural roof features**

[Not adopted]

### **5.7 Development below mean high water mark**

[Not applicable]

### **5.8 Conversion of fire alarms**

(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

(2) The following development may be carried out, but only with development consent—

(a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,

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

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

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



only of—

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

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

(5) In this clause—

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

#### **5.9 Dwelling house or secondary dwelling affected by natural disaster**

(1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwellings that have been damaged or destroyed by a natural disaster.

(2) This clause applies to land in the following zones—

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone R5 Large Lot Residential,
- (d) Zone C2 Environmental Conservation,
- (e) Zone C3 Environmental Management,
- (f) Zone C4 Environmental Living.

(3) Despite the other provisions of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—

- (a) the dwelling house or secondary dwelling was lawfully erected, and
- (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.

## 5.9AA (Repealed)

### 5.10 Heritage conservation

**Note—**

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

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

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

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

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

- (f) subdividing land—
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) **When consent not required** However, development consent under this clause is not required if—
  - (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
    - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
    - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
  - (b) the development is in a cemetery or burial ground and the proposed development—
    - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
    - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
  - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
  - (d) the development is exempt development.
- (4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) **Heritage assessment** The consent authority may, before granting consent to any development—
  - (a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

- (6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—
- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.
- (9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—
- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) **Conservation incentives** The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance,

even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

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

#### **5.11 Bush fire hazard reduction**

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

**Note—**

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

#### **5.12 Infrastructure development and use of existing buildings of the Crown**

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

#### **5.13 Eco-tourist facilities**

- (1) The objectives of this clause are as follows—
  - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
  - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.

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

- (ii) the maintenance (or regeneration where necessary) of habitats,
- (iii) efficient and minimal energy and water use and waste output,
- (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
- (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

**5.14 Siding Spring Observatory—maintaining dark sky**

[Not adopted]

**5.15 Defence communications facility**

[Not adopted]

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

- (1) The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).
- (2) This clause applies to land in the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU3 Forestry,
  - (d) Zone RU4 Primary Production Small Lots,
  - (e) Zone RU6 Transition,
  - (f) Zone R5 Large Lot Residential,
  - (g) Zone C2 Environmental Conservation,
  - (h) Zone C3 Environmental Management,
  - (i) Zone C4 Environmental Living.

**Note—**

When this Plan was made, it did not include land in Zone RU4 Primary Production Small Lots or Zone RU6 Transition.

- (3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which

this clause applies for either of the following purposes—

- (a) subdivision of land proposed to be used for the purposes of a dwelling,
- (b) erection of a dwelling.

(4) The following matters are to be taken into account—

- (a) the existing uses and approved uses of land in the vicinity of the development,
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

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

[Not applicable]

#### **5.18 Intensive livestock agriculture**

(1) The objectives of this clause are—

- (a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and
- (b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.

(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.

(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—

- (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,
- (b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,



- (c) the potential for the pollution of surface water and ground water,
  - (d) the potential for the degradation of soils,
  - (e) the measures proposed to mitigate any potential adverse impacts,
  - (f) the suitability of the site in the circumstances,
  - (g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,
  - (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.
- (4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—
- (a) the development is of a type specified in subclause (5), and
  - (b) the consent authority is satisfied that the development will not be located—
    - (i) in an environmentally sensitive area, or
    - (ii) within 100 metres of a natural watercourse, or
    - (iii) in a drinking water catchment, or
    - (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or
    - (v) for a poultry farm used for breeding poultry—within 5km of another poultry farm, or
    - (vi) for a poultry farm not used for breeding poultry—
      - (A) within 5km of a poultry farm used for breeding poultry, or
      - (B) within 1km of a poultry farm not used for breeding poultry, or
    - (vii) for a pig farm—within 3km of another pig farm.
- (5) The following types of development are specified for the purposes of subclause (4)—
- (a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,
  - (b) a goat feedlot having a capacity to accommodate fewer than 200 goats,

- (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,
  - (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),
  - (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,
  - (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).
- (6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.
- (7) In this clause—

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

**residential zone** means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E3 Productivity Support, Zone MU1 Mixed Use, Zone C3 Environmental Management or Zone C4 Environmental Living.

### 5.19 Pond-based, tank-based and oyster aquaculture

- (1) **Objectives** The objectives of this clause are as follows—
- (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced,
  - (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development.
- (2) **Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent** The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—
- (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,
  - (b) in the case of—
    - (i) pond-based aquaculture in Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium

Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use—that the development is for the purpose of small scale aquarium fish production, and

- (ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive aquaculture, and
- (iii) tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and
- (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.

**Note—**

When this Plan was made, it did not include land in Zone W2 Recreational Waterways or Zone W3 Working Waterways.

- (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.

**Note—**

When this Plan was made, it did not include land in Zone RU4 Primary Production Small Lots or Zone RU6 Transition.

- (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

[Not adopted]

## 5.24 Farm stay accommodation

- (1) The objectives of this clause are as follows—
  - (a) to diversify the uses of agricultural land without adversely impacting the principal use of the land for primary production,
  - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and

adjoining land uses,

- (c) to ensure farm stay accommodation will not have an adverse impact on the amenity of surrounding land uses.
- (2) Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied all buildings or manufactured homes used to accommodate guests on the landholding will be—
- (a) on the same lot as an existing lawful dwelling house, or
  - (b) on a lot of a size not less than the minimum lot size for a dwelling house to be permitted on the lot under an environmental planning instrument applying to the land.
- (3) Subclause (2) does not apply if the development is a change of use of an existing dwelling to farm stay accommodation.
- (4) Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—
- (a) whether the development will result in noise or pollution that will have a significant adverse impact on the following on or near the land—
    - (i) residential accommodation,
    - (ii) primary production operations,
    - (iii) other land uses, and
  - (b) whether the development will have a significant adverse impact on the following on or near the land—
    - (i) the visual amenity or heritage or scenic values,
    - (ii) native or significant flora or fauna,
    - (iii) water quality,
    - (iv) traffic,
    - (v) the safety of persons, and
  - (c) whether the development is on bush fire prone land or flood prone land, and
  - (d) the suitability of the land for the development, and
  - (e) the compatibility of the development with nearby land uses.

## **5.25 Farm gate premises**

- (1) The objectives of this clause are as follows—
  - (a) to allow for tourism and related commercial uses on land used principally for primary production at a scale that does not adversely affect the principal use of the land for primary production,
  - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses,
  - (c) to ensure farm gate premises will not have an adverse impact on the amenity of surrounding land uses.
- (2) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered—
  - (a) whether the development will result in noise or pollution that will have a significant adverse impact on the following on or near the land—
    - (i) residential accommodation,
    - (ii) primary production operations,
    - (iii) other land uses, and
  - (b) whether the development will have a significant adverse impact on the following on or near the land—
    - (i) the visual amenity or heritage or scenic values,
    - (ii) native or significant flora or fauna,
    - (iii) water quality,
    - (iv) traffic,
    - (v) the safety of persons, and
  - (c) whether the development is on bush fire prone land or flood prone land, and
  - (d) the suitability of the land for the proposed development, and
  - (e) the compatibility of the development with nearby land uses.

## **Part 6 Urban release areas**

### **6.1 Concurrence of Planning Secretary**

- (1) The objective of this clause is to ensure designated State public infrastructure is



sufficient to address the impact of intensive subdivision of land in an urban release area.

- (2) This clause applies to the subdivision of land in an urban release area if the subdivision would result in a lot that is smaller than the minimum lot size permitted on the land immediately before—
  - (a) for land shown as “Googong” on the [Urban Release Area Map](#)—24 December 2009, or
  - (b) for land shown as “South Jerrabomberra” on the [Urban Release Area Map](#)—29 March 2019, or
  - (c) otherwise—the land became, or became part of, an urban release area.
- (3) Development consent must not be granted to the subdivision unless the consent authority has obtained the concurrence of the Planning Secretary.
- (4) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
  - (a) the impact of the subdivision on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (b) the cumulative impact of the subdivision with other development that has been, or is likely to be, carried out in surrounding areas on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into to contribute to designated State public infrastructure.
- (5) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.
- (6) This clause does not apply—
  - (a) if all or part of the land to be subdivided is in a region within the meaning of the Act, Division 7.1, Subdivision 4, or
  - (b) to the subdivision of a lot that is, in the Planning Secretary’s opinion, a residue lot, or

- (c) to a lot created by a subdivision of land under a previous development consent granted in accordance with—
  - (i) this clause, or
  - (ii) *Queanbeyan Local Environmental Plan 2012*, clause 6.1, before its repeal, or
  - (iii) *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012*, clause 6.1, before its repeal, or
- (d) to a lot proposed to be reserved or dedicated for public open space, public roads, public utility undertakings, educational establishments or other public purposes, or
- (e) to subdivision that is only for the purposes of rectifying an encroachment on an existing lot.

(7) In this clause—

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

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) regional parks and public space,
- (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

## 6.2 Public utility infrastructure

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

**public utility infrastructure**, in relation to an urban release area, includes

infrastructure for the following—

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

### **6.3 Development control plan**

- (1) The objective of this clause is to ensure that development on land in an urban release area occurs—
  - (a) in a logical and cost-effective way, and
  - (b) in accordance with a staging plan, and
  - (c) only after a development control plan that includes specific controls has been prepared for the land.
- (2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.
- (3) The development control plan must provide for the following—
  - (a) a staging plan for the timely and efficient release of urban land that provides for necessary infrastructure and sequencing,
  - (b) an overall transport movement hierarchy showing the major circulation routes and connections required for a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
  - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
  - (d) a network of active and passive recreation areas,
  - (e) stormwater and water quality management controls,
  - (f) management of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of and evacuation from affected land,
  - (g) detailed urban design controls for significant development sites,
  - (h) measures to encourage higher density living around transport, open space and service nodes,

- (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
  - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
- (4) Subclause (2) does not apply to the following development—
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
  - (b) a subdivision of land if all of the lots proposed to be created will be reserved or dedicated for public open space, public roads or other public or environmental protection purposes,
  - (c) a subdivision of land in a zone in which the erection of structures is prohibited,
  - (d) development of a minor nature only, if, in the consent authority's opinion, the development is consistent with the objectives of the zone in which the development will be carried out.

#### **6.4 Development near Googong Dam foreshores**

- (1) The objective of this clause is to ensure development in the Googong Dam water supply catchment area does not compromise water supply and quality.
- (2) Development consent must not be granted to the erection of a building on land identified as "Googong Foreshore Buffer" on the [Local Clauses Map](#) unless the consent authority is satisfied—
  - (a) the building and associated infrastructure will be appropriate, taking into account the environmental capability of the land, and
  - (b) the development will be managed appropriately in relation to the following—
    - (i) bush fire control,
    - (ii) vegetation clearing,
    - (iii) access provision,
    - (iv) fencing controls,
    - (v) recreational uses,
    - (vi) feral animal and weed control,
    - (vii) grazing management,
    - (viii) keeping of animals,

- (ix) landscaping with indigenous species.

## **Part 7 Additional local provisions**

### **7.1 Earthworks**

- (1) The objectives of this clause are—
  - (a) to ensure earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items and features of the surrounding land, and
  - (b) to allow earthworks of a minor nature without requiring separate development consent.
- (2) Development consent is required for earthworks unless—
  - (a) the work is exempt development under—
    - (i) this Plan, or
    - (ii) another applicable environmental planning instrument, or
  - (b) the work is ancillary to other development for which development consent has been granted.
- (3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following matters—
  - (a) the likely disruption of, or the 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 the fill material and the destination of the excavated material,
  - (f) the likelihood of disturbing relics,
  - (g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area,
  - (h) appropriate measures to avoid, minimise or mitigate the impacts of the development.

**Note—**

The *National Parks and Wildlife Act 1974*, particularly section 86, deals with harming Aboriginal objects.

## **7.2 Terrestrial biodiversity**

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
  - (a) protecting native fauna and flora, and
  - (b) protecting the ecological processes necessary for the continued existence of native fauna and flora, and
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Biodiversity” on the [Terrestrial Biodiversity Map](#).
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—
  - (a) whether the development is likely to have—
    - (i) an adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    - (ii) an adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
    - (iii) the potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
    - (iv) an adverse impact on the habitat elements providing connectivity on the land, and
  - (b) appropriate measures to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
  - (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
  - (b) if a significant adverse environmental impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise the impact.

## **7.3 Drinking water catchments**

- (1) The objectives of this clause are—

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

#### **7.4 Riparian land and watercourses**

- (1) The objective of this clause is to protect and maintain the following—
- (a) water quality within watercourses,
  - (b) the stability of the bed and banks of watercourses,
  - (c) aquatic and riparian habitats,
  - (d) ecological processes within watercourses and riparian areas.
- (2) This clause applies to—

- (a) land identified as “Watercourse” on the [Riparian Lands and Watercourses Map](#), and
  - (b) all land within 40m of the top of the bank of each watercourse on land identified as “Watercourse” on that map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—
- (a) whether the development is likely to have an adverse impact on the following—
    - (i) the water quality and flows within the watercourse,
    - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
    - (iii) the stability of the bed and banks of the watercourse,
    - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
    - (v) the future rehabilitation of the watercourse and riparian areas, and
  - (b) whether the development is likely to increase water extraction from the watercourse, and
  - (c) appropriate measures to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
- (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
  - (b) if a significant adverse environmental impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise the impact.

## **7.5 Salinity**

- (1) The objectives of this clause are to—
- (a) ensure land subject to salinity is appropriately managed, and
  - (b) minimise and mitigate the adverse impacts of development that contributes to salinity.
- (2) This clause applies to land identified as “Salinity” on the [Landscape Map](#).
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following—



- (a) whether the development is likely to have an adverse impact on salinity processes on the land,
  - (b) whether salinity is likely to have an impact on the development,
  - (c) appropriate measures to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
- (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
  - (b) if a significant adverse environmental impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise the impact.

### **7.6 Highly erodible soils**

- (1) The objective of this clause is to provide for the appropriate management of land that—
- (a) has highly erodible soils, or
  - (b) has the potential to be affected by soil erosion.
- (2) This clause applies to land identified as “Erodible Lands” on the [Landscape Map](#).
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following—
- (a) whether the development is likely to have an impact on soil erosion processes,
  - (b) whether soil erosion processes are likely to have an impact on the development,
  - (c) appropriate measures to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
- (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
  - (b) if a significant adverse environmental impact cannot be avoided—the development is designed, sited and will be managed to minimise the impact.

### **7.7 Slopes over 18 degrees**

- (1) The objective of this clause is to provide for the appropriate management of land with

a slope of over 18 degrees.

- (2) This clause applies to land identified as “Slopes over 18 degrees” on the [Landscape Map](#).
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—
  - (a) whether the development is likely to have an impact on surrounding vegetation, the movement of water and soil erosion, and
  - (b) appropriate measures to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—
  - (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
  - (b) if a significant adverse environmental impact cannot be avoided—the development is designed, sited and will be managed to minimise the impact.

## 7.8 Airspace operations

- (1) The objectives of this clause are—
  - (a) to provide for the effective and ongoing operation of Canberra Airport by ensuring the operation of the airport is not compromised by proposed development that penetrates the Limitation or Operations Surface, and
  - (b) to protect the community from undue risk from the operation of the airport.
- (2) Development consent must not be granted to development that the consent authority is satisfied will penetrate the Limitation or Operations Surface for Canberra Airport unless the consent authority has notified the operator of Canberra Airport of the development.

- (3) In this clause—

**Limitation or Operations Surface**, for Canberra Airport, means the following—

- (a) the Obstacle Limitation Surface shown on the *Obstacle Limitation Surface Map*,
- (b) the Procedures for Air Navigation Services Operations Surface as shown on the *Procedures for Air Navigation Services Operations Surface Map*.

**Obstacle Limitation Surface Map** means the *Obstacle Limitation Surface Map* for Canberra Airport prepared by the Commonwealth Department responsible for airports.

**Procedures for Air Navigation Services Operations Surface Map** means the *Procedures for Air Navigation Services Operations Surface Map* for Canberra Airport prepared by the Commonwealth Department responsible for airports.

### 7.9 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows—
  - (a) to prevent certain noise sensitive developments from being located near Canberra Airport and the airport flight paths,
  - (b) to minimise the impact of aircraft noise from the airport and the flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,
  - (c) to ensure development near the airport does not hinder or have other adverse impacts on the ongoing, safe and efficient operation of Canberra Airport.
- (2) This clause applies to development—
  - (a) on land—
    - (i) near Canberra Airport, and
    - (ii) in an ANEF contour of 20 or greater, and
  - (b) the consent authority considers likely to be adversely affected by aircraft noise.
- (3) Development consent must not be granted to the development unless the consent authority—
  - (a) considers whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and
  - (b) considers the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and
  - (c) is satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.

- (4) In this clause—

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

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

### **7.10 Aircraft noise—development in the South Jerrabomberra Urban Release Area**

- (1) The objective of this clause is to provide specific controls in relation to noise sensitive development in the South Jerrabomberra Urban Release Area.
- (2) This clause applies to development on land in the South Jerrabomberra Urban Release Area.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.
- (4) In this clause—

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

**South Jerrabomberra Urban Release Area** means the land shown as “South Jerrabomberra” on the [Urban Release Area Map](#).

### **7.11 Development in areas adjoining national parks and nature reserves**

- (1) The objective of this clause is to protect the aesthetic, conservation, recreational and scientific value of national parks and nature reserves.
- (2) This clause applies to land adjoining a national park or nature reserve.
- (3) In deciding whether to grant development consent to development on land to which this clause applies, the consent authority must consider the following—
  - (a) whether the development is compatible with, and does not detract from, the values of the national park or nature reserve,
  - (b) management plans applicable to nearby areas within the national park or nature reserve,
  - (c) whether the development has been designed and located to minimise visual intrusion when viewed from vantage points within the national park or nature reserve.

### **7.12 Essential services**

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

- (a) the supply of water,

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

### **7.13 Location of sex services premises**

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

### **7.14 Scenic protection**

- (1) The objectives of this clause are—
  - (a) to recognise and protect the natural environment and scenic amenity of the land to which this clause applies, and
  - (b) to ensure development on land to which this clause applies is located and designed to minimise the visual impact of the development on those environments.
- (2) This clause applies to land identified as “Scenic Protection Area” on the [Scenic Protection Map](#).
- (3) Development consent must not be granted to development on land to which this

clause applies unless the consent authority is satisfied—

- (a) measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development on the natural environment and scenic amenity of the land, and
- (b) the development will incorporate conservation and rehabilitation measures to preserve the scenic amenity of the land.

- (4) Land to which this clause applies is taken to be land within a protected area for the purposes of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, clause 1.19(1)(e)(v).

### 7.15 Active street frontages

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone E2 Commercial Centre.
- (2) This clause applies to land identified as “Active street frontage” on the [Active Street Frontages Map](#).
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.
- (4) An active street frontage is not required for part of a building used for the following—
  - (a) entrances and lobbies, including as part of mixed use development,
  - (b) access for fire services,
  - (c) vehicular access.
- (5) In this clause, a building has an **active street frontage** if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.

### 7.16 Development near Cooma Road Quarry

- (1) The objective of this clause is to protect the operational environment of the Cooma Road Quarry.
- (2) This clause applies to land identified as “Quarry Buffer Area” on the [Local Clauses Map](#).
- (3) In deciding whether to grant development consent to development on land to which this clause applies, the consent authority must consider the following—

- (a) the impact of noise, vibration and other emissions on the development from the operation of Cooma Road Quarry,
- (b) whether opportunities exist to carry out the development on other land,
- (c) whether the development will adversely affect the operational environment of the quarry.

#### **7.17 Development near HMAS Harman**

- (1) The objective of this clause is to contribute to the protection of the operational environment of HMAS Harman and the role of the naval base as a national defence facility.
- (2) This clause applies to land within—
  - (a) 2km of HMAS Harman, measured from the intersection of Waller Road and Pharup Place, and
  - (b) Zone E4 General Industrial.
- (3) Development consent must not be granted to the erection of a building with a height exceeding 8.5m on land to which this clause applies unless the consent authority has—
  - (a) consulted the Commonwealth Department of Defence in relation to the development, and
  - (b) considered comments, if any, received from the Department within 28 days of consulting the Department.

#### **7.18 Development near arterial roads**

- (1) The objectives of this clause are—
  - (a) to minimise visual or acoustic impacts from arterial roads on development on land near the arterial roads, and
  - (b) to ensure development will not compromise, restrict or otherwise prevent the future use of that land as an arterial road.
- (2) This clause applies to the land identified as “Arterial Road Area” on the [Local Clauses Map](#).
- (3) Development consent must not be granted to development within 30m of land to which this clause applies unless the consent authority has considered—
  - (a) the impact of noise, vibrations and other emissions on the development from—
    - (i) construction associated with an arterial road, if any, and

- (ii) the operation of an arterial road, and
- (b) if the development involves subdivision—whether the development would prejudice or otherwise restrict the construction or operation of an arterial road including the provision of public utility infrastructure, if any.

#### **7.19 Development near Hume Industrial Area and Goulburn to Bombala Railway Line**

- (1) The objective of this clause is to minimise the impact of noise, vibration and other emissions on development near—
  - (a) the Hume Industrial Area, and
  - (b) the Goulburn to Bombala Railway Line.
- (2) This clause applies to the land identified as “Visual and Acoustic Buffer Land” on the [Local Clauses Map](#).
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following—
  - (a) the impact of noise from nearby land uses, having regard to proposed noise mitigation measures,
  - (b) the visual impact of the Hume Industrial Area and Goulburn to Bombala Railway Line on the development,
  - (c) the impact of noise, vibrations and other emissions on the development from nearby industrial land uses and associated activities.

**Note—**

See also [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#), section 2.100.

#### **7.20 Animal boarding or training establishments**

- (1) The objective of this clause is to ensure animal boarding or training establishments for which development consent is required will not have an adverse impact on the amenity of surrounding land uses.
- (2) In deciding whether to grant development consent for animal boarding or training establishments, the consent authority must consider—
  - (a) the impact of noise and other emissions from the development on surrounding land, and
  - (b) whether the development will unreasonably have an adverse impact on the amenity of surrounding land uses.



### **7.21 Restaurants, cafes or function centres in Zone C4**

- (1) The objective of this clause is to ensure that restaurants or cafes, or function centres, for which development consent is required will not have an adverse impact on the amenity of surrounding land uses.
- (2) In deciding whether to grant development consent for restaurants or cafes, or function centres, on land in Zone C4 Environmental Living, the consent authority must consider—
  - (a) the impact of noise, traffic and other emissions from the development on surrounding land, and
  - (b) whether the development will unreasonably have an adverse impact on the amenity of surrounding land uses.

### **7.22 Erection of rural workers' dwellings on land in Zones RU1 and C3**

- (1) The objective of this clause is to ensure adequate accommodation is provided to employees of existing agricultural or rural industries.
- (2) This clause applies to land in the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone C3 Environmental Management.
- (3) Development consent must not be granted to the erection of a rural worker's dwelling on land to which this clause applies unless the consent authority is satisfied—
  - (a) the development will be on the same lot as an existing lawfully erected dwelling house, and
  - (b) the development will not impair the use of the land for the purposes of agricultural or rural industries, and
  - (c) the agricultural or rural industry carried out on the land has a demonstrated economic capacity to support the ongoing employment of rural workers, and
  - (d) the development is necessary, considering the nature of the agricultural or rural industry land use lawfully occurring on the land, or as a result of the remote or isolated location of the land, and
  - (e) the development will not result in the erection of more than—
    - (i) 3 rural workers' dwellings on a lot, and
    - (ii) 1 rural worker's dwelling on every area of land equal to the minimum size shown on the [Lot Size Map](#) for the land.

### **7.23 Replacement of lawfully erected dwelling houses in Zones E1 and E4**

Development consent must not be granted for the erection of a dwelling house on land identified as “Area 1” on the [Land Zoning Map](#) unless—

- (a) there is a lawfully erected dwelling house on the land, and
- (b) the dwelling house to be erected is intended only to replace the existing dwelling house.

### **7.24 Development at 202 Goolabri Drive, Sutton**

- (1) This clause applies to Lot 3, DP 1074706, 202 Goolabri Drive, Sutton.
- (2) Development consent must not be granted to the subdivision of land to which this clause applies unless—
  - (a) each resulting lot will be at least 4ha, and
  - (b) no more than 6 resulting lots will be created by the subdivision.

### **7.25 Development on certain land at Braidwood, Bungendore and Googong**

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) Land at Googong, identified as “Additional Development Area 1” on the [Local Clauses Map](#) and in Zone R1 General Residential, may be subdivided if—
  - (a) each resulting lot will be at least 130m<sup>2</sup>, and
  - (b) at least 4 lots will be created by the subdivision.
- (3) Land at Braidwood and Bungendore, identified as “Additional Development Area 2” on the [Local Clauses Map](#) and in Zone R1 General Residential, may be subdivided if—
  - (a) each resulting lot will be at least 350m<sup>2</sup>, and
  - (b) at least 3 lots will be created by the subdivision, and
  - (c) a single dwelling house, attached dwelling or semi-detached dwelling will be erected on each resulting lot.
- (4) Development consent must not be granted to the subdivision unless the consent authority has considered whether the resulting lots will be developed consistently with the desired future character of the area.

### **7.26 Development on certain land at South Jerrabomberra**

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.

- (2) This clause applies to development on land shown as “South Jerrabomberra” on the [Urban Release Area Map](#) in Zone R2 Low Density Residential if the minimum lot size shown on the [Lot Size Map](#) is 130m<sup>2</sup>.
- (3) The land may be subdivided to create 4 or more lots if development for the following purposes will be carried out on the resulting lots—
  - (a) attached dwellings,
  - (b) dual occupancies,
  - (c) dwelling houses,
  - (d) semi-detached dwellings.
- (4) Development consent must not be granted to the subdivision unless the consent authority has considered whether the resulting lots will be developed consistently with the desired future character of the area.

## **Schedule 1 Additional permitted uses**

(Clause 2.5)

### **1 Use of certain land at South Jerrabomberra**

- (1) This clause applies to land in Zone E1 at South Jerrabomberra, identified as “Item 1” on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of group homes and serviced apartments is permitted with development consent.

### **2 Use of certain land at Bombay Road, Braidwood**

- (1) This clause applies to Lot 4, DP 841326, Bombay Road, Braidwood.
- (2) Development for the purposes of self-storage units is permitted with development consent.

### **3 Use of land at 4-6 Majara Street, Bungendore**

- (1) This clause applies to Lots 13 and 14, DP 1139067, 4-6 Majara Street, Bungendore.
- (2) Development for the purposes of seniors housing is permitted with development consent.

### **4 Use of certain land at Carwoola**

- (1) This clause applies to the following land at Carwoola—
  - (a) Lot 89, DP 754875, 352 Wanna Wanna Road,

(b) Lot 146, DP 48277, 370 Wanna Wanna Road.

(2) Development for the purposes of a single dwelling house on each lot is permitted with development consent.

**5 Use of land at 67 Lorn Road, Crestwood**

(1) This clause applies to Lots 21 and 22, DP 225012, 67 Lorn Road, Crestwood.

(2) Development for the purposes of educational establishments is permitted with development consent.

**6 Use of land at 135 Uriarra Road, Crestwood**

(1) This clause applies to Lot 4, DP 1060200, 135 Uriarra Road, Crestwood.

(2) Development for the purposes of commercial premises is permitted with development consent.

**7 Use of certain land at Googong—Zone B2 Local Centre**

(1) This clause applies to land in Zone E1 at Googong, identified as “Item 2” on the [Additional Permitted Uses Map](#).

(2) Development for the following purposes is permitted with development consent—

(a) hostels,

(b) multi dwelling housing,

(c) residential flat buildings,

(d) seniors housing.

**8 Use of certain land at Googong—Zone R1 General Residential**

(1) This clause applies to land in Zone R1 General Residential at Googong, identified as “Item 3” on the [Additional Permitted Uses Map](#).

(2) Development for the following purposes is permitted with development consent—

(a) advertising structures,

(b) business premises,

(c) food and drink premises,

(d) kiosks,

(e) markets,

- (f) office premises,
- (g) service stations,
- (h) shops.

**9 Use of certain land at Googong Common, Googong**

- (1) This clause applies to land at Googong known as “Googong Common”, identified as “Item 4” on the [Additional Permitted Uses Map](#).
- (2) Development for the following purposes is permitted with development consent—
  - (a) cellar door premises,
  - (b) depots,
  - (c) function centres,
  - (d) garden centres,
  - (e) horticulture,
  - (f) landscaping material supplies,
  - (g) plant nurseries,
  - (h) resource recovery facilities,
  - (i) viticulture,
  - (j) waste or resource transfer stations.

**10 Use of land at 19 Mol Crescent, Googong**

- (1) This clause applies to Lot 2, DP 826105, 19 Mol Crescent, Googong.
- (2) Development for the purposes of a single dwelling house is permitted with development consent.

**11 Use of land at 1400 Old Cooma Road, Googong**

- (1) This clause applies to Lot 3, DP 827344, 1400 Old Cooma Road, Googong.
- (2) Development for the purposes of high technology industries is permitted with development consent.

**12 Use of land at 229 Wickerslack Lane, Googong**

- (1) This clause applies to Lots 7, 32, 92, 102, 104, 111 and 112, DP 754875 and Lot 2, DP 375866, 229 Wickerslack Lane, Googong.

- (2) Development for the purposes of farm buildings is permitted with development consent.

**13 Use of land at 250 Lanyon Drive, Jerrabomberra**

- (1) This clause applies to Lots 7328-7332, DP 1153148 and Lot 1, DP 1111489, 250 Lanyon Drive, Jerrabomberra, being Crown Land reserved for a cemetery.
- (2) Development for the purposes of kiosks is permitted with development consent.

**14 Use of land at 59 Cooma Street, Queanbeyan**

- (1) This clause applies to Lot 2, DP 815688, 59 Cooma Street, Queanbeyan.
- (2) Development for the purposes of business premises and office premises is permitted with development consent.

**15 Use of land at 1 Bungendore Road, Queanbeyan East**

- (1) This clause applies to Lot 1, DP 835570, 1 Bungendore Road, Queanbeyan East.
- (2) Development for the purposes of take away food and drink premises is permitted with development consent.

**16 Use of land at 1 Buttle Street, Queanbeyan East**

- (1) This clause applies to Lots 1-6, SP 40615, 1 Buttle Street, Queanbeyan East.
- (2) Development for the purposes of commercial premises is permitted with development consent.

**17 Use of land at 53 Tharwa Road, Queanbeyan West**

- (1) This clause applies to Lot 441, DP 623510, 53 Tharwa Road, Queanbeyan West.
- (2) Development for the purposes of hotel or motel accommodation is permitted with development consent.

**18 Use of land at 1738 Old Cooma Road, Royalla**

- (1) This clause applies to Lots 1 and 2, DP 555380 and Lot 152, DP 754912, 1738 Old Cooma Road, Royalla.
- (2) Development for the following purposes is permitted with development consent—
  - (a) dwelling houses, if no more than 2 dwelling houses are erected,
  - (b) farm buildings.

**19 Use of land at 1865A Old Cooma Road, Royalla**

- (1) This clause applies to Lot 186, DP 754871, 1865A Old Cooma Road, Royalla.
- (2) Development for the purposes of dwelling houses is permitted with development consent.

**20 Use of land at 101 Alderson Place, Tralee**

- (1) This clause applies to the following land at 101 Alderson Place, Tralee—
  - (a) Lots 3, 5, 6, 8, 9, 11 and 12, DP 17224,
  - (b) Lots 9–11, DP 130626,
  - (c) Lot 100, DP 131036,
  - (d) Lot 171, DP 1200349,
  - (e) Lot 1, DP 1001136.
- (2) Development for the following purposes is permitted with development consent—
  - (a) farm buildings,
  - (b) for Lot 1, DP 1001136—a single dual occupancy.

**21 Use of land at 223A Alderson Place, Tralee**

- (1) This clause applies to the part of Lot 2, DP 1039904, 223A Alderson Place, Tralee, that is in Zone C2 Environmental Conservation.
- (2) Development for the purposes of a single dwelling house is permitted with development consent.

**22 Use of certain land at Queanbeyan**

- (1) This clause applies to certain land in Zone C2 Environmental Conservation shown hatched on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of extensive agriculture is permitted with development consent.

**23 Use of certain land adjoining the Goulburn to Bombala Railway Line**

- (1) This clause applies to land adjoining the Goulburn to Bombala Railway Line, identified as “Item 5” on the [Additional Permitted Uses Map](#).
- (2) Development for the following purposes is permitted with development consent—
  - (a) advertising structures,

- (b) hotel or motel accommodation,
- (c) office premises,
- (d) pubs,
- (e) service stations,
- (f) small bars.

#### **24 Use of certain land at Lanyon Drive, Jerrabomberra**

- (1) This clause applies to part of Lot 1, DP 1263364, Lanyon Drive, Jerrabomberra, identified as “Item 6” on the [Additional Permitted Uses Map](#).
- (2) Development for the purposes of a single educational establishment is permitted with development consent.

#### **25 Use of certain land at 1187 and 1241 Old Cooma Road, Googong**

- (1) This clause applies to the following land at Googong—
  - (a) Lot 126, DP 754881, 1187 Old Cooma Road,
  - (b) Lot 2, DP 112382, 1241 Old Cooma Road.
- (2) Development for the purposes of cemeteries is permitted with development consent.

#### **26 Use of certain land in Zone E4**

Development for the purposes of food and drink premises is permitted with development consent on land identified as “Area 7” on the [Additional Permitted Uses Map](#)”.

#### **27 Use of certain land in Zone E3**

Development for the purposes of restaurants or cafes is permitted with development consent on land identified as “Area 8” on the [Additional Permitted Uses Map](#)”.

### **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.



### **A-frame signs relating to properties**

- (1) Must not obstruct access to the premises or property or to adjacent premises or property.
- (2) Maximum display area on each side—1m × 900mm.
- (3) Must be stable.
- (4) Must be temporary and must only be displayed during opening hours.
- (5) Maximum 1 sign per premises or property.
- (6) If it relates to the sale, auction or lease of a property—must only contain directions to the location of the property.

### **Bus shelter advertising**

- (1) Must not extend beyond the perimeter of the bus shelter.
- (2) Maximum 1 advertising panel per bus shelter, but the panel may have an advertisement on each side.
- (3) Must not be illuminated.
- (4) Must be installed by or on behalf of a public authority.

### **Evaporative cooling units—roof mounted**

- (1) Must be for residential uses only.
- (2) Must be located at least 3m from each side boundary.
- (3) Must not be higher than 1.8m above the highest point of the roof of the building on which it is mounted.
- (4) Must be constructed or installed so that the roof remains weather proofed.
- (5) Must not involve work that reduces the structural integrity of the building.
- (6) Must be designed to operate—
  - (a) during peak time—at a noise level at or less than 5dB(A) above the ambient background noise level measured at a property boundary, or
  - (b) during off peak time—at a noise level that is not audible in habitable rooms of adjoining residences.
- (7) If located on bush fire prone land—
  - (a) must be constructed of non-combustible material, and

(b) be adequately sealed or protected to prevent the entry of embers.

- (8) If constructed or installed in a heritage conservation area or a draft heritage conservation area—must be located in the rear yard and must not be visible from a public road.
- (9) Must not be constructed or installed on or in a heritage item.

#### **Farm dams in Zone RU1**

- (1) Must have a way of managing water overflow.
- (2) Must be a minimum of 50m from the boundary of each property.
- (3) Must not involve works within 40m of the bank of a named watercourse.
- (4) Must not contain a spillway more than 1m in height.

#### **Fixed freestanding information signs**

- (1) Must be installed on land in an urban release area.
- (2) Must be installed by or on behalf of the Council.
- (3) Must be installed on land owned or held by the Council.

#### **Note—**

Under the [Roads Act 1993](#), section 138(1)(a), a person must not erect a structure or carry out a work in, on or over a public road otherwise than with the consent of the appropriate roads authority.

- (4) Must not obstruct access to a premises or property or to adjacent premises or property.
- (5) Maximum display area—1.5m high × 1.2m wide.
- (6) Must be removed within 2 years of the day of installation, or a later date agreed to by the Council.

#### **Property identification signs in rural and conservation zones**

- (1) Must be located wholly within the property boundary.
- (2) Maximum display area—1.5m<sup>2</sup> and 2m high.
- (3) Must not cause interference with local traffic conditions or impede the line of sight for traffic.
- (4) Must be erected adjacent to the property entrance.
- (5) Maximum 1 sign per property.

### **Street banners and sails on or over roads**

Must be installed by or on behalf of the Council or Transport for NSW.

## **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**

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>
Nil	

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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Locality</b>	<b>Description</b>	<b>Any trusts etc not discharged</b>
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
Araluen	Former Court House, including garden and Bunya pine	5894 Araluen Road	Lot 21, DP 1141849	Local	11
Araluen	War Memorial (1914-18)	6086 Araluen Road	Lot B, DP 410512	Local	12
Araluen	Roman Catholic Cemetery	136 Catholic Cemetery Road	Lot 1, DP 1119030	Local	13
Araluen	Anglican Cemetery	76 Church of England Cemetery Road	Lot 7009, DP 92828	Local	14
Back Creek	Bentley's Point mining site	1308 Back Creek Road	Lots 26, 100 and 191, DP 755949	Local	15
Ballalaba	Nithsdale homestead, barn, outbuildings and garden	1081 Wallaces Gap Road	Lot 11, DP 852907	Local	16
Bombay	Jinglemoney homestead and weatherboard cottage	619 Farrington Road	Lot 1, DP 1118818	Local	17
Bombay	Eucalyptus still	198 Tally Ho Road; 54 Little Bombay Road; 120 Little Bombay Road	Part of Lot 1, DP 830602; Part of Lot 5, DP 1151647; Part of Lot 2, DP 1151647	Local	18
Bombay	Bombay pipeclay sites and races	198 Tally Ho Road	Part of Lot 1, DP 830602	Local	19

Braidwood	Dwelling house	9 Bowler Street	Lot 27, Section 14, DP 758152	Local	I10
Braidwood	Dwelling house	17 Coghill Street	Lot 2, DP 809425	Local	I11
Braidwood	Cottage	33 Coghill Street	Lot 17, Section 14, DP 758152	Local	I12
Braidwood	Dwelling house, including verandah and garden	1 Coronation Avenue	Lots 6-10, DP 2100	Local	I13
Braidwood	Dwelling house, including verandah	48 Coronation Avenue	Lot 7, Section B, DP 2726	Local	I14
Braidwood	Braidwood Cemetery	Cowper Street	Lot 1, DP 194644; Lots 7301 and 7302, DP 1160871; Lot 1, DP 345157; Lot 1, DP 947748; Lot 13, Section 12, DP 758152; Lot 14, Section 12, DP 758152; Lot 15, Section 12, DP 758152; Lot 16, Section 12, DP 758152; Lot 17, Section 12, DP 758152; Lot 18, Section 12, DP 758152; Lot 19, Section 12, DP 758152	Local	I15
Braidwood	Dwelling house, including stone quoins	51 Cowper Street	Lots 4-5, Section 17, DP 758152	Local	I16
Braidwood	Athol and outbuilding, including verandah and iron picket fence	59 Cowper Street	Lot 11, DP 1008982	Local	I17
Braidwood	Dwelling house	74 Cowper Street	Lot 7, Section 14, DP 758152	Local	I18
Braidwood	Cottage, including verandah and timber fretwork	50 Duncan Street	Lot 2, DP 529841	Local	I19
Braidwood	Cottage	58 Duncan Street	Lot B, DP 160139	Local	I20
Braidwood	Cottage, including door panelling	65 Duncan Street	Lot B, DP 154340	Local	I21

Braidwood	"The Villa"	80 Duncan Street	Lot 3, DP 596527	Local	I22
Braidwood	Former Wesleyan Chapel, including gothic arches, windows and doors	82 Duncan Street	Lot 1, DP 829063	Local	I23
Braidwood	Semi-detached cottage	87 Duncan Street	Lot 2, DP 813921	Local	I24
Braidwood	Semi-detached cottage	89 Duncan Street	Lot 1, DP 813921; Lot 81, DP 1139631	Local	I25
Braidwood	Cottage	91 Duncan Street	Lot 8, DP 1115123	Local	I26
Braidwood	Alf Thorley Automotive Engineering, including pressed metal walling	95 Duncan Street	Lot 2, DP 850984	Local	I27
Braidwood	Cottages	96 Duncan Street	Lot 4, DP 847717	Local	I28
Braidwood	Dwelling house and cottage	97-99 Duncan Street	Lot 1, DP 850984	Local	I29
Braidwood	Dwelling house	110 Duncan Street	Lot B, DP 158059	Local	I30
Braidwood	"Myona"	116 Duncan Street	Lot 12, DP 829963	Local	I31
Braidwood	Cottage	23 Elrington Street	Lot 1, DP 1094114	Local	I32
Braidwood	"The Patch", including box hedges, garden and detailed verandah posts	24 Elrington Street	Lot 3, DP 65952	Local	I33
Braidwood	Cottage, including dormer window and cast iron verandah	25 Elrington Street	Lot 16, Section 10, DP 758152	Local	I34
Braidwood	Dwelling house	29 Elrington Street	Lot 14, Section 10, DP 758152	Local	I35
Braidwood	Dwelling house, including verandah with timber fretwork	31 Elrington Street	Lot B, DP 323905	Local	I36
Braidwood	Dwelling house	33 Elrington Street	Lot A, DP 323905	Local	I37
Braidwood	Dwelling house, including verandah and picket fence	35 Elrington Street	Lot 1, DP 840605	Local	I38
Braidwood	Dwelling house	37 Elrington Street	Lot 1, DP 986731	Local	I39
Braidwood	"Amarsham"	38 Elrington Street	Lot 1, DP 1251272	Local	I40

Braidwood	Cottage	39 Elrington Street	Lot 18, DP 1154315	Local	I41
Braidwood	Dwelling house	45 Elrington Street	Lot 2, DP 869933	Local	I42
Braidwood	St Andrew's Anglican Church, including leadlight windows and belltower gargoyles	47 Elrington Street	Lot 1, DP 869933	Local	I43
Braidwood	"Badgery's Cottage"	48 Elrington Street	Lot B, DP 153324	Local	I44
Braidwood	Masonic Hall	51 Elrington Street	Lot 1, DP 599468	Local	I45
Braidwood	Cottage, including chimneys	63 Elrington Street	Lot 1, DP 568393	Local	I46
Braidwood	Dwelling house	64 Elrington Street	Lot 7, Section 3, DP 758152	Local	I47
Braidwood	Cottage	6 Keder Street	Lot 25, Section 34, DP 758152	Local	I48
Braidwood	Cottage, including 12 pane windows	8 Keder Street	Lot 26, Section 34, DP 758152	Local	I49
Braidwood	Cottage	16 Keder Street	Lot 25, Section 15, DP 758152	Local	I50
Braidwood	Commemorative Poplar avenue	Kings Highway		Local	I51
Braidwood	Braidwood Racecourse, including grandstand and track fencing	6185 Kings Highway	Lot 290, DP 727632	Local	I52
Braidwood	Braidwood Showground, including pavilion, ticket box, canteen, wood-chopping arena, sheep pavilion and arena fencing	6247 Kings Highway	Lot 12, DP 755954	Local	I53
Braidwood	"Berridale", including 12 pane windows	42 Lascelles Street	Lot D, DP 158857	Local	I54
Braidwood	Cottage, including 12 pane windows	47 Lascelles Street	Lot 1, DP 38747	Local	I55
Braidwood	Cottage, including 12 pane windows	49 Lascelles Street	Lot 2, DP 38747	Local	I56

Braidwood	“Hillington”, including 12 pane windows	50 Lascelles Street	Lot 1, DP 794118	Local	157
Braidwood	Cottage	51 Lascelles Street	Lot 3, DP 38747	Local	158
Braidwood	Cottage	53 Lascelles Street	Lot 4, DP 38747	Local	159
Braidwood	Dwelling house, including fretwork bargeboard and verandah detailing	59 Lascelles Street	Lot 1, DP 742058	Local	161
Braidwood	Cottages	60 Lascelles Street	Lot A, DP 157611	Local	160
Braidwood	Cottage	61 Lascelles Street	Lot 1, DP 197933	Local	162
Braidwood	Cottage, including 12 pane windows and finials	62 Lascelles Street	Lot B, DP 157611	Local	163
Braidwood	Cottage, including 12 pane windows	64 Lascelles Street	Lot C, DP 157611	Local	164
Braidwood	Cottage	77 Lascelles Street	Lots 1 and 2, DP 797286	Local	165
Braidwood	“Rose Cottage”	112 Lascelles Street	Lot 12, DP 576767	Local	166
Braidwood	“Ardstrath House” and remnant garden plantings	203 Little River Road	Lot 2, DP 705593	Local	167
Braidwood	Cottage	1 McKellar Street	Lot 21, DP 826283	Local	168
Braidwood	Cottage	12 McKellar Street	Lot 1, DP 65782	Local	169
Braidwood	“The Gables”, including gables and verandah	18 McKellar Street	Lot 2, DP 852560	Local	170
Braidwood	Former Mill Centre	19 McKellar Street and 200 Wallace Street	Lots 1 and 2, DP 846907	State	171
Braidwood	Cottage	33 McKellar Street	Lot 4, DP 1097166	Local	172
Braidwood	“Bedervale”	1/1a and 2/1a Monkittee Street; 78 and 80 Araluen Road	Lots 30–33, DP 1210066	State	173
Braidwood	Former gatekeeper’s cottage	1 Monkittee Street	Lot 1, DP 799533	Local	174
Braidwood	Cottage	15 Monkittee Street	Lot 7, Section 32, DP 758152	Local	175



Braidwood	“Yately”	25-27 Monkittee Street	Lots 1 and 2, Section 32, DP 758152	Local	176
Braidwood	Cottage	35 Monkittee Street	Lot 5, Section 31, DP 758152	Local	177
Braidwood	Cottage, including verandah with timber detailing	51 Monkittee Street	Lot 6, Section 30, DP 758152	Local	178
Braidwood	Cottages	52 Monkittee Street	Lot 22, DP 1023674	Local	179
Braidwood	Dwelling house, including verandah with decorative trim	59 Monkittee Street	Lot 3, Section 30, DP 758152	Local	180
Braidwood	Dwelling house	61 Monkittee Street	Lots 1 and 2, DP 797362	Local	181
Braidwood	Cottage	63 Monkittee Street	Lot 1, Section 30, DP 758152	Local	182
Braidwood	St Andrew’s Uniting Church, including gothic joinery to timber windows and timber finials	68 Monkittee Street	Lot 8, Section 10, DP 758152	Local	183
Braidwood	Cottage	72 Monkittee Street	Lot 1, DP 194131	Local	184
Braidwood	Dwelling house, including leadlight windows, oak profiles and cedar trims	76 Monkittee Street	Lot 1, DP 719449	Local	185
Braidwood	Cottage, including verandah detailing	90 Monkittee Street	Lot 2, DP 563161	Local	186
Braidwood	Cottage	94 Monkittee Street	Lot 1, DP 1048843	Local	187
Braidwood	St Omer homestead, including main fireplace and chimney, plaster ceiling centre rose, 12 pane windows and pressed metal soffit	10586 Nerriga Road	Lot 4, DP 790531	Local	188
Braidwood	“Bunn Cottage”, including external features of building	11210 Nerriga Road	Lot 41, DP 755954	Local	189

Braidwood	“Doncaster Hotel”	1 Park Lane	Lots 1 and 2, DP 219650	Local	I90
Braidwood	Former Beehive stores	3 Park Lane	Lot 11, DP 630272	Local	I91
Braidwood	Cottage, including verandah and remnant iron lacework	5 Park Lane	Lot 10, DP 630272	Local	I92
Braidwood	“Hawthorn Hollow”, including verandah	7A Park Lane	Lot 1, DP 1275346	Local	I93
Braidwood	“Calderwood”	18 Park Lane	Lot 2, DP 1029125	Local	I94
Braidwood	Cottage	45 Ryrie Street	Lot 1, DP 817348	Local	I95
Braidwood	“Tidmarsh”, including dormers and verandah with timber valance	50 Ryrie Street	Lot 1, DP 209874; Lot 10, DP 1102342	Local	I96
Braidwood	“Arcona”	60 Ryrie Street	Lot 1, DP 712453	Local	I97
Braidwood	Mount Gillamatong	245 and 247 Sandholes Road	Lots 11 and 12, DP 1037053; Lot 487, DP 823488	Local	I98
Braidwood	Dwelling house and 2 slab outbuildings	3 Solus Street	Lot 2, DP 1029102	Local	I99
Braidwood	Cottage	5 Solus Street	Lot 1, DP 795425	Local	I100
Braidwood	Dwelling house	14 Solus Street	Lots 7-10, Section 6, DP 758152	Local	I101
Braidwood	War Memorial	Intersection of Wallace and Wilson Streets	Road reserve	Local	I102
Braidwood	Rock outcrops	7-13 Wallace Street, 8 Araluen Street and 42 Cowper Street	Lot 1, DP 1129342; Lots 11 and 12, DP 605235; Lot 2, DP 625654; Lot 1, Section 12 and Lots 8 and 9, Section 13, DP 758152	Local	I103
Braidwood	Cottage, including well	14 Wallace Street	Lot 3, Section 12, DP 758152	Local	I104
Braidwood	Cottage	16 Wallace Street	Lots 4 and 5, Section 12, DP 758152	Local	I105
Braidwood	Cottage	21 Wallace Street	Lot 1, DP 732815	Local	I106

Braidwood	Cottage	22 Wallace Street	Lot 7, Section 12, DP 758152	Local	I107
Braidwood	Cottage	25 Wallace Street	Lot 16, Section 13, DP 758152	Local	I108
Braidwood	Former shop	27 Wallace Street	Lot 17, Section 13, DP 758152	Local	I109
Braidwood	Former hotel	30 Wallace Street	Lot 11, DP 1109798	Local	I110
Braidwood	Former store	35 Wallace Street	Lot 14, Section 34, DP 758152	Local	I111
Braidwood	“Chez Nous”	39 Wallace Street	Lot 2, DP 1149369	Local	I112
Braidwood	Stone building	42 Wallace Street	Lot 6, Section 11, DP 758152	Local	I113
Braidwood	Shop and associated buildings	50 Wallace Street	Lot 8, DP 1138990	Local	I114
Braidwood	Former Criterion Gallery	56 Wallace Street	Lot 1, DP 70806	Local	I115
Braidwood	Shops and residences	68-70 Wallace Street	Lot 1, DP 780651	Local	I116
Braidwood	Former Weiby’s Shop	72 Wallace Street	Lot 1, DP 784306	Local	I117
Braidwood	Former Avonhurst Gallery, including decorative parapet	78 Wallace Street	Lot 1, DP 744550	Local	I118
Braidwood	Nomchong shops	80 Wallace Street	Lot B, DP 151504	Local	I119
Braidwood	St Bede’s Catholic Church and Presbytery, including bell tower, grave and cast iron picket fence	83 Wallace Street	Lots 6-8, DP 113033	Local	I120
Braidwood	Hannah Fyre Gallery and residence	84 Wallace Street	Lot 1, DP 711583	Local	I121
Braidwood	Shop and residence, including rear outbuildings	91 Wallace Street	Lot 14, DP 75439	Local	I122
Braidwood	National Theatre, including facade and entry	100 Wallace Street	Lot 2, DP 212019	Local	I123
Braidwood	Braidwood Bakery	101 Wallace Street	Lot 1, DP 1141292	Local	I124

Braidwood	Commercial premises, including rear outbuildings and gardens	102 Wallace Street	Lot 1, DP 797181	Local	I125
Braidwood	Corner shop	114 Wallace Street	Lot 25, DP 1102366	Local	I126
Braidwood	Former shop	116 Wallace Street	Lot 5, DP 38769	Local	I127
Braidwood	Albion Hotel, adjoining shops and stables	119 Wallace Street	Lot 1, DP 598830	State	I128
Braidwood	Commercial premises	121 Wallace Street	Lot 1, DP 995410	Local	I129
Braidwood	Restaurant and former bakery	123 Wallace Street	Lot 1, DP 784958	Local	I130
Braidwood	Commercial premises	124-126 Wallace Street	Lot 9, DP 629625	Local	I131
Braidwood	Commercial premises	125 Wallace Street	Lot 1, DP 713618	Local	I132
Braidwood	2-storey shop	130 Wallace Street	Lot 1, DP 198353	Local	I133
Braidwood	Commercial premises	132-134 Wallace Street	Lot 1, DP 736314	Local	I134
Braidwood	Former hotel, including verandah and cast iron lacework	133 Wallace Street	Lot 1, DP 1208847	Local	I135
Braidwood	Commercial premises	138 Wallace Street	Lot 2, DP 790199	Local	I136
Braidwood	Shops, including verandah and cast iron lacework	139 Wallace Street	Lot 1, DP 799427	Local	I137
Braidwood	2-storey former Victorian shop	141 Wallace Street	Lot 1, DP 1016978	Local	I138
Braidwood	2-storey former Victorian shop, including verandah, cast iron lacework and leadlight windows	143 Wallace Street	Lot A, DP 152313	Local	I139
Braidwood	Council Chambers Literary Institute	144 Wallace Street	Lots 32 and 34, Section 5, DP 758152	Local	I140
Braidwood	Royal Mail Hotel	145 Wallace Street	Lot 1, DP 1014250	Local	I141

Braidwood	Ryrie Park Pavilion, including finial	147 Wallace Street (Ryrie Park)	Lot 7300, DP 1153930	Local	I142
Braidwood	Post Office, residence and outbuilding	154 Wallace Street	Lot 12, DP 1017257	Local	I143
Braidwood	Court House	170 Wallace Street	Lot 7004, DP 1020633	Local	I144
Braidwood	Police residences	172-174 Wallace Street	Lots 1 and 2, DP 1153688	Local	I145
Braidwood	Braidwood Hotel, including verandah and cast iron lacework	180 Wallace Street	Lot 1, DP 711400	Local	I146
Braidwood	Former Australian Joint Stock Bank	185 Wallace Street	Lot 1, DP 1039618	Local	I147
Braidwood	Braidwood District Historical Society Museum	186 Wallace Street	Lot 1, DP 86338	State	I148
Braidwood	Former restaurant, including corner entrance	202 Wallace Street	Lot 1, DP 852560	Local	I149
Braidwood	Dwelling house	222 Wallace Street	Lot 1, DP 195098	Local	I150
Braidwood	Cottage	224 Wallace Street	Lot 1, DP 1028900	Local	I151
Braidwood	Cottage	226 Wallace Street	Lot 1, DP 770283	Local	I152
Braidwood	School buildings—1878 headmaster's residence, 1854 classroom, including timber fretwork brackets and picket fence	9 Wilson Street	Lots 18-20, Section 5, DP 758152	Local	I153
Braidwood	Dwelling house	33 Wilson Street	Lot 1, DP 325274	Local	I154
Braidwood	Cottage	35 Wilson Street	Lot 2, DP 325274	Local	I155
Braidwood	Cottage	37 Wilson Street	Lot 4, Section A, DP 2726	Local	I156

Braidwood	Dwelling house, including outbuilding, fretwork bargeboards and round head windows	47 Wilson Street	Lot 1, DP 1144110	Local	I157
Braidwood	Dwelling house, including verandah with timber detailing	53 Wilson Street	Lot 1, DP 609431	Local	I158
Braidwood	Dwelling house, including double story verandah with ornate fretwork	58 Wilson Street	Lot 3, DP 1114513	Local	I159
Braidwood	Cottage	60 Wilson Street	Lot 1, DP 783434	Local	I160
Braidwood	Former Church of England Rectory, including garden	62 Wilson Street	Lot 2, DP 706093	Local	I161
Braidwood	Church of England Hall, including pressed metal cladding	68 Wilson Street	Lot 4, DP 582379	Local	I162
Braidwood	Cottage	70 Wilson Street	Lot 1, DP 714762	Local	I163
Braidwood	Cottage	73 Wilson Street	Lots 2 and 3, DP 741184	Local	I164
Braidwood	Cottage	74 Wilson Street	Lot 1, DP 799844	Local	I165
Braidwood	Dwelling house, including decorative fretwork bargeboard	75 Wilson Street	Lot 1, DP 633530	Local	I166
Bungendore	Cottage	9 Butmaroo Street	Lot 1, DP 1261761	Local	I167
Bungendore	St Philip's Anglican Church, including stained glass windows and 4 gargoyles	19-23 Butmaroo Street	Lot 3, Section 10, DP 758183	Local	I168
Bungendore	Church hall, including decorative treatments	29 Butmaroo Street	Lot 1, Section 10, DP 758183	Local	I169
Bungendore	Former St Johns Uniting Church	48 Butmaroo Street	Lot 1, DP 1172336	Local	I170
Bungendore	Weatherboard cottage	54 Butmaroo Street	Lot 1, DP 1249941	Local	I171

Bungendore	Rendered cottage, including iron columns on verandah	65 Butmaroo Street	Lot 2, DP 717190	Local	I172
Bungendore	P.J.B. Osborne Memorial Fountain	Corner of Butmaroo and Gibraltar Streets	Road reserve adjacent to Lot 701, DP 1027107	Local	I173
Bungendore	Corner shop	42 Ellendon Street	Lot 1, DP 788661	Local	I174
Bungendore	Dwelling house	62 Ellendon Street	Lot 1, DP 612225	Local	I175
Bungendore	Stone dwelling house	64 Ellendon Street	Lot 2, DP 612225	Local	I176
Bungendore	"St Michael"	71 Ellendon Street	Lot 2, Section 1, DP 976608	Local	I177
Bungendore	Weatherboard cottage	78 Ellendon Street	Lot 10, Section 2, DP 976608	Local	I178
Bungendore	"Thornleigh"	21 Forster Street	Lot 1, DP 709437	Local	I179
Bungendore	Weatherboard cottage	38 Forster Street	Lot 15, Section 2, DP 976608	Local	I180
Bungendore	Weatherboard cottage	40 Forster Street	Lot 3, DP 1228105	Local	I181
Bungendore	Bungendore Soldiers Memorial	Gibraltar Street	Lot 701, DP 1027107	Local	I197
Bungendore	Railway station, rail yard and ancillary buildings	Gibraltar Street	Lot 4, DP 830878; Lots 1 and 2, DP 814518 and railway land to the south along Majara Street to Rutledge Street	State	I200
Bungendore	Former stone barn	5 Gibraltar Street	Lot 22, DP 584107	Local	I182
Bungendore	"Duart", including windows and door	10 Gibraltar Street	Lot 14, Section 1, DP 758183	Local	I183
Bungendore	Brick dwelling house	11 Gibraltar Street	Lot 4, Section 11, DP 758183	Local	I184
Bungendore	Single-storey shop	12 Gibraltar Street	Lot 1, DP 827246	Local	I185
Bungendore	"Strathmore", including iron columns, balustrade and frieze	13 Gibraltar Street	Lot 1, DP 817205	Local	I186
Bungendore	2-storey stone shop	18 Gibraltar Street	Lot 22, DP 800525	Local	I187

Bungendore	Royal Hotel, including iron lacework	34 Gibraltar Street	Lot 14, DP 774930	Local	I188
Bungendore	CWA building	40 Gibraltar Street	Lot 17, Section 2, DP 758183	Local	I189
Bungendore	Stone stables	42 Gibraltar Street	Lot 20, DP 852614	Local	I190
Bungendore	Court House	45 Gibraltar Street	Lot 1, Section 9, DP 758183	Local	I191
Bungendore	Police residence, including windows and arched lintels	45-49 Gibraltar Street	Lot 7303, DP 1153763	Local	I192
Bungendore	Post Office and shop	55 Gibraltar Street	Lot 16, DP 608516	Local	I193
Bungendore	School of Arts	57 Gibraltar Street	Lot 4, Section 9, DP 758183	Local	I194
Bungendore	Public school—original buildings	59-65 Gibraltar Street	Lot 2, Section 9, DP 758183	Local	I195
Bungendore	Former stone barn	82 Gibraltar Street	Lot 13, DP 629788	Local	I196
Bungendore	“Woodlands”, including cast iron verandahs, finials and bargeboard	660 Hoskinstown Road	Lot 118, DP 754893	Local	I198
Bungendore	Bungendore Stationmaster’s cottage	16 Majara Street	Lot 1, DP 814518	Local	I199
Bungendore	“Karingal”, including decorative verandah trim and weatherboard cladding	6-8 Malbon Street	Lot 4, DP 1062845	Local	I201
Bungendore	Dwelling house, including verandah	9 Malbon Street	Lot 11, DP 840692	Local	I202
Bungendore	Dwelling house	10 Malbon Street	Lot 1, DP 1062845	Local	I203
Bungendore	Dwelling house, including bargeboards and fireplaces	12 Malbon Street	Lot 4, DP 1204393	Local	I204
Bungendore	Cottage	14 Malbon Street	Lot 1, DP 1198404	Local	I205
Bungendore	Former Carrington Inn, including brickwork	21 Malbon Street	Lot 11, Section 24, DP 758183	Local	I206



Bungendore	Village Square, including complex of buildings	23-25 Malbon Street	Lot 1, DP 1074821	Local	I207
Bungendore	Weatherboard cottage	29 Malbon Street	Lot 1, DP 199874	Local	I208
Bungendore	Inter-war weatherboard cottage	36 Malbon Street	Lot 15, Section 10, DP 758183	Local	I209
Bungendore	Weatherboard cottage	53 Malbon Street	Lot 4, DP 949519	Local	I210
Bungendore	Weatherboard Federation cottage, including verandahs, chimneys and windows	68 Malbon Street	Lot 1, DP 714417	Local	I211
Bungendore	"Auverne"	119 Millpost Lane	Lots 180 and 205, DP 754893	Local	I212
Bungendore	"Millpost", including dairy/meat house	312 Millpost Lane	Lots 14 and 121, DP 754893	Local	I213
Bungendore	Cottage, including bush pole posts and roof structure	15 Modbury Street	Lot 19, Section 4, DP 758183	Local	I214
Bungendore	"Deniston", including verandah	16 Molonglo Street	Lot 2, DP 807552	Local	I215
Bungendore	Former Beehive Hotel, including chimneys and french doors	22 Molonglo Street	Lot 42, DP 587972; Lot 1, DP 731702	Local	I216
Bungendore	Former Commercial Bank	23 Molonglo Street	Lot 9, Section 12, DP 758183	Local	I217
Bungendore	"Elms Villa"	41 Molonglo Street	Lot 2, Section 12, DP 758183	Local	I218
Bungendore	Brick semi-detached cottages	45 Molonglo Street	Lots A and B, DP 150816	Local	I219
Bungendore	Dwelling house	3 Rutledge Street	Lot 1, DP 884309	Local	I220
Bungendore	Former doctor's house, including leadlight windows	21 Rutledge Street	Lot 3, DP 1061391	Local	I221
Bungendore	Cottage	32 Rutledge Street	Lot 1, DP 1050568	Local	I222

Bungendore	Weatherboard cottage, including internal pressed tin panelling	35 Rutledge Street	Lot 5, DP 809730	Local	I223
Bungendore	"The Atelier", including verandah and frieze	47 Rutledge Street	Lot 13, DP 236634	Local	I224
Bungendore	Cottage	55 Rutledge Street	Lot 7, Section 3, DP 976608	Local	I225
Bungendore	"Elmslea", including leadlighting and art deco glazing	80 Tarago Road	Lot 21, DP 1176100	Local	I226
Bungendore	"Ashby", including outbuildings	175 Tarago Road	Lot 1, DP 794724	Local	I227
Bungendore	"Mingarry"	307 Tarago Road	Lot 2, DP 880087	Local	I228
Bungendore	"Werriwa", including gardens and outbuildings	866 Tarago Road	Lot 1, DP 1039100; Lot 1, DP 1173605	Local	I229
Bundendore	Bungendore Common	Turallo Terrace	Lot 701, DP 96238; Lot 701, DP 96239; Lot 701, DP 96240; Lot 1, DP 46300	Local	I231
Bungendore	Weatherboard cottage	7 Turallo Terrace	Lot 6, Section 1, DP 758183	Local	I230
Bungendore	Catholic Presbytery	26-28 Turallo Terrace	Lot 7, Section 15, DP 758183	Local	I232
Bungendore	Weatherboard cottage	29 Turallo Terrace	Lot 6, Section 2, DP 758183	Local	I233
Bungendore	St Mary's Catholic Church	30 Turallo Terrace	Lot 8, Section 15, DP 758183	Local	I234
Bungendore	Roman Catholic Church Hall	32 Turallo Terrace	Lot 9, Section 15, DP 758183	Local	I235
Bungendore	Old Royal Inn	33 Turallo Terrace	Part of Lot 1, DP 1246680	Local	I236
Bungendore	"Birchfield"	34 Turallo Terrace	Lot 1, DP 882770	Local	I237
Bungendore	Former St Joseph's Convent	52 Turallo Terrace	Lot 3, DP 1007969	Local	I238
Bungendore	Railway signalman's cottage	63 Turallo Terrace	Lot 1, DP 814520	Local	I239

Bungendore	Preschool	64 Turallo Terrace	Lots 8 and 9, Section 16, DP 758183	Local	I240
Burra	Old Burra Schoolhouse	1196 Burra Road	Lot 167, DP 727590	Local	I241
Burra	Burra Station boundary marker	114 and 116 Keewong Lane	Lots 1 and 2, DP 1238169	Local	I242
Bywong	Bywong Gold Mining Town, including numerous corrugated iron, timber and pise buildings, several battery stampers, a poppet head, a stone lined well and a horse whim	35 Bywong Town Road	Lots 2, 3 and 4, DP 726680; Lots 268 and 269, DP 726679; Lot 1, DP 754873; Lots 118 and 119, DP 754873; Lots 1-7, Section 1, DP 758209; Lots 1-7, Section 2, DP 758209; Lots 1-8, Section 3, DP 758209; Lots 1-11, Section 4, DP 758209	Local	I243
Bywong	Johnstons Battery	21 Schofield Road	Lot 1, DP 252132	Local	I244
Captains Flat	Captains Flat Hospital	1 Blatchford Street	Lot 165, DP 754866	Local	I245
Captains Flat	Captains Flat Cemetery	Captains Flat Road	Lots 7013-7016, DP 1126795; Lots 7301 and 7302, DP 1143521	Local	I247
Captains Flat	Captains Flat railway goods shed, weighbridge, gantry and turntable	1 Captains Flat Road	Railway land adjacent to Lots 155, 194 and 319, DP 754870; Lot 1, DP 189797; Part of Lot 4424, DP 1217099; Lot 4425, DP 1217100	Local	I263
Captains Flat	Former railway station	1 Captains Flat Road	Lot 1, DP 189797 and adjacent land	Local	I246
Captains Flat	Former Station Masters residence	2 Copper Creek Road	Lot 1, DP 572636	Local	I248
Captains Flat	"Roscommon"	8 Copper Creek Road	Lot 2, DP 369062; Lot 192, DP 754870	Local	I249

Captains Flat	Bills' Trough, including granite plaque and dog water bowl	Foxlow Street	Road reserve adjacent to Lot C, DP 321861	Local	I250
Captains Flat	"The Bollard House"	2 Foxlow Street	Lot 254, DP 754870	Local	I251
Captains Flat	Captains Flat Hotel, including bar	51 Foxlow Street	Lots 71 and 117, DP 754870	Local	I252
Captains Flat	Captains Flat Community Centre	53 Foxlow Street	Lot 78, DP 754870	Local	I253
Captains Flat	Former Captains Flat Post Office	55 Foxlow Street	Lot 2, DP 585090	Local	I254
Captains Flat	Captains Flat Miners Memorial, including 4 dioramas and a jenny wheel	65 Foxlow Street	Lot C, DP 321861	Local	I255
Captains Flat	Shop	70-78 Foxlow Street	Lot 3, DP 786505	Local	I256
Captains Flat	"The Outsider"	86 Foxlow Street	Lot B, DP 396566	Local	I257
Captains Flat	Captains Flat Police Station	178 Foxlow Street	Lot 3, DP 667593	Local	I258
Captains Flat	Former RSL Club	212-241 Foxlow Street	Lots 6 and 7, Section 6, DP 758223	Local	I259
Captains Flat	Captains Flat Public School—original buildings	14 Montgomery Street	Lots 12 and 14, Section 1, DP 758223	Local	I260
Captains Flat	Miner's cottage	1 Mulga Street	Lot 56, DP 216396	Local	I261
Captains Flat	Miner's cottage	11 Mulga Street	Lot 7, Section 2, DP 185452	Local	I262
Captains Flat	Lake George Mine, including smelter site, mine processing sites, railway precinct, Fosters Gulley and Keatings Collapse	5 Old Mines Road	Lot 2, DP 229690; Lot 1, DP 222274; Lot C, DP 172630; Lot 319, DP 754870; Lot 2, DP 1033184 and adjacent Crown land	Local	I264
Carwoola	Carwoola homestead	1701 Captains Flat Road	Lot 30, DP 596573	State	I267
Carwoola	Burbong homestead	6547 Kings Highway	Lot 1, DP 956848	Local	I266
Carwoola	Homestead	149 Wanna Wanna Road	Lot 16, DP 259432	Local	I265

Charleys Forest	Ah Hak's Diggings, including tailings mounds	669 Charleys Forest Road	Lot 217, DP 720152; Lot 7307, DP 1147845	Local	I268
Collector	Winderadeen homestead, outbuildings and garden	5178 Federal Highway	Lot 5, DP 717984	Local	I269
Currawang	Cooper's Vault	1197 and 1235 Collector Road	Lot 131, DP 750056; Lot 11, DP 754919	Local	I270
Currawang	"Willeroo", including outbuildings	1235 Collector Road	Lot 11, DP 754919	Local	I271
Currawang	"Telegraph Hill", including windows	2407 Currawang Road	Lot 6, DP 76748	Local	I273
Currawang	"Currawang House", including doors and pigsty	2508 Currawang Road	Lot 3, DP 874516	Local	I274
Currawang	Currawang Mine	2508 Currawang Road	Lot 11, DP 800267	Local	I275
Currawang	St Matthias' Anglican Church	2535 Currawang Road	Lot 81, DP 1140664	Local	I272
Currawang	"Baxter's House"	2667 Currawang Road	Lot 1, DP 775837	Local	I276
Currawang	"Ivanhoe"	189 Telegraph Hill Road	Lot 169, DP 750013	Local	I277
Durran Durra	Wattle Park homestead	9618 Nerriga Road	Lot 144, DP 755932	Local	I278
Environa	Stone faced brick building	360A Lanyon Drive	Part of Lot 1, DP 1271857	Local	I279
Farrington	Mt Elrington homestead, outbuildings and garden, including doors and verandahs	312 Mt Elrington Road	Lot 31, DP 1055709	Local	I280
Farrington	Lowden Forest Park	Tallanganda State Forest	Part of Lot 5771, DP 1198500	State	I281
Googong	Shearing shed complex	36 Googong Road and 60 Weatherstone Circuit	Part of Lot 13, DP 1266001; Part of Lot 2, DP 1231713	Local	I282
Googong	McCawley "Sunset" homestead complex	141 Googong Road	Lot 2, DP 255492	Local	I285

Googong	Mount Campbell	1260 Old Cooma Road	Lot 18, DP 270301	Local	I283
Googong	St Paul's Church of England	1290 Old Cooma Road	Lot 1, DP 151940	Local	I284
Harolds Cross	Ballalaba Barn	6271 Captains Flat Road	Lot 41, DP 883226	Local	I286
Hoskinstown	"The Briars" cemetery	137 Briars Sharrow Road	Lot 1, DP 814804	Local	I287
Hoskinstown	"The Briars", including 2 dwelling houses and glass doors	187 Briars Sharrow Road	Lot 100, DP 1228612; Part of Lot 101, DP 1228612	Local	I288
Hoskinstown	St Mark's Anglican Church, including 10 pews and cemetery	73 Forbes Creek Road	Lot 88, DP 754895	Local	I289
Hoskinstown	Molonglo Observatory Synthesis Telescope	1152 Hoskinstown Road	Lots 1, 2 and 5, DP 216202	Local	I290
Hoskinstown	"Hoskins Place"	1692 Hoskinstown Road	Lot 48, DP 231519	Local	I291
Hoskinstown	Hoskinstown Memorial Hall	1697 Hoskinstown Road	Lot 2, DP 190698	Local	I292
Hoskinstown	Former post office	1712 Hoskinstown Road	Lot 1, DP 864389	Local	I293
Hoskinstown	Victoria Hotel	1753 Hoskinstown Road	Lot 1, DP 904441	Local	I294
Hoskinstown	St Peter and St Paul's Catholic Church, including cemetery	1786 Hoskinstown Road	Lot 41, DP 664584	Local	I295
Jembaicumbene	Chinese Cemetery	254 Majors Creek Road	Lot 2, DP755911	Local	I297
Jembaicumbene	Former steam flour mill, including stables and shearing shed	1/660 Majors Creek Road	Lot 1, DP 1234825	Local	I296
Jembaicumbene	Exeter Farm homestead and outbuildings, including kitchen and servants' quarters	662 Majors Creek Road	Lot 106, DP 755934	Local	I298

Jembaicumbene	Belle Vue homestead and outbuildings	665 Majors Creek Road	Lot 1, DP 1104271	Local	I299
Jembaicumbene	Bells Paddock Dredge site, including remains of equipment and 3 dredges	665 Majors Creek Road	Lot 1, DP 125724	Local	I300
Jembaicumbene	Upper Jembaicumbene Dredge site, including remains of dredging machinery	665 Majors Creek Road	Lot 1, DP 1104271	Local	I301
Jembaicumbene	Lower Jembaicumbene Dredge sites, including 2 dredge pontoons	666 Majors Creek Road	Lot 2, DP 1134457; Lot 2, DP 1234825	Local	I302
Jembaicumbene	Durham Hall homestead and garden, including outbuildings	666 Majors Creek Road	Lot 2, DP 1134457	Local	I303
Jerrabomberra	Mount Jerrabomberra	Jerrabomberra Hill Road	DP 17204; DP 17205; DP 17206; Lots 1, 2 and 4, DP 595527; Lot 536, DP 8708; Lot 4, DP 727499; Lot 186, DP 811146; Part of Lot 357, DP 864750; Lot 7003, DP 1027105; Lot 872, DP 1060706; Lot 68, DP 1067568; Lot 1, DP 1215591	Local	I304
Krawarree	Boiler site	5810 Cooma Road	Lot 54, DP 752141	Local	I305
Lake George	"Currandooley", including stables and garden	Currandooley Road	Lot 11, DP 237079	Local	I306
Larbert	Durrar Durra Ruin	1170 Euradux Road	Lot 2, DP 755932	Local	I307
Larbert	"La Vista", including doors and outbuildings	212-288 Larbert Road	Lot 67, DP 755915	Local	I308
Larbert	Khama-lea homestead and outbuildings	212-288 Larbert Road	Lots 10 and 11, DP 806191	Local	I309

Larbert	"Amprior"	603 Mayfield Road	Lot 1, DP745022; Lot 7, Section 12, DP 758602; Lot F, DP 382901; Lots G and H, DP 393436; Lot 158, DP 754892	State	I310
Majors Creek	Cemetery, including monuments	103 and 105 Berlang Forest Road	Lot 1, DP 1105069; Lot 1, DP 1105070; Lot 1, DP 105071; Lot 1, DP 1105072; Lot 7303, DP 1148082; Lot 7304, DP 1148082; Lot 7318, DP 1167097	Local	I311
Majors Creek	St Stephen's Anglican Church, including leadlight windows, pews and pulpit	16 Hill Street	Lot 7, Section 15, DP 758636.	Local	I312
Majors Creek	Majors Creek Road Bridge	Majors Creek Road	Adjacent to Lot 106, DP 1170553	Local	I313
Majors Creek	Chlorination works, including remains of various buildings and structures	920 Majors Creek Road	Lot 102, DP 1170553	Local	I314
Majors Creek	Elrington Hotel	2 Seymour Street	Lot 4, Section 18, DP 758636	Local	I315
Manar	"Manar House", outbuildings and garden	306 Manar Road	Lot 3, DP 1060430; Part of Lot 2, DP 1154119; Part of Lots 3-5, DP 1255949	Local	I316
Marlowe	Charleyong Bridge over Mongarlowe River	Nerriga Road		Local	I317
Marlowe	Marlow Village and cemetery, including remains of several buildings	9127 Nerriga Road	Lot 2, DP 832458	Local	I318



Mayfield	Limekilns, Limekilns 1-4 mining sites and race system, including remains of buildings and Limekilns homestead and outbuildings	1200 Mayfield Road	Lot 1, DP 868299	Local	I319
Mayfield	Limekilns, Limekilns 1-4 mining sites and race system, including remains of buildings	1458 Mayfield Road	Lot 2, DP 868299	Local	I320
Mayfield	"Mayfield"	1746 Mayfield Road	Lots 6, 12, 35, 36, 43, 49, 63-65, 101, 102, 117, 118 and 120, DP 754892; Lot 13, DP 709322	State	I321
Mayfield	"Virginia"	495 Stewarts Crossing Road	Lot 1, DP 743169; Lot 133, DP 754892	State	I322
Mongarlowe	Tantulean Creek workings and races	Back Creek Road	Lot 200, DP 755918	Local	I325
Mongarlowe	Half Moon Mining sites	Half Moon Road	Lots 1, 2, 20, 21 and 53, DP 755949; Lot 7302, DP 1148198; Lot 216, DP 720152	Local	I326
Mongarlowe	Half Moon Farm House	196 Half Moon Road	Lot 1, DP 1010279	State	I327
Mongarlowe	Feagan's Creek settlements	341 and 411 Half Moon Road	Lots 218 and 219, DP 720153; Lot 52, DP 755949	Local	I328
Mongarlowe	Chinese Cemetery	Little River Road	Lot 134, DP 755918	Local	I329
Mongarlowe	Mongarlowe River Bridge	Little River Road	Adjacent to Lot 1, DP 875181	Local	I323
Mongarlowe	"The Huts"	1313 Little River Road	Lot 231, DP 755918	Local	I324
Mongarlowe	Chinese Joss House site	1313 Little River Road	Lot 1, DP 875181	Local	I330
Mulloon	Palerang homestead and Palerang Cottage, including garden and outbuildings	154 Hazeldell Road	Lot 2, DP 1046553	Local	I331

Mulloon	Currency Lass Hotel and outbuildings	369 Hazeldell Road	Lot 1, DP 1046553	Local	I332
Mulloon	Hyland's Cemetery, including headstones adjacent to vault	369 Hazeldell Road	Lot 1, DP 1046553	Local	I333
Mulloon	Former cold store	369 Hazeldell Road	Lot 1, DP 1046553	Local	I334
Mulloon	Scott Family Cemetery	3585 Kings Highway	Lot 119, DP 754897	Local	I335
Mulloon	Mulloon Copper Mines and Smelter, including hut sites	3585 Kings Highway	Lots 10 and 11, DP 1081634	Local	I336
Nerriga	Foot bridge	Nerriga Road	Road reserve adjacent to Lot 149, DP 726675	Local	I338
Nerriga	Commercial Hotel	6124 Nerriga Road	Lot 5, DP 1109042	Local	I339
Nerriga	Roman Catholic Cemetery	6221 Nerriga Road	Lot 99, DP 755944	Local	I340
Nerriga	Phoenix Mines, including remains of buildings	332 Old Timberlight Road	Lot 133, DP 755944	Local	I341
Nerriga	Timberlight Mines	617 Old Timberlight Road	Lot 7304, DP 1148363; Lot 55, DP 755944	Local	I342
Nerriga	Timberlight Village, including remains of huts	617 Old Timberlight Road	Lot 7305, DP 1148363; Lots 53 and 55, DP 755944	Local	I343
Nerriga	Anglican Cemetery	20 Willow Forest Road	Lot 7007, DP 1031116	Local	I337
Oallen	Jerricknorra Creek inverted siphon	7292 Nerriga Road	Lot 4, DP 755940	Local	I345
Oallen	Corang Water Race	482 and 668 Oallen Road; 78 and 149 Welcome Reef Road; 7292 Nerriga Road; 519 Corang Post Office Road; and Crown Land	Lots 331 and 332, DP 1016930; Lots 111 and 112, DP 1055010; Lots 4, 24 and 37, DP 755940; Lot 161, DP 874279	Local	I344
Primrose Valley	St Thomas Anglican Church, including cemetery	1909 Captains Flat Road	Lot 1, DP 955120	Local	I346

Primrose Valley	Foxlow Bridge	Hoskinstown Road	Road reserve adjacent to Lot 162, DP 754910	Local	I347
Queanbeyan	Dwelling house	5 Albert Street	Lots 11 and 12, DP 38054	Local	I348
Queanbeyan	Cottage	2 Alice Street	Lot 29, DP 13806	Local	I349
Queanbeyan	Cottage	4 Alice Street	Lot 30, DP 13806	Local	I350
Queanbeyan	Cottage	6 Alice Street	Lot 31, DP 13806	Local	I351
Queanbeyan	Cottage	9 Alice Street	Lot 44, DP 13806	Local	I352
Queanbeyan	Dwelling house	12 Alice Street	Lot 2, DP 1095519	Local	I353
Queanbeyan	Cottage	30 Atkinson Street	Lot A, DP 164331	Local	I354
Queanbeyan	Cottage	38 Atkinson Street	Lot B, DP 367816	Local	I355
Queanbeyan	Dwelling house	57 Atkinson Street	Lot 1, DP 513431	Local	I356
Queanbeyan	"Coroda"	58 Atkinson Street	Lot 3, DP 587190	Local	I357
Queanbeyan	"Sir Murray Tyrrell's Cottage"	11 Blundell Street	Lot 17, DP 548458	Local	I358
Queanbeyan	"Cantle Cottage"	3 Booth Street	Lot 9, Section 19, DP 758862	Local	I359
Queanbeyan	"Gabriel's Cottage"	26 Booth Street	Lot 4, DP 224371	Local	I360
Queanbeyan	Cottage	21 Buttle Street	Lot 1, DP 150744	Local	I361
Queanbeyan	Dwelling house	49 Cameron Road	Lot 2, DP 215849	Local	I362
Queanbeyan	Dwelling house	55 Cameron Road	Lot 13, Section C, DP 7491	Local	I363
Queanbeyan	Duplex	57-59 Cameron Road	Lots A and B, DP 351079	Local	I364
Queanbeyan	Dwelling house	61 Cameron Road	Lot 11, Section C, DP 7491	Local	I365
Queanbeyan	Dwelling house known initially as "Mimosa" and now as "Karabar"	71 Cameron Road	Lot 421, DP 553344	Local	I366
Queanbeyan	"Karawee"	50 Canberra Avenue	Part of Lot 1, DP 1256702	State	I415
Queanbeyan	"The Grotto"	Riverside Oval, 14-22 Carinya Street	Part of Lot 100, DP 1194186	Local	I367
Queanbeyan	Dwelling house	23 Carinya Street	Lot 1, DP 220459	Local	I368

Queanbeyan	Mill and Millhouse	55-57 Collett Street	Lots 11 and 12, DP 815597	State	I369
Queanbeyan	"Hibernia Lodge"	69 Collett Street	Lot 1, DP 349095	State	I370
Queanbeyan	Cottage	72 Collett Street	Lot 1, DP 714734	Local	I371
Queanbeyan	Old Queanbeyan Hospital—Rusten House	87 Collett Street	Part of Lot 2, DP 1203239	State	I372
Queanbeyan	Greek Orthodox Church	120 Collett Street (northeast corner of Campbell and Collett Streets)	Lot 63, DP 754907	Local	I373
Queanbeyan	Remnant dwelling house	126 Collett Street	Lot 18, Section A, DP 7255	Local	I374
Queanbeyan	Remnant dwelling house	145 Collett Street	Lot 27, Section B, DP 7255	Local	I375
Queanbeyan	Cottage	5 Collins Street	Lot 18, Section A, DP 13427	Local	I376
Queanbeyan	Dwelling house	22 Collins Street	Lot 3, Section B, DP 13427	Local	I377
Queanbeyan	Remnant dwelling house	46 Cooma Street	Lot 49, DP 32640	Local	I378
Queanbeyan	Remnant dwelling house	48 Cooma Street	Lot 6, DP 37240	Local	I379
Queanbeyan	Remnant dwelling house	58 Cooma Street	Lot 1, DP 37240	Local	I380
Queanbeyan	Cottages	22-24 Crawford Street	Lots 2 and 3, Section A, DP 7255	Local	I381
Queanbeyan	Hotel Queanbeyan	63 Crawford Street	Lots 4 and 5, DP 13869	Local	I382
Queanbeyan	Building	76 Crawford Street	Lots CP, 1 and 2, SP 23106	Local	I383
Queanbeyan	Queanbeyan Recreation and Leisure Centre	121-147 Crawford Street	Lot 261, DP 1127509	Local	I384
Queanbeyan	Boer War memorial	121-147 Crawford Street	Part of Lot 261, DP 1127509	Local	I436
Queanbeyan	Cottage	182 Crawford Street	Lot 1, DP 556014	Local	I385
Queanbeyan	Wright Building	200 Crawford Street	Lot A, DP 157292	Local	I386

Queanbeyan	Queanbeyan City Council Chambers, former School of Arts building	253 Crawford Street	Part of Lot 1, DP 1179998	Local	I387
Queanbeyan	Former fire station	257 Crawford Street	Part of Lot 2, DP 1179998	Local	I390
Queanbeyan	"Dutton's Cottage"	257 Crawford Street	Part of Lot 2, DP 1179998	Local	I391
Queanbeyan	Masonic Hall	258 Crawford Street	Lot 3, DP 507909	Local	I388
Queanbeyan	Dwelling house	260 Crawford Street	Lot A, DP 389447	Local	I389
Queanbeyan	Weatherboard cottage	274 Crawford Street	Lot B, DP 157512	Local	I392
Queanbeyan	Weatherboard cottage	276 Crawford Street	Lot C, DP 157512	Local	I393
Queanbeyan	Dwelling house	1 Crest Road	Lot 2, DP 816124	Local	I423
Queanbeyan	Cottage	11-13 Derrima Road	Lots 25 and 26, Section A, DP 7255	Local	I394
Queanbeyan	Cottage	21 Derrima Road	Lot 32, Section A, DP 7255	Local	I395
Queanbeyan	Cottage	23 Derrima Road	Lot 31, Section A, DP 7255	Local	I396
Queanbeyan	Dwelling house	25 Derrima Road	Lot A, DP 37890	Local	I397
Queanbeyan	Dwelling house	35 Derrima Road	Lot A, DP 364414	Local	I398
Queanbeyan	Dwelling house	82 Derrima Road	Lot 15, DP 12593	Local	I399
Queanbeyan	"Langdene"	17 Donald Road	Lot 2, DP 12658	Local	I400
Queanbeyan	Cottage	25 Donald Road	Lot 5, DP 12658	Local	I401
Queanbeyan	Cottage	36 Donald Road	Lot 23, DP 516114	Local	I402
Queanbeyan	Dwelling house	38 Donald Road	Lot 1, DP 660144	Local	I403
Queanbeyan	Dwelling house	41 Donald Road	Lot 13, DP 12658	Local	I404
Queanbeyan	Dwelling house	43 Donald Road	Lot 14, DP 12658	Local	I405
Queanbeyan	Dwelling house	12 Early Street	Lot 24, Section H, DP 13427	Local	I406

Queanbeyan	Riverside Cemetery	40 Erin Street	Crown Reserve R 95617; Part of Lot 10, DP 1167880; Lot 1, DP 650607; Lots 54-56, DP 754907; Lots 7334 and 7335, DP 1154175; Lot 7303, DP 1137732; Lot 1, Section 33, DP 758862	Local	I407
Queanbeyan	Memorial to William James Farrer	Farrer Place	Part of Farrer Place road reserve	Local	I408
Queanbeyan	Tourist Information Centre, former municipal chambers, Lazarus sundial and World War I memorial	1-3 Farrer Place	Lot 1, Section 56, DP 758862	Local	I409
Queanbeyan	Queanbeyan and District Historical Society Museum	10 Farrer Place	Part of Lot 124, DP 1011230	Local	I410
Queanbeyan	Queanbeyan Showground	19-41 Farrer Place	Lots 1-24, DP 13963; Lot 6, DP 1116082; Lot 4, Section 56, DP 758862	State	I411
Queanbeyan	Remnant dwelling house	2 Federal Avenue	Lot 131, DP 832565	Local	I412
Queanbeyan	Homestead	15 Fergus Road	Lot 2, DP 505146	Local	I413
Queanbeyan	Cottage	31 Fergus Road	Lot 37, DP 13295	Local	I414
Queanbeyan	Aboriginal item—scarred tree site	Gale Precinct	Part of Lot 100, DP 727522	Local	I515
Queanbeyan	Aboriginal item—artefact scattering	Gale Precinct	Lot 60, DP 754907	Local	I516
Queanbeyan	Building	19 Hayes Street	Lot 25, DP 13806	Local	I416
Queanbeyan	Group of cottages	21-25 Hayes Street	Lots 70-72, DP 32640	Local	I417
Queanbeyan	Group of dwelling houses	34-36 Hayes Street	Lots 62 and 63, DP 32640	Local	I418
Queanbeyan	“Bull’s Cottage”	24 Henderson Road	Lots 10 and 11, Section P, DP 2207	Local	I419

Queanbeyan	Railway worker's cottage	37 Henderson Road	Lot 1, DP 828793	Local	I420
Queanbeyan	Queanbeyan Railway Station group	43-47 Henderson Road	Part Lot 2, DP 1002170	State	I421
Queanbeyan	Dwelling house	76 Henderson Road	Lot 27, DP 12593	Local	I422
Queanbeyan	Group of dwelling houses	1 and 5 Hirst Avenue	Lots 116 and 118, DP 13963	Local	I424
Queanbeyan	Dwelling houses	6-8 Hirst Avenue	Lots 101 and 102, DP 13963	Local	I425
Queanbeyan	Group of dwelling houses	26-30 Hirst Avenue	Lots 5-7, DP 14068	Local	I426
Queanbeyan	Suspension bridge	Isabella Street	Intersection of Isabella and Collett Streets	Local	I427
Queanbeyan	Trees planted for Avenue of Memory	Isabella Street	Isabella Street road reserve from Crawford to Lowe Streets	Local	I428
Queanbeyan	"Falklands"	5 Isabella Street	Lots 94 and 95, DP 13963	Local	I429
Queanbeyan	Dwelling house	11 Isabella Street	Lot C, DP 334918; Part of Lot 98, DP 1014785; Lot 99, DP 13963	Local	I430
Queanbeyan	Public schoolhouse	23 Isabella Street	Lot 1, Section 21, DP 758862	Local	I431
Queanbeyan	Former St Benedict's Convent	39 Isabella Street	Lot 1, DP 801099	Local	I432
Queanbeyan	Dwelling houses	4-6 Kathleen Street	Lots 51 and 52, DP 32640	Local	I433
Queanbeyan	Building	17-19 Kathleen Street	Lots 19 and 20, DP 37240	Local	I434
Queanbeyan	Group of dwelling houses	28-34 Kathleen Street	Lots 113-116, DP 32640	Local	I435
Queanbeyan	Commercial premises	24 Lowe Street	Lots 3 and 4, DP 14686	Local	I437
Queanbeyan	St Raphael's Roman Catholic Church and St Gregory's School complex	47-59 Lowe Street	Lot 1, DP 319352; Lot 7, Section 56, DP 758862	Local	I438

Queanbeyan	Ye Olde Kent Hotel	2 MacQuoid Street	Lot 112, DP 788863	Local	I439
Queanbeyan	Dog and Stile Inn	11-13 MacQuoid Street	Lots A and B, DP 161553	Local	I440
Queanbeyan	St Gregory's Roman Catholic Church	15 MacQuoid Street	Part of Lot 1, DP 1182609	Local	I441
Queanbeyan	Cottage	33-37 MacQuoid Street	Lot 15, SP 78396	Local	I442
Queanbeyan	"Lazarus Cottage"	38 MacQuoid Street	Lot 1, DP 136856	Local	I443
Queanbeyan	"Torpy's Cottage"	51 MacQuoid Street	Lot B, DP 377563	Local	I444
Queanbeyan	Group of dwelling houses	70-80 MacQuoid Street	Lot 3, DP 735030; Lot 6, DP 792815; Lots 1 and 2, SP 31573; Lots CP, 1 and 2, SP 40564	Local	I445
Queanbeyan	"Glenrock Cottage"	26 Malcolm Road	Lot 36, DP 228415	Local	I446
Queanbeyan	Dwelling house	1 McEwan Avenue	Lot 11, DP 881552	Local	I447
Queanbeyan	Weatherboard cottage	29 McIntosh Street	Lot 49, DP 12658	Local	I448
Queanbeyan	Remnants of cottage	3 McKeahnie Street	Lot 13, Section A, DP 8211	Local	I449
Queanbeyan	Dwelling house	14 McKeahnie Street	Lot C, DP 381891	Local	I450
Queanbeyan	Former Temperance Hall	2 Monaro Street	Part of Lot 2, DP 745806	Local	I451
Queanbeyan	Shop	9-11 Monaro Street	Lot 6, DP 239955	Local	I452
Queanbeyan	Shop	27-29 Monaro Street	Lot 4, DP 239955	Local	I453
Queanbeyan	Tourist Hotel	31-43 Monaro Street	Lot 10, DP 530627	Local	I454
Queanbeyan	Black's Chambers	45-53 Monaro Street	Lot 16, DP 543424	Local	I455
Queanbeyan	Dudley Building	55-59 Monaro Street	Lot 14, DP 816328	Local	I456
Queanbeyan	Royal Hotel	85-93 Monaro Street	Lot 1, DP 624770	Local	I457
Queanbeyan	"Fallick's Building"	95-99 Monaro Street	Lot 1, DP 131589	Local	I458



Queanbeyan	Federation free style shops	130-134 Monaro Street	Lot 1A, DP 162360; Lot 2B, DP 162361; Lot 1, DP 778814	Local	I459
Queanbeyan	Commercial premises	138-140 Monaro Street	Lot 3, DP 32660	Local	I460
Queanbeyan	Former Bradbury's Brewery site	164 Monaro Street	Part of Lot 1, DP 1165483	Local	I461
Queanbeyan	Cottage	8 Moore Street	Lot 9, Section B, DP 7255	Local	I462
Queanbeyan	Cottage	15 Moore Street	Lot 8, Section C, DP 7255	Local	I463
Queanbeyan	St Stephen's Presbyterian Church and Manse	2 Morisset Street	Lot 2, DP 810937	Local	I464
Queanbeyan	"Furlong House"	13 Morisset Street	Part of Lot CP, SP 90193	Local	I465
Queanbeyan	Dwelling house	32 Morton Street	Lot 1, DP 834558	Local	I466
Queanbeyan	Dwelling house	33 Morton Street	Lot 11, DP 14045	Local	I467
Queanbeyan	"Mill Thorpe House"	7 Mowatt Street	Lot 12, DP 507908	Local	I468
Queanbeyan	Queanbeyan Rail Bridge	Queanbeyan River, east of Queanbeyan Station		State	I469
Queanbeyan	Cottage	26 Ross Road	Lot 8, DP 549515	Local	I470
Queanbeyan	Dwelling house	27 Ross Road	Lots CP and 1, SP 97074	Local	I471
Queanbeyan	Dwelling house	29 Ross Road	Lot A, DP 439589	Local	I472
Queanbeyan	Dwelling house	66 Ross Road	Lot 24, Section D, DP 13427	Local	I473
Queanbeyan	Dwelling house	88 Ross Road	Lot 25, Section F, DP 13427	Local	I474
Queanbeyan	Dwelling house	132 Ross Road	Lot 68, DP 12658	Local	I475
Queanbeyan	Dwelling house	18 Rutledge Street	Lot 1, DP 710825	Local	I476
Queanbeyan	Parish hall—Anglican Parish of Queanbeyan	19 Rutledge Street	Lot 1, DP 1153649	Local	I477
Queanbeyan	"Hereford House"	32 Rutledge Street	Lot 5, DP 551214	Local	I478

Queanbeyan	Christ Church Anglican Church group	39 Rutledge Street	Lots 1-3, DP 199191	State	I479
Queanbeyan	Dwelling house (former Kinkora Private Hospital)	5 Stornaway Road	Lot 102, DP 1140021	Local	I480
Queanbeyan	Dwelling houses	17-19 Stornaway Road	Lots 7 and 8, DP 13098	Local	I481
Queanbeyan	Dwelling house	39 Stornaway Road	Lot 4, Section A, DP 13427	Local	I482
Queanbeyan	Group of dwelling houses	41-45 Stornaway Road	Lots 5 and 6, Section A, DP 13427; Lot A, DP 373070	Local	I483
Queanbeyan	Group of dwelling houses	51-55 Stornaway Road	Lots 10-12, Section A, DP 13427	Local	I484
Queanbeyan	Dwelling house	57 Stornaway Road	Lot 13, Section A, DP 13427	Local	I485
Queanbeyan	Dwelling house	59 Stornaway Road	Lot 1, Section C, DP 13427	Local	I486
Queanbeyan	Dwelling house	73 Stornaway Road	Lot 8, Section C, DP 13427	Local	I487
Queanbeyan	Dwelling house	75 Stornaway Road	Lot 9, Section C, DP 13427	Local	I488
Queanbeyan	Dwelling house	91 Stornaway Road	Lot 3, Section E, DP 13427	Local	I489
Queanbeyan	Dwelling house	95 Stornaway Road	Lot 5, Section E, DP 13427	Local	I490
Queanbeyan	Dwelling house	97 Stornaway Road	Lot 6, Section E, DP 13427	Local	I491
Queanbeyan	Dwelling house	99 Stornaway Road	Lot 7, Section E, DP 13427	Local	I492
Queanbeyan	Dwelling house	105 Stornaway Road	Lot 2, Section G, DP 13427	Local	I493
Queanbeyan	Dwelling house	31 Surveyor Street	Lot 17, Section C, DP 13427	Local	I494
Queanbeyan	Dwelling houses	1-3 Symonds Street	Lots 112 and 113, DP 13963	Local	I495
Queanbeyan	Dwelling houses	5-7 Symonds Street	Lots 114 and 115, DP 13963	Local	I496

Queanbeyan	Dwelling house	1 The Crescent	Lot 1, Section D, DP 13427	Local	1497
Queanbeyan	Dwelling house	9 The Crescent	Lot 4, Section D, DP 13427	Local	1498
Queanbeyan	Dwelling house	19 The Crescent	Lot 8, Section D, DP 13427	Local	1499
Queanbeyan	Dwelling house	43 The Crescent	Lot 6, Section F, DP 13427	Local	1500
Queanbeyan	"O'Neill's Cottage"	8 Trinculo Place	Lot 1, DP 597143	Local	1501
Queanbeyan	Dwelling house	24 Uriarra Road	Lot 37, DP 8874	Local	1502
Queanbeyan	Dwelling house	44 Uriarra Road	Lot 44, DP 8874	Local	1503
Queanbeyan	Dwelling houses	57-59 Uriarra Road	Lot C, DP 359762; Lot D, DP 383194	Local	1504
Queanbeyan	Dwelling house	96 Uriarra Road	Lots CP and 1-3, SP 98394	Local	1505
Queanbeyan	Dwelling house	17 White Avenue	Lot 128, DP 13963	Local	1506
Queanbeyan	Dwelling house	27 White Avenue	Lot 33, DP 14068	Local	1507
Queanbeyan	Group of dwelling houses	36-38 White Avenue	Lots 39 and 40, DP 14068	Local	1508
Queanbeyan	Group of dwelling houses	37-41 White Avenue	Lots 26-28, DP 14068	Local	1509
Queanbeyan	Dwelling house	42 White Avenue	Lot 42, DP 14068	Local	1510
Queanbeyan	Dwelling house	47 White Avenue	Lot 24, DP 14068	Local	1511
Queanbeyan	Dwelling house	48 White Avenue	Lot 45, DP 14068	Local	1512
Queanbeyan	Dwelling house	10 Young Street	Lot 2, DP 1138974	Local	1513
Queanbeyan	Dwelling house	14 Young Street	Lot 11, Section A, DP 332819	Local	1514
Reidsdale	Jembaicumbene Creek Bridges	Araluen Road	Adjacent to Lot 1, DP 1104271	Local	1517
Reidsdale	Fox Hill homestead, including 2 outbuildings	6748 Araluen Road	Lot 31, DP 755901	Local	1518
Reidsdale	Fairy Tree, including dolls, letters and childrens' decorations	Monga Road	Road reserve adjacent to Lot 1, DP 125724	Local	1519
Reidsdale	Brookside, including outbuildings	Sawyers Ridge Road	Lot 1, DP 997401	Local	1521

Reidsdale	Reidsdale Cemetery	90 Sawyers Ridge Road	Lot 2, DP 226430	Local	1522
Reidsdale	Former Reidsdale Co-operative Cheese Factory, including engine shed	92 Sawyers Ridge Road	Lot 1, DP 328052	Local	1523
Reidsdale	Former St Bernhard's Roman Catholic Church	153 Sawyers Ridge Road	Lot 680, DP 115560	Local	1524
Reidsdale	Moorong homestead	655 Tudor Valley Road	Lots 50 and 51, DP 755922	Local	1525
Royalla	"Shepherds Ruin"	1291 Old Cooma Road	Part of Lot 1, DP 613054	Local	1527
Royalla	Green Gables homestead	1866 Old Cooma Road	Part of Lot 22, DP 556417	Local	1528
Snowball	"Olivers"	Cooma Road	Lot 5, DP 46348	Local	1529
Snowball	Little Snowball Creek alluvials, reefs and huts	786 Rossi Road	Lot 151, DP 720183	Local	1526
Tomboye	Curradux Mining site, including remains of buildings and water races	Nerriga Road	Lot 85, DP 755964	Local	1530
Tomboye	Tomboye homestead, including outbuildings	147 Reidsdale Road	Lot 7, DP 755964	Local	1520
Tomboye	Newbury's Point mining site	321 Tomboye Road	Lot 73, DP 755964	Local	1531
Urila	"Cressbrook"	562 Urila Road	Lot 1, DP 251886	Local	1532
Warri	Former flour mill	7340 Kings Highway	Lot 1090, DP 1138078	Local	1533
Warri	Bushranger's grave	67 Watsons Road	Lot 3, DP 1060430	Local	1534
Yarrow	London Bridge arch	1103 Googong Road	Lot 7, DP 592796	Local	1535
Yarrow	London Bridge homestead, including outbuildings	1103 Googong Road	Lot 7, DP 592796	Local	1536

## Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map	Significance
Braidwood and its setting	Shown by a red outline with red hatching and labelled "C1"	State
Queanbeyan Conservation Area	Shown by a red outline with red hatching and labelled "C2"	Local

## Part 3 Archaeological sites

Suburb	Item name	Address	Property description	Significance	Item no
Carwoola	Mason Brothers' Brickworks	1.8km from turn-off from Kings Highway, in road reserve to the left of Captains Flat Road	Adjacent to Lot 4, DP 821756	Local	A1
Googong	Moses Morley's Lime Kiln	Quarry, 501 Cooma Road	Part of Lot 21, DP 1180981	Local	A3
Greenleigh	Marchiori's Lime Kiln and quarry	Southeast corner of Jumping Creek	Part of Lot 1, DP 1249543; Part of Lot 51, DP 754907; Part of Lot 146, DP 48277	Local	A2
Queanbeyan	White Rocks Limestone Kilns	On the Queanbeyan River, Gale, 300 Cooma Street	Part of Lot 86, DP 45240	Local	A4

## 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.

**Active Street Frontages Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Active Street Frontages Map](#).

**Additional Permitted Uses Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Additional Permitted Uses Map](#).

**advertisement** has the same meaning as in the Act.

**Note—**

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

**advertising structure** has the same meaning as in the Act.

**Note—**

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

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



**affordable housing** has the same meaning as in the Act.

**Note—**

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

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

**Note—**

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

**agriculture** means any of the following—

- (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.

**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 Queanbeyan-Palerang Regional Council.

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

**Note—**

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

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

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

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

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

**Drinking Water Catchment Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Drinking Water Catchment Map](#).

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**dwelling 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 [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Floor Space Ratio Map](#).

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

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

**Note—**

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

**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 [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Height of Buildings Map](#).

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

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

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

**Note—**

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

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

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

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

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

**heritage impact statement** means a document consisting of—

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

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

**Note—**

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

**heritage management document** means—

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

**Heritage Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Heritage Map](#).

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

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

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

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

**Note—**

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

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

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

(e) rest areas and public amenities.

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

**Note 1—**

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

**Note 2—**

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

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

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

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

**Note—**

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

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

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

produced at the dwelling or building, other than by online retailing,

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

**Note—**

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

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

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

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

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

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

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

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

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

**Note—**

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

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

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

**Note—**

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

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

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

**Note—**

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

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

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

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

**Note—**

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

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



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

but does not include a hostel.

**Note—**

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

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

**industrial retail outlet** means a building or place that—

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

but does not include a warehouse or distribution centre.

**Note—**

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

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

**industry** means any of the following—

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

but does not include—

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

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

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

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

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

**Note—**

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

**intensive plant agriculture** means any of the following—

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

**Note—**

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

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

**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 [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Land Application Map](#).

**Land Reservation Acquisition Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Land Reservation Acquisition Map](#).

**Land Zoning Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 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.

**Landscape Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Landscape Map](#).

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

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

**Note—**

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

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

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

**Note—**

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

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

**Note—**

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

**livestock processing industry** means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, 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 Clauses Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Local Clauses Map](#).

**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 Averaging Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Lot Averaging Map](#).

**Lot Size Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Lot Size Map](#).

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

**manufactured home** 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 Lands and Watercourses Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Riparian Lands and Watercourses Map](#).

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

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

**Note—**

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

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

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

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

**Note—**

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

**Scenic Protection Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Scenic Protection Map](#).

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

**Note—**

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

**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.

**Secondary Dwelling and Dual Occupancy Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Secondary Dwelling and Dual Occupancy Map](#).

**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*.

**Terrestrial Biodiversity Map** means the *Queanbeyan-Palerang Regional Local Environmental Plan 2022 Terrestrial Biodiversity Map*.

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

**Note—**

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

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

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

but does not include—

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

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

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

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

**Note—**

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

**underground mining** means—

- (a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and

(b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

**Urban Release Area Map** means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Urban Release Area Map](#).

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

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

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

**Note—**

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

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

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

**Note—**

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

**warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, 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 receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines,

pipelines, fencing, lighting or car parks.

**wholesale supplies** means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the [A New Tax System \(Australian Business Number\) Act 1999](#) of the Commonwealth.