



Hawkesbury City Council

Attachment 1
to
item 120

Draft Hawkesbury Local
Environmental Plan 2011
- Written Instrument

date of meeting: 7 june 2011
location: council chambers
time: 6:30 p.m.

under the
Environmental Planning and Assessment Act 1979

I, the Minister for Planning, pursuant to section 33A of the *Environmental Planning and Assessment Act 1979*, adopt the mandatory provisions of the *Standard Instrument (Local Environmental Plans) Order 2006* and prescribe matters required or permitted by that Order so as to make a local environmental plan as follows:

Minister for Planning

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under the
Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1.1 Name of Plan [compulsory]

This Plan is ~~Hawkesbury Local Environmental Plan 2011~~.

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1.1AA Commencement [compulsory]

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

1.2 Aims of Plan [compulsory]

- (1) This Plan aims to make local environmental planning provisions for land in the ~~Hawkesbury Local Government Area~~ in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to provide the mechanism for the management, orderly and economic development and conservation of land within Hawkesbury,
 - (b) to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,
 - (c) to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,
 - (d) to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,
 - (e) to conserve and enhance buildings, structures and sites of recognised significance which are part of the heritage of Hawkesbury for future generations,
 - (f) to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups within Hawkesbury, ~~and~~
 - (g) to encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.

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1.3 Land to which Plan applies [compulsory]

This Plan applies to the land identified on the Land Application Map.

1.4 Definitions [compulsory]

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

1.5 Notes [compulsory]

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

1.6 Consent authority [compulsory]

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

1.7 Maps [compulsory]

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (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. Maps adopted by this Plan are the Acid Sulfate Soils Map, [Additional Permitted Uses Map](#), [Environmental Constraint Area Map](#), [Exceptions to Development Standards Map](#), [Height of Buildings Map](#), [Heritage Map](#), [Land Application Map](#), [Land Reservation Acquisition Map](#), [Land Zoning Map](#), [Lot Averaging Map](#), [Lot Size Map](#), [Natural Resource - Biodiversity Map](#), [Natural Resource - Wetland Map](#), [Pitt Town Heritage Map](#), [Pitt Town Subdivision & Regional Transport Infrastructure Map](#).

Deleted: Biodiversity Protection Map,

1.8 Repeal of other local planning instruments applying to land [compulsory]

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

Note. [The following local environmental plans are repealed under this provision: Hawkesbury Local Environmental Plan 1989 \(as amended\).](#)
- (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.

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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 been exhibited but had not commenced.](#)

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Deleted: and REPs

Deleted: and any regional environmental plan

Deleted: **Note.** Section 36 of the Act generally provides that SEPPs prevail over REPs and LEPs and that REPs prevail over LEPs. However, a LEP may (by an additional provision included in the Plan) displace or amend a SEPP or REP to deal specifically with the relationship between this Plan and the SEPP or REP.¶

Deleted: and regional environmental plans

1.9 Application of SEPPs [compulsory]

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

State Environmental Planning Policy No 1—Development Standards

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development
(clause 6 and Parts 3 and 4)

State Environmental Planning Policy No 60—Exempt and Complying Development

1.9A Suspension of covenants, agreements and instruments

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

Part 2 Permitted or prohibited development

2.1 Land use zones [compulsory]

The land use zones under this Plan are as follows:

Rural Zones

RU1 Primary Production
RU2 Rural Landscape
RU4 Rural Small Holdings
RU5 Village

Residential Zones

R1 General Residential
R2 Low Density Residential
R3 Medium Density Residential
R5 Large Lot Residential

Business Zones

B1 Neighbourhood Centre
B2 Local Centre

[B5 Business Development](#)

B6 Enterprise Corridor

Industrial Zones

IN1 General Industrial

IN2 Light Industrial

Special Purpose Zones

SP1 Special Activities

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

E1 National Parks and Nature Reserves

E2 Environmental Conservation

E3 Environmental Management

E4 Environmental Living

Waterway Zones

W1 Natural Waterways

W2 Recreational Waterways

2.2 Zoning of land to which Plan applies [compulsory]

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 [compulsory]

- (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 consent, and
 - (c) development that may be carried out only with 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 Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Plan.

Notes.

- 1 Schedule 1 sets out additional permitted uses for particular land.
- 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.

- 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4 Clause 2.6 requires consent for subdivision of land.
- 5 Parts 5 contain other provisions which require consent for particular development.

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2.4 Unzoned land [compulsory]

- (1) Development may be carried out on unzoned land only with consent.
- (2) Before granting 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 [compulsory]

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
 - (a) with consent, or
 - (b) if the Schedule so provides—without 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 [compulsory]

- (1) Land to which this Plan applies may be subdivided, but only with consent.
- (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.

2.6AA Demolition requires consent

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

2.6BB Temporary use of land

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

Deleted: Note. If the demolition of a building or work is identified in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt development, the Act enables it to be carried out without consent.¶

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Deleted: 14 days (whether or not consecutive days) in any period of 12 months.

2.6C Earthworks

- (1) The objectives of this clause are as follows:
 - (a) to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,
 - (b) to allow earthworks of a minor nature without separate development consent.
- (2) Development consent is required for earthworks unless:
 - (a) the work does not alter the ground level (existing) by more than 600 millimetres, or
 - (b) the work is exempt development under this Plan or another applicable environmental planning instrument, or
 - (c) the work is ancillary to other development for which development consent has been given.
- (3) Before granting development consent for earthworks, the consent authority must consider the following matters:
 - (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,

Deleted: . (2) . Development consent is required for earthworks, unless: ¶

. (a) . the work is exempt development under this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or¶

. (b) . the consent authority is satisfied the earthworks are of a minor nature.¶

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

Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

Land Use Table

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

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

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

State Environmental Planning Policy (Infrastructure) 2007 (relating to public facilities such as those for air transport, correction, education, electricity generation, health services, ports, railways, roads, waste management and water supply systems)

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

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To encourage agricultural activities that do not rely on highly fertile land.
- To ensure that development occurs in a manner that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows; land surface conditions and important ecosystems such as waterways.
- To promote the conservation and enhancement of local native vegetation including the habitat of threatened species, populations and

Deleted: Note. This Table does not provide an exhaustive list of all uses that may be permissible in a particular zone. Other uses may be provided for elsewhere in this Plan or in other planning instruments such as the *State Environmental Planning Policy (Infrastructure) 2007* and the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.¶

Deleted: for agricultural and rural purposes

Deleted: streams and wetlands

ecological communities by encouraging development to occur in areas already cleared of vegetation.

- To ensure that development retains or enhances existing landscape values which includes a distinctive agricultural component.
- To ensure that development does not create unreasonable or economic demands, or both, for provision of extension or public amenities or services.

Deleted: ¶
• To prevent the establishment of traffic generating development along classified roads.¶
• To control outdoor advertising so that it does not disfigure the rural landscape.

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Extensive Agriculture; Home Occupations

Deleted: • To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Agriculture; Boarding Houses; Boat Sheds, Building Identification Signs; Business Identification Signs; Cemeteries; Charter and Tourism Boating Facilities; Child Care Centres; Community Facilities; Correctional Centres; Crematoria; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Extractive Industries; Farm Buildings; Farm Stay Accommodation; Flood Mitigation Works; Food and Drink Premises; Forestry; Funeral Chapels; Health Consulting Rooms; Helipads; Heliports; Home Based Child Care; Home Industries; Hospitals; Landscape and Garden Supplies; Mining; Moorings; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Roadside Stalls; Rural Industries; Rural Supplies; Rural Worker's Dwellings; Tourist and Visitor Accommodation; Truck Depots; Veterinary Hospitals; Water Recreation Structures, Waterbodies (artificial)

4 Prohibited

Any development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

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

Deleted: agricultural activities

Deleted: streams and wetlands

- To protect hilltops, ridge lines, river valleys, rural landscape and other local features of scenic significance
- To ensure that development does not create unreasonable or economic demands, or both, for provision or extension of public amenities or services.

Deleted: . . . To prevent the establishment of traffic generating development along main and arterial roads.¶
 . . . To control outdoor advertising so that it does not disfigure the rural landscape.¶

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Extensive Agriculture; Home Occupations

Deleted: . . . To encourage existing sustainable agricultural activities.¶
 . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Agriculture; Boat sheds, Building Identification Signs; Business Identification Signs; Cemeteries; Charter and Tourism Boating Facilities, Crematoria; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Farm Buildings; Farm Stay Accommodation; Flood Mitigation Works; Forestry; Funeral Chapels; Helipads; Home Based Child Care; Home Industries; Landscape and Garden Supplies; Moorings, Places of Public Worship; Restaurants; Recreation Areas; Roads; Roadside Stalls; Rural Industries; Rural Supplies; Rural Workers Dwellings; Water Recreation Structures, Waterbodies (artificial)

Deleted: Note: Mining and extractive industry may be permissible under *Sydney Regional Environmental Plan No 9 - Extractive Industries (No 2 - 1995)* or *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*¶

4 Prohibited

Any development not specified in item 2 or 3

Deleted: Food and Drink Premises;

Deleted: ; Tourist and Visitor Accommodation

Zone RU4 Rural Small Holdings

1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To maintain the rural and scenic character of the land.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To ensure that development occurs in a manner that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows; land surface conditions and important ecosystems such as waterways.

Deleted: . . . To enable identified agricultural land uses to continue in operation.¶
 . . . To ensure that agricultural activity is sustainable.¶

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Extensive Agriculture (excluding within an area mapped as Environmental Constraint Area); Home Occupations

Deleted: agricultural activities

Deleted: streams and wetlands

Deleted: . . . To prevent the establishment of traffic generating development along classified roads.¶
 . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Animal Boarding and Training Establishments; Boat Sheds, Boarding Houses; Building Identification Signs, Business Identification Signs; Cemeteries; Child Care Centres; Charter and Tourism Boating Facilities, Community Facilities; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Extensive Agriculture (within an area mapped as Environmental Constraint Area); Farm Buildings; Farm Stay Accommodation; Flood Mitigation Works; Food and Drink Premises; Home Based Child Care; Home Industries; Horticulture; Intensive Livestock Agriculture; Intensive Plant Agriculture; Landscape and Garden Supplies;

Deleted: Aquaculture;

Deleted: y

Moorings, Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Roadside Stalls; Rural Supplies; Rural Workers Dwellings; Tourist and Visitor Accommodation; Veterinary Hospitals; Water Recreation Structures, Waterbodies (artificial)

4 Prohibited

Any development not specified in item 2 or 3

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To maintain the rural character of the village and ensure building and works are designed to be in sympathy with the character of the village.
- To protect hilltops, ridge lines, river valleys, rural landscape and other local features of scenic significance
- To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Home Occupations

Deleted: • To control outdoor advertising so that it does not disfigure the rural landscape.¶
• To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Boat Sheds, Boarding Houses; Building Identification Signs, Business Identification Signs; Child Care Centres; Community Facilities; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Food and Drink Premises; Flood Mitigation Works; Home Based Child Care; Home Industries; Landscape and Garden Supplies; Moorings, Neighbourhood Shops; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Roadside Stalls; Rural Supplies; Schools; Tourist and Visitor Accommodation; Veterinary Hospitals; Water Recreation Structures, Waterbodies (artificial)

Deleted: Hospitals;

4 Prohibited

Any development not specified in item 2 or 3

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

~~Bed and breakfast accommodation, Environmental Protection Works; Home Occupations~~

Deleted: . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Attached Dwellings; Animal Boarding and Training Establishments; Boarding Houses; Building Identification Signs, Business Identification Signs; Child Care Centres; Community Facilities; Dwelling Houses; Educational Establishments; Environmental Facilities; Exhibition Homes; Flood Mitigation Works; Group Homes; Home Based Child Care; Home Industries; Hostels; Multi Dwelling Housing; Neighbourhood Shops; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Residential accommodation (except Rural Worker's Dwellings); Residential flat buildings; Roads; Semi-detached dwellings; Senior's Housing; Shop Top Housing; Tourist and Visitor Accommodation; Veterinary Hospitals; Waterbodies (artificial)

Deleted: Helipads;

Deleted: Passenger Transport Facilities;

Deleted: Residential care facilities;

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 protect the character of traditional residential development and streetscapes.
- To ensure that new development retains and enhances the existing character.
- To ensure that development is sympathetic to the natural amenity and ecological processes of the area.
- To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale and character.
- To control subdivision so that the provision for water supply and sewerage disposal on each resultant lot is satisfactory to the Council.
- To ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities or services.

2 Permitted without consent

~~Bed and breakfast accommodation, Environmental Protection Works; Home Occupations~~

Deleted: . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Animal Boarding and Training Establishments; Boarding Houses; Building Identification Signs, Business Identification Signs; Child Care Centres; Community Facilities; Dwelling Houses; Educational Establishments; Environmental Facilities; Exhibition Homes; Exhibition Villages; Extensive

Agriculture; Farm Buildings; Flood Mitigation Works; Group Homes; Health Consulting Rooms; Home Based Child Care; Home Industries; Hospitals; Neighbourhood Shops; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Tourist and Visitor Accommodation; Veterinary Hospitals; Waterbodies (artificial)

Deleted: Helipads;

Deleted: Passenger Transport Facilities;

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

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

Deleted: . . . To consolidate population and housing densities.¶

Deleted: . . . To ensure that building form is in character with the surrounding built environment.¶

2 Permitted without consent

Bed and breakfast accommodation. Environmental Protection Works; Home Occupations

Deleted: . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

3 Permitted with consent

Attached Dwellings; Animal Boarding and Training Establishments; Boarding Houses; Building Identification Signs; Business Identification Signs; Child Care Centres; Community Facilities; Dual Occupancies; Dwelling Houses; Educational Establishments; Environmental Facilities; Exhibition Homes; Exhibition Villages; Flood Mitigation Works; Group Homes; Home Based Child Care; Home Industries; Hostels; Multi Dwelling Housing; Neighbourhood Shops; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Semi-detached dwellings; Senior's Housing; Tourist and Visitor Accommodation; Veterinary Hospitals; Waterbodies (artificial)

Deleted: Helipads;

Deleted: Passenger Transport Facilities;

Deleted: Secondary Dwellings;

4 Prohibited

Any development not specified in item 2 or 3

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.

- To ensure that large residential allotments 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 the zone and land uses within adjoining zones.
- To provide primarily for low density residential housing and associated facilities.

2 Permitted without consent

Bed and breakfast accommodation, Bushfire hazard reduction works; Environmental Protection Works; Home Occupations

3 Permitted with consent

Animal Boarding and Training Establishments; Building Identification Signs; Business Identification Signs; Child Care Centres; Community Facilities; Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Exhibition Homes; Exhibition Villages; Extensive Agriculture; Farm Buildings; Flood Mitigation Works; Home Based Child Care; Home Industries; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Tourist and Visitor Accommodation; Veterinary Hospitals; Waterbodies (artificial)

4 Prohibited

Any development not specified in item 2 or 3

Deleted: . . . To preserve and maintain the rural character of the locality and ensure building and works are designed to be in sympathy with the character of the locality.¶
 . . . To prevent the establishment of traffic generating development along classified roads.¶
 . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

Zone B1 Neighbourhood Centre

1 Objectives of zone

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

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works, Home Occupations

3 Permitted with consent

Animal Boarding and Training Establishments; Boarding houses; Business Premises; Child Care Centres; Community Facilities; Helipads; Heliports; Home Industries; Neighbourhood Shops; Sewage Reticulation Systems, Shop Top Housing; Roads; Warehouse or Distribution Centres; Any other development not specified in Item 2 and 4

4 Prohibited

Airports; Airstrips; Boat Repair Facilities; Boat Sheds; Caravan Parks; Cemeteries; Charter and Tourism Boating Facilities; Correctional Centres; Crematoria; Depots; Extensive Agriculture; Extractive Industries; Farm Buildings; Farm Forestry, Forestry; Freight Transport Facilities; Group

Deleted: . . . To preserve the historic character of Hawkesbury by protecting heritage items and by encouraging compatible development within and adjoining historic buildings and precincts.¶
 . . . To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

Deleted: Animal Boarding and Training Establishments; Helipads; Heliports; Home Industries;

Deleted: /

Deleted: below

Deleted: Aquaculture;

Homes; Highway Service Centres; Home Occupation (sex services); Hostels; Industrial Retail Outlets; Industries; Intensive Livestock Agriculture; Intensive Plant Agriculture; Manufactured Home Estates; Marinas; Mining; Moorings; Port Facilities; Recreation Facilities (major); Research Stations; Restricted Premises; Rural Industries; Rural Worker's Dwellings; Sewerage Systems; Sex Services Premises; Storage premises; Transport Depots; Vehicle Body Repair Workshops; Waste or Resource Management Facilities; Water Recreation Structures.

Deleted: Hazardous Industries; Hazardous Storage Establishments; Heavy Industries;

Deleted: Industrial Retail Outlets; Light Industry; Liquid Fuel Depots;

Deleted: Movable Dwellings; Offensive Industries; Offensive Storage Establishments;

Deleted: Self Storage Units;

Deleted: ; Water Supply Systems

Zone B2 Local Centre

1 Objectives of zone

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

Deleted: ¶

Deleted: • To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Home Occupations

3 Permitted with consent

Animal Boarding and Training Establishments; Boarding Houses; Business Premises; Child Care Centres; Community Facilities; Educational Establishments; Entertainment Facilities; Function Centres; Helipads; Heliports; Home Industries; Information and Education Facilities; Office Premises; Passenger Transport Facilities; Recreation Facilities (indoor); Registered Clubs; Retail Premises; Roads; Service Stations; Sewage Reticulation Systems, Shop Top Housing; Tourist and Visitor Accommodation; Warehouse and Distribution Centres; Any other development not specified in Item 2 and 4.

Deleted: Animal Boarding and Training Establishments; Helipads; Heliports; Home Industries;

Deleted: below

Deleted: Aquaculture;

4 Prohibited

Airports; Airstrips; Boat Repair Facilities; Boat Sheds; Caravan Parks; Cemeteries; Charter and Tourism Boating Facilities; Correctional Centres; Crematoria; Depots; Extensive Agriculture; Extractive Industries; Farm Buildings; Farm Forestry; Forestry; Freight Transport Facilities; Group Homes; Home Occupation (sex services); Hostels; Industrial Retail Outlets; Industries; Intensive Livestock Agriculture; Intensive Plant Agriculture; Manufactured Home Estates; Marinas; Mining; Moorings; Port Facilities; Recreation Facilities (major); Research Stations; Rural Worker's Dwellings; Rural Industries; Sewerage Systems; Storage Premises; Transport Depots; Vehicle Body Repair Workshops; Waste or Resource Management Facilities; Water Recreation Structures

Deleted: Hazardous Industries; Hazardous Storage Establishments; Heavy Industries;

Deleted: Light Industry; Liquid Fuel Depots;

Deleted: Movable Dwellings; Offensive Industries; Offensive Storage Establishments;

Deleted: Self Storage Units;

Deleted: Water Supply Systems;

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Environmental Protection Works; Home Occupations.

3 Permitted with consent

Animal Boarding and Training Establishments; Bulky goods premises; Child care centres; Depots; Extensive Agriculture; Food and Drink Premises; Garden centres; Hardware and building supplies; Health Consulting Rooms; Helipads; Heliports; Landscaping material supplies; Light Industries; Liquid Fuel Depots; Neighbourhood Shops; Passenger transport facilities; Respite day care centres; Roads; Self Storage Units; Sewage Reticulation Systems; Warehouse or distribution centres; Any other development not specified in Item 2 and 4

4 Prohibited

Airports; Airstrips; Amusement Centres; Boat Sheds; Business Premises; Car Parks; Caravan Parks; Cellar Door Premises; Cemeteries; Charter and Tourism Boating Facilities; Educational Establishments; Exhibition Homes; Exhibition Villages; Farm Buildings; Farm forestry; Forestry; Hazardous Industries; Hazardous Storage Establishments; Health Services Facilities; Heavy Industries; Highway Service Centres; Home Business; Home Industry; Home Occupation (sex services); Home-based Child Care; Intensive Livestock Agriculture; Intensive Plant Agriculture; Kiosks; Manufactured Home Estates; Marinas; Markets; Moorings; Office Premises; Offensive Industries; Offensive Storage Establishments; Port Facilities; Recreation Facilities (major); Research Stations; Residential Accommodation; Restricted Premises; Roadside Stalls; Sawmill or Log Processing Works; Sex Services Premises; Sewerage systems; Shops; Tourist and Visitor Accommodation; Vehicle Body Repair Workshops; Wholesale Supplies; Waste or Resource Management Facilities; Water Recreation Structures; Water supply systems

Zone B6 Enterprise Corridor

1 Objectives of zone

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

2 Permitted without consent

Environmental Protection Works; Home Occupations

Deleted: • . To preserve the historic character of Hawkesbury by protecting heritage items and by encouraging compatible development within and adjoining historic buildings and precincts.¶

3 Permitted with consent

Animal Boarding and Training Establishments; Business Premises; Community Facilities; Hotel or Motel Accommodation; Landscape and Garden Supplies; Helipads; Heliports; Light Industries; Neighbourhood shops; Passenger Transport Facilities; Roads; Serviced Apartments; Sewage Reticulation Systems; Signage; Timber and Building Supplies; Truck Depots; Warehouse or Distributions Centres; ~~Any other development not specified in Item 2 and 4~~

Deleted: Animal Boarding and Training Establishments; Extensive Agriculture; Helipads; Heliports; Truck Depots; Neighbourhood shops; Serviced Apartments;

4 Prohibited

Airports; Airstrips; ~~Backpackers Accommodation~~; ~~Bed and Breakfast Accommodation~~; Boat Repair Facilities; Boat Sheds; Caravan Parks; Cellar door premises; Cemeteries; Charter and Tourism Boating Facilities; Correctional Centres; Crematoria; Depots; Extractive Industries; Extensive Agriculture; Farmstay Accommodation; Farm Buildings; Farm Forestry; Freight Transport Facilities; Forestry; Hazardous Industries; ~~Heavy Industries~~; Highway Service Centres; Home Based Child Care; Home Occupation (sex services); Intensive Livestock Agriculture; Intensive Plant Agriculture; ~~Manufactured Home Estates~~; Marinas; Markets; Mining; Moorings; Offensive Industries; Port Facilities; Recreation Facilities (major); Research Stations; Residential Accommodation; Roadside Stalls; Rural Industries; Sewerage Systems; Sex service premises; Shops; Storage premises; Transport Depots; Vehicle Body Repair Workshops; Waste or Resource Management Facilities; Water Recreation Structures; Water Supply Systems

Deleted: below

Deleted: Aquaculture;

Deleted: Hazardous Storage Establishments;

Deleted: Liquid Fuel Depots;

Deleted: Movable Dwellings;

Deleted: Offensive Storage Establishments;

Deleted: Self Storage Units;

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- ~~To allow commercial and retail development for:~~
 - (i) uses ancillary to the main use of land within the zone; and,
 - (ii) the day-to-day needs of the occupants and employees of the surrounding industrial area.
- To ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

Deleted: • To set aside certain land for the purposes of general industry within convenient distances of the urban centres of Hawkesbury.¶

2 Permitted without consent

Environmental Protection Works; Home Occupations

3 Permitted with consent

Depots; Food and Drink Premises; Freight Transport Facilities; Helipads; Heliports; Health Consulting Rooms; Hospitals; Light Industries; Liquid Fuel Depots; Neighbourhood Shops; Roads; Self Storage Units; Warehouse or Distributions Centres; ~~Any other development not specified in Item 2 and 4~~

Deleted: Helipads; Heliports; Health Consulting Rooms; Hospitals; Food and Drink Premises; Self Storage Units; Liquid Fuel Depots;

4 Prohibited

Airports; Airstrips; Amusement Centres; Boat Sheds; Bulky Goods Premises; Business Premises; Car Parks; Caravan Parks; Cellar Door Premises; Charter and Tourism Boating Facilities; Cemeteries; Educational Establishments;

Deleted: below

Exhibition Homes; Exhibition Villages; Farm Buildings; Farm Forestry; Forestry; Hazardous Storage Establishments, Health Services Facilities; Highway Service Centres; Home Business; Home Occupation (sex services); Home-based Child Care; Intensive Livestock Agriculture; Intensive Plant Agriculture; Kiosks; Manufactured Home Estates; Marinas; Markets; Moorings; Offensive Storage Establishments; Office Premises; Port Facilities; Recreation Facilities (major); Research Stations; Residential Accommodation; Restricted Premises; Roadside Stalls; Sex Services Premises; Shops; Tourist and Visitor Accommodation; Water Recreation Structures; Wholesale Supplies

Deleted: Medical Centre;

Deleted: Movable Dwellings;

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To allow commercial and retail development for:
 - (i) uses ancillary to the main use of land within the zone; and
 - (ii) the day-to-day needs of the occupants and employees of the surrounding industrial area.
- To ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

Deleted: • To set aside certain land for the purposes of light industry within convenient distances of the urban centres of Hawkesbury;¶

2 Permitted without consent

Environmental Protection Works; Home Occupations

Deleted: .

3 Permitted with consent

Animal Boarding and Training Establishments; Depots; Extensive Agriculture; Food and Drink Premises; Health Consulting Rooms; Helipads; Heliports; Hospitals; Light Industries; Liquid Fuel Depots; Neighbourhood Shops; Roads; Self Storage Units; Sewage Reticulation Systems, Warehouse or Distributions Centres; Any other development not specified in Item 2 and 4

Deleted: Animal Boarding and Training Establishments; Extensive Agriculture; Self Storage Units; Liquid Fuel Depots; Health Consulting Rooms; Helipads; Heliports; Hospitals; Food and Drink Premises;

Deleted: below

Deleted: Aquaculture;

4 Prohibited

Airports; Airstrips; Amusement Centres; Boat Sheds; Bulky Goods Premises; Business Premises; Car Parks; Caravan Parks; Cellar Door Premises; Cemeteries; Charter and Tourism Boating Facilities; Educational Establishments; Exhibition Homes; Exhibition Villages; Farm Buildings; Farm forestry; Forestry; Hazardous Industries; Hazardous Storage Establishments; Health Services Facilities; Heavy Industries; Highway Service Centres; Home Business; Home Industry; Home Occupation (sex services); Home-based Child Care; Intensive Livestock Agriculture; Intensive Plant Agriculture; Kiosks; Manufactured Home Estates; Marinas; Markets; Moorings; Office Premises; Offensive Industries; Offensive Storage Establishments; Port Facilities; Recreation Facilities (major); Research Stations; Residential Accommodation; Restricted Premises; Roadside Stalls;

Deleted: Medical Centres;

Deleted: Movable Dwellings;

Sawmill or Log Processing Works; Sex Services Premises; Sewerage systems; Shops; Tourist and Visitor Accommodation; Vehicle Body Repair Workshops; Wholesale Supplies; Waste or Resource Management Facilities; Water Recreation Structures; Water supply systems

Deleted: s

Zone SP1 Special Activities

1 Objectives of zone

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

2 Permitted without consent

Environmental Protection Works; Home Occupations

3 Permitted with consent

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

Deleted: :

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Environmental Protection Works; Home Occupations

3 Permitted with consent

Roads; The purpose shown on the Land Zoning map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

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

- To protect and enhance the natural environment for recreational purposes.
- To protect and enhance the natural environment for environmental purposes.
- To restrict development on lands which will be required for future open space purposes.

2 Permitted without consent

Environmental Protection Works

3 Permitted with consent

Boat Sheds, Charter and Tourism Boating Facilities, Child Care Centres; Community Facilities; Environmental Facilities; Extensive Agriculture; Farm Buildings; Flood Mitigation Works; Food and Drink Premises; Forestry; Helipads; Information and Education Facilities; Kiosks; Markets, Moorings, Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Recreation Facilities (major); Roads; Signage; Water recreation structures; Waterbodies (artificial)

Deleted: Farm Forestry;

Deleted: Home Based Child Care;

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

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

2 Permitted without consent

Environmental Protection Works

3 Permitted with consent

Boat Sheds, Charter and Tourism Boating Facilities, Child Care Centres; Community Facilities; Environmental Facilities; Extensive Agriculture; Farm Buildings; Flood Mitigation Works; Food and Drink Premises; Helipads; Information and Education Facilities; Kiosks; Markets, Moorings, Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Recreation Facilities (major); Registered Clubs; Roads; Signage; Water recreation structures; Waterbodies (artificial)

Deleted: Home Based Child Care;

4 Prohibited

Any development not specified in item 2 or 3

Zone E1 National Parks and Nature Reserves

1 Objectives of zone

- To enable the management and appropriate use of land that is reserved under the *National Parks and Wildlife Act 1974* or that is acquired under Part 11 of that Act.

- To enable uses authorised under the *National Parks and Wildlife Act 1974*.
- To identify land that is to be reserved under the *National Parks and Wildlife Act 1974* and to protect the environmental significance of that land.

2 Permitted without consent

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

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect wetland areas from development that could adversely affect their preservation and conservation.
- To preserve wetland areas as habitats for indigenous and migratory wildlife.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental Facilities; Environmental Protection Works; Flood Mitigation Works; Recreation Areas; Roads; Waterbodies (artificial)

Deleted: Fences;

4 Prohibited

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

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To protect varieties of wildlife and their associated habitats and corridors.
- To retain the visual and scenic qualities of the escarpment ridges and foot slopes.

Deleted: . . . To preserve areas of significant vegetation stands.¶

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

2 Permitted without consent

Bed and breakfast accommodation, Environmental Protection Works; Home Occupations

3 Permitted with consent

Building Identification Signs; Business Identification Signs; Child Care Centres; Community Facilities; Correctional Centres; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Extensive Agriculture; Farm Buildings; Farm Stay Accommodation; Flood Mitigation Works; Health Consulting Rooms; Helipads; Home Based Child Care; Home Industries; Hospitals; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered Clubs; Roads; Roadside Stalls; Tourist and Visitor Accommodation; Veterinary Hospitals; Waterbodies (artificial)

4 Prohibited

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

Zone E4 Environmental Living

1 Objectives of zone

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

2 Permitted without consent

Deleted: To ensure that development and land management practices do not have an adverse effect on water catchments, water quality, land surface conditions and important ecosystems such as streams and wetlands.

Deleted: • To ensure that existing and future land uses and land management practices do not lead to a diminution of the environmental values of the land.¶
• To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.¶

Deleted: Cemeteries;

Deleted: • To ensure that existing and future land uses and land management practices do not lead to a diminution of the environmental values of the land.¶

Deleted: • To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.

Deleted: ¶

Bed and breakfast accommodation, Environmental Protection Works;
Extensive Agriculture; Home Occupations

Deleted: .

3 Permitted with consent

Animal Boarding and Training Establishments; Boarding Houses; Boat Sheds,
Building Identification Signs; Business Identification Signs; Child Care Centres; Charter and Tourism Boating Facilities, Community Facilities; Dual Occupancies (Attached); Dwelling Houses; Educational Establishments; Entertainment Facilities; Environmental Facilities; Farm Buildings; Farm Forestry; Farm Stay Accommodation; Flood Mitigation Works; Food and Drink Premises; Forestry; Health Consulting Rooms; Helipads; Heliports; Home Based Child Care; Home Industries; Hospitals; Intensive Livestock Agriculture; Intensive Plant Agriculture; Landscape and Garden Supplies; Moorings, Passenger Transport Facilities; Places of Public Worship; Public Administration Buildings; Recreation Areas; Recreation Facilities (indoor); Recreation Facilities (outdoor); Registered Clubs; Roads; Roadside Stalls; Rural Supplies; Rural Worker's Dwelling; Sawmill or Log Processing Works; Stock and Sale Yard; Tourist and Visitor Accommodation; Transport depot; Truck Depots; Veterinary Hospitals; Water Recreation Structures, Waterbodies (artificial)

Deleted: Aquaculture;

4 Prohibited

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

Deleted: ¶

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.

Deleted: Note: Mining and extractive industry may be permissible under Sydney Regional Environmental Plan No 9 - Extractive Industries (No 2 - 1995) or State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

2 Permitted without consent

Bushfire hazard reduction works

3 Permitted with consent

Aquaculture; Environmental facilities; Environmental protection works; Flood mitigation works; Moorings; Water recreation structures

4 Prohibited

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

Deleted: Canal estate development;

Zone W2 Recreational Waterways

1 Objectives of zone

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

2 Permitted without consent

Bushfire hazard reduction works

Deleted: ; Public Utility Undertaking

3 Permitted with consent

Aquaculture; Boat sheds; Building Identification Signs; Business Identification Signs; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Kiosks; Marinas; Moorings; Rainwater tanks; Recreation areas; Recreation facilities (outdoor); Water recreation structures

4 Prohibited

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

Deleted: Canal estate development;

Part 3 Exempt and complying development

3.1 Exempt development [compulsory]

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

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
 - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
 - (5) To be exempt development, the development must:
 - (a) be installed in accordance with the manufacturer’s specifications, if applicable, and
 - (b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

Note. A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.
 - (6) A heading to an item in Schedule 2 is part of that Schedule.

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(e) must not be carried out in an environmentally sensitive area for exempt or complying development (as defined in clause 3.3).

3.2 Complying development [compulsory]

Note. Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
 - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
 - (c) the development is designated development, or
 - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
 - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment and Climate Change in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or
 - (f) the development is on land identified as an environmentally sensitive area.
- (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 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 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 [compulsory]

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:
environmentally sensitive area for exempt or complying development means any of the following:
 - (a) the coastal waters of the State,
 - (b) a coastal lake,

- (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*,
- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

Direction. Additional areas may be added to this list.

Part 4 Principal development standards

4.1 Minimum subdivision lot size [optional]

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

Direction. An exception to the minimum size shown on the Lot Size Map may be provided in certain circumstances, for example, in the case of land that is to be used for attached dwellings.

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 . (k) . land zoned E2 under the provisions of this plan or is within 20 metres of land so identified,¶
 . (l) . in the case of complying development only, land being lower than 1.2 metres below the 1-in-100 year flood level for the locality,¶
 . (m) . in the case of complying development only, land that is a remediation site within the meaning of the *Contaminated Land Management Act 1997* or land subject to an agreement with the Environment Protection Authority under section 26 of that Act for voluntary remediation,¶
 . (n) . in the case of complying development only, land that is on a register maintained by the Council as land that is subject to landslip,¶
 . (o) . in the case of complying development only, land that is identified on the Acid Sulfate Soils Planning Map as land containing potential acid sulphate soils of Class 1, 2 or 3,¶
 . (p) . in the case of complying development only, land that is identified as a scenic area of the riverine corridor or as a conservation area sub-catchment under *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)*

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4.1A Minimum subdivision lot size-local requirements for rural, environment protection and large lot residential zones

- (1) In this clause:

commencement day means the 24th March 2005.

endangered ecological community means any endangered ecological community referred to in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.

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lot averaging subdivision means a subdivision of land within the RU1, RU4 or R5 zones that complies with subclauses (4) or (5) and will not result in an **original allotment** being divided into more allotments than the number resulting from:

- (a) dividing the area of the **original allotment** in hectares by the minimum lot size shown on the Lot Size Map, or
- (b) multiplying the area of the **original allotment** in hectares by the density control shown on the Lot Averaging Map, if the land is in the R5 zone.

original allotment means an allotment in existence on 24th March 2005.

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

- (2) The size of any lot resulting from a **lot averaging subdivision** of land to which this clause applies is not to be less than the minimum size shown on the Lot Averaging Map in relation to that land. If no minimum lot size is provided for on the Lot Averaging Map then Council cannot consent to the **lot averaging subdivision** of the land.
- (3) The Council may consent to the subdivision of land to which this clause applies only if:
 - (a) the pattern of allotments created by the proposed subdivision and the location of any proposed buildings on those allotments will, in the opinion of the Council, minimise the impact on any threatened species, populations or **endangered ecological community** or **regionally significant wetland**, waterways, groundwater and agricultural activities in the locality, and
 - (b) in the opinion of the Council, each of the allotments created contains suitable areas for a dwelling house, an appropriate asset protection zone relating to bush fire hazard and adequate sewage management systems where sewerage is not available, and
 - (c) there is a ratio between the depth of the allotment and the frontage of the allotment that, in the opinion of the Council, is satisfactory having regard to the purpose for which the allotment is to be used, and
 - (d) where sewerage is not available the Council has considered a geotechnical assessment that demonstrates the land is adequate for the on-site disposal of effluent.
- (4) A **lot averaging subdivision** of land within the RU1 and RU4 zones complies with this clause only if:
 - (a) the number of allotments proposed for dwelling-houses does not exceed the number of allotments that could be created for dwelling-houses by a subdivision in accordance with the minimum lot size provisions shown in the Lot Size Map, and

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- (b) at least 20% of the land is occupied by an *endangered ecological community* or is a *regionally significant wetland*, and
 - (c) the Council is satisfied that there will be a better environmental outcome from a lot averaging subdivision than would result without such a subdivision and that the long term survival of the *endangered ecological community* or *regionally significant wetland* will be enhanced, and
 - (d) any *endangered ecological community* will be contained within and managed on neighbourhood property under the provisions of the *Community Land Development Act 1989*, and
 - (e) any *regionally significant wetland* will be contained within and managed on neighbourhood property under the provisions of the *Community Land Development Act 1989* or on an allotment designed for large scale agriculture, and
 - (f) the allotments proposed for a dwelling house do not contain an *endangered ecological community* or, unless they are allotments designed for large-scale agriculture, a *regionally significant wetland*.
- (5) A *lot averaging subdivision* of land within the R5 zones complies with this clause only if the number of lots created does not exceed the density control shown on the Lot Averaging Map.
- (6) Consent must not be granted to a subdivision of land in the RU1, RU2, RU4, R5 or E4 zones that creates an allotment (otherwise than for use for a public purpose or in accordance with Clause 4.2) unless the Council is satisfied that there is an area of land above the 1-in-100 year flood level on the allotment that is:
- (a) sufficient for the erection of a dwelling-house, and
 - (b) at natural surface level or at a level achieved by filling carried out with the consent of the Council.
- (7) Consent must not be granted to the subdivision of land in the RU5 zone otherwise than to effect a minor boundary adjustment of the boundary between allotments that does not create more allotments than the number before the adjustment was made.
- (8) References to a number of allotments in this clause do not include allotments created for a public purpose or allotments created as neighbourhood property.

Note. The commencement day in this clause is the date of gazettal of *Hawkesbury Local Environmental Plan 1989* (HLEP 1989) Amendment 126. This amendment introduced lot averaging provisions into HLEP 1989 which included the definitions of *lot averaging subdivision* and *original allotment*.

4.1B Minimum subdivision lot size - local requirements for residential zones.

- (1) For the purposes of the Lot Size Map and this clause:
- internal allotment* means an allotment to which the only means of access to that part of the allotment that is most suitable for locating a dwelling is by way of:
- (a) an access corridor that forms part of the allotment (a hatchet shaped allotment), or
 - (b) an easement or right of way over another allotment.

- (2) In determining the area of an *internal allotment* that is a hatchet shaped allotment, the area of the access corridor is not to be counted as part of the area of that allotment.
- (3) Despite the provisions of the Lot Size Map, the Council must not consent to the subdivision of land in the R2 zone which is also hatched blue on the Lot Size Map if:
 - (a) the land is not serviced by reticulated sewerage, and
 - (b) the area of any proposed allotment that is to contain a dwelling is less than 4,000 square metres.
- (4) Despite the provisions of the Lot Size Map and sub-clause (2), however subject to sub-clause (3), the Council may within the R1, R2, R3 zones consent to the subdivision of dual occupancies, multi dwelling housing, residential flat building, shop top housing the development of which has been approved by the Council, into separate allotments or units.
- (5) Despite the provisions of the Lot Size Map and other provisions of this clause, the Council must not consent to the subdivision of land at Glossodia which is also shown hatched red on the Lot Size Map.

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4.1C Subdivision in the Grose Wold area

- (1) This clause applies to the Grose Wold area, being all the land shown hatched yellow on the Lot Size Map.
- (2) In this clause:

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

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environmental constraint area means land shown as Environmental Constraint Area on the Environmental Constraint Area Map

original allotment means an allotment in existence prior to 2nd June 2000.

- (3) Notwithstanding the provisions of clause 4.1A(2) & (4), and clause 4.1(3), the Council may grant consent to subdivision of land to which this clause applies containing an environmental constraint area only if:
 - (a) the number of allotments to be created for a dwelling-house by the proposed subdivision will not exceed the area of the original allotment, in hectares, divided by 4, and
 - (b) any allotment created for a dwelling-house will have at least one hectare of land that is not within an environmental constraint area.
- (4) The Council may grant consent for the subdivision of land to which this clause applies only if:
 - (a) the pattern of allotments created by the proposed subdivision and the location of any proposed buildings on those allotments will minimise the impact on any Cumberland Plain Woodland, any land within an environmental constraint area and waterways and groundwater, and
 - (b) a geotechnical assessment has been undertaken to demonstrate the land is adequate for the on-site disposal of effluent in accordance with best practice, and
 - (c) the Cumberland Plain Woodland and any land within an environmental constraint area is retained as undivided as possible, and

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- (d) in the opinion of Council, there will be no significant adverse impacts on Cumberland Plain Woodland or land within any environmental constraint area located downstream or surrounding the proposed development.
- (5) In considering an application for consent to the subdivision of land to which this clause applies, the Council must take the following matters into consideration:
 - (a) the effect on the water quality and water quantity in the Grose River and its tributaries,
 - (b) the effect on the scenic quality of the area, and
 - (c) the effect on existing riparian vegetation and the rehabilitation of local native riparian vegetation located along the Grose River and the effect on vegetation along drainage lines and creeks or any other vegetation located downstream or surrounding the land to be subdivided.

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Note. The 2nd June 2000 is the date of gazettal HLEP 1989 Amendment 64. This amendment introduced lot averaging in Grose Wold based on the conservation of certain lands identified as environmental constraint areas.

4.2 Rural subdivision [compulsory if clause 4.1 adopted and land to which Plan applies includes land zoned RU1, RU2, RU4 or RU6]

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

- (1) This clause applies to land in the following zones:
 - Zone R5 Large Lot Residential
 - Zone RU1 Primary Production
 - Zone RU2 Rural Landscape
 - Zone RU4 Rural Small Holdings
 - Zone RU5 Village
 - Zone E3 Environmental Management
 - Zone E4 Environmental Living

- (2) Development consent must not be granted for the erection of a dwelling house on a lot which has been derived from the closure of part or all of a road, irrespective of when that closure occurred. This clause does not apply to an allotment created by the consolidation of an allotment derived from a closed road with an adjoining allotment which has not been derived from a closed road.
- (3) Development consent must not be granted for the erection of a dwelling house on a lot that was created by a subdivision for the purpose of agriculture prior to 27th June 2003.

Note: 27 June 2003 was the date of the gazettal of HLEP 1989 Amendment 136. This amendment removed a provision in the then HLEP 1989 which allowed land below the 1 in 100 year flood level to be subdivided for 'agricultural purposes'.

4.3 Height of buildings [optional]

- (1) The objectives of this clause are as follows:
 - (a) to protect the privacy and use of private open space within the new development and on adjoining land.
 - (b) to ensure taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area.
 - (c) to allow appropriate sunlight access to key areas of the public domain by ensuring that further overshadowing of parks and community places is avoided or limited
 - (d) to ensure that the bulk of new development is not excessive and relates well to the local context.
 - (e) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of higher buildings and to public areas, including parks, streets and lanes.
 - (f) to allow adequate natural light and ventilation between dwellings with sufficient separation for acoustic and visual privacy.
 - (g) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.
 - (h) to ensure an appropriate height transition between new buildings and heritage items.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Direction. Different heights may be shown on the map for different zones or for different land in the same zone. This Plan may also provide for specified height restrictions to be varied or modified in certain circumstances, for example, to prevent overshadowing of public open space, for air safety reasons or for the purposes of promoting design excellence.

4.4 Floor space ratio [not adopted]

4.5 Calculation of floor space ratio and site area [not adopted]

4.6 Exceptions to development standards [compulsory]

- (1) The objectives of this clause are:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

- (2) 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) 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) 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 Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General 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 Director-General before granting concurrence.
- ~~(6) 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 Rural Small Holdings](#), [Zone RU6 Transition](#), [Zone R5 Large Lot Residential](#), [Zone E2 Environmental Conservation](#), [Zone E3 Environmental Management](#) or [Zone E4 Environmental Living](#) if:~~
 - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- (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 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*

Deleted: RU1, RU2, RU3, RU4, RU6, R5, E2, E3 or E4

Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4.

- (9) For the purposes of subdivision, this clause does not apply to land identified on the Exceptions to Development Standards Map, the Pitt Town Subdivision and Regional Transport Infrastructure Map or land within the RU5 zone.

Direction. Additional exclusions may be added.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority [compulsory]

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

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

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

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and Council marked "Local open space"	
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Traffic Authority
Zone SP2 Infrastructure and marked "Local road"	Council
Zone E1 National Parks and Nature Reserves and marked "National Park"	Nature Minister administering the <i>National Parks and Wildlife Act 1974</i>

Direction. Land is required to be shown on the Land Reservation Acquisition Map if it is expressly set apart by the Plan exclusively for a public purpose referred to in section 26 (1) (c) of the Act. However, any such land that is held by an authority of the State, or by a public company or a subsidiary of a public company (within the meaning of the Corporations Act 2001 of the Commonwealth) is not required to be shown on that Map. An authority of the State is to be listed for all land shown on the Land Reservation Acquisition Map, but the land is not to be so reserved and the authority listed unless the authority consents to its being listed.

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

5.1A Development on land intended to be acquired for a public purpose [local]

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

Column 1 Land	Column 2 Authority	Column 3 Development
Zone RE1 Public Recreation and marked "Local open space"	Public Recreation Council	Earthworks; Public utility undertakings; Recreation areas
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under of the Act	Earthworks; Public utility undertakings; Recreation areas
Zone SP2 Infrastructure and marked "Classified road"	Roads and Traffic Authority	Earthworks; Public utility undertakings; Roads

Zone SP2 Infrastructure and Council marked "Local road"

Earthworks; Public utility undertakings; Roads

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- Deleted: Zone SP2 Infrastructure and marked "Drainage"¶
- Deleted: Council¶
- Deleted: Drainage; Earthworks; Public utility undertakings

5.2 Classification and reclassification of public land [compulsory]

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.
Note. Under the *Local Government Act 1993*, "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.
- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4:
 - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and

- (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

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

5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres.
- (3) This clause does not apply to:
 - (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, 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) The clause does not prescribe a development standard that may be varied under this Plan.

Deleted: 50

Deleted: land zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, B1 Neighbourhood Centre, B2 Local Centre, B6 Enterprise Corridor, IN 1 General Industrial, or IN2 Light Industry, or¶

5.4 Controls relating to miscellaneous permissible uses [compulsory]

(1) Bed and breakfast accommodation

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 4 bedrooms.

(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 light industry must not involve the use of more than 50 square metres of floor area.

(4) Industrial retail outlets

If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:

- (a) 20% of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or
- (b) 400 square metres,

whichever is the lesser.

(5) Farm stay accommodation

If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 4 bedrooms.

(6) Kiosks

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 25 square metres.

(7) Neighbourhood shops

If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 200 square metres.

(8) Roadside stalls

If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 75 square metres.

(9) Secondary dwellings

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 10% of the total floor area of both the self-contained dwelling and the principal dwelling.

5.5 Development within the coastal zone [not adopted]

5.6 Architectural roof features [not adopted]

5.7 Development below mean high water mark [compulsory if land to which Plan applies contains tidal waters]

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

5.8 Conversion of fire alarms [compulsory]

- (1) This clause applies to a fire alarm system that can be monitored by New South Wales Fire Brigades or by a private service provider.
- (2) The following development may be carried out, but only with consent:
 - (a) converting a fire alarm system from connection with the alarm monitoring system of New South Wales Fire Brigades 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 x 100mm x 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 New South Wales Fire Brigades to monitor fire alarm systems.

5.9 Preservation of trees or vegetation [optional]

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

Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
 - (a) development consent, or
 - (b) a permit granted by the Council.
- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.

- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
 - (a) that is or forms part of a heritage item, or
 - (b) that is within a heritage conservation area.

Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.
- (8) This clause does not apply to or in respect of:
 - (a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003* or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
 - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
 - (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying Act 2002*, or
 - (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

5.10 Heritage conservation [compulsory]

Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.

(1) Objectives

The objectives of this clause are:

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

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- (c) altering a heritage item that is a building by making structural changes to its interior,
- (d) 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,

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

(3) When consent not required

However, 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, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and
 - (ii) would not adversely affect the significance of the heritage item, 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 a place of Aboriginal 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 on heritage significance

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage impact assessment

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or
- (b) within a heritage conservation area, or
- (c) within the vicinity of land referred to in paragraph (a) or (b),

require a heritage impact statement 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 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) Places of Aboriginal heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal 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, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of item of State significance

The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (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, 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 is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage conservation management plan 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 conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, 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 [compulsory]

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without 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 [compulsory]

- (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 under the *State Environmental Planning Policy (Infrastructure) 2007*.
- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

Deleted: without consent

Part 6 Additional Local Provisions

6.1 Development in areas subject to aircraft noise

(1) The objectives of this clause are to:

- (a) prevent certain noise sensitive developments from being located near the Richmond RAAF Base Airport and its flight paths,
- (b) assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,
- (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.

(2) This clause applies to development that:

- (a) is on land that:
 - (i) is near the Richmond RAAF Base Airport, and
 - (ii) is in an ANEF contour of 20 or greater, and
- (b) the consent authority considers is likely to be adversely affected by aircraft noise.

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

- (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and
- (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021-2000, *Acoustics-Aircraft noise intrusion- Building siting and construction*, and
- (c) must be satisfied that the development will meet AS 2021—2000, *Acoustics- Aircraft noise intrusion- Building siting and construction* with respect to interior noise levels for the purposes of:
 - (i) if the development will be in an ANEF contour of 20 or greater - child care centres, educational establishments, entertainment facilities, hospitals, places of public worship, public administration buildings or residential accommodation, and
 - (ii) if the development will be in an ANEF contour of 25 or greater – business premises, hostels, hotel or motel accommodation, office premises or retail premises.

(4) In this clause:

airport means civil, military or joint civil and military airport.

ANEF contour means a noise exposure contour shown as an ANEF contour on the Australian Noise Exposure Forecast Contour Map for that airport endorsed by the Department of the Commonwealth responsible for airports.

6.2 Development on land identified on Acid Sulfate Soils Planning Map

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

Deleted: 6.1 Tourism promotion in the Hawkesbury¶

(1) This clause applies to land in Zones RU1 Primary Production, RU2 Rural Landscape, RU4 Rural Small Holdings, RU5 Village, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential and E4 Environmental Living.¶

(2) The Council may consent to the erection of an advertisement and advertising structure on land to which this clause applies for the purpose of:¶

- (a) directing the travelling public to tourist areas within Hawkesbury, or¶
- (b) displaying private advertisements for tourist and visitor accommodation that are located within Hawkesbury.¶

Deleted: 2

Deleted: Land affected by aircraft noise

Deleted: (1) The Council must not grant consent to the carrying out of development on land within a 20 or higher ANEF contour for the purpose of a hospital, school, child care centre or for a residential purpose, unless the Council has taken into consideration the guidelines provided in AS2021 regarding noise reduction and construction requirements.¶

(2) In this clause:¶

ANEF means the Australian Noise Exposure Forecast within the meaning of AS2021.¶

AS2021 means the Australian Standard AS2021—2000 (*Acoustics—Aircraft noise intrusion—Building siting and construction*) published on 10 August 2000.¶

20 or higher ANEF contour means a noise exposure contour of 20 or higher ANEF as advertised by the Commonwealth Department of Defence (Air Office) in relation to Richmond RAAF Base.

Deleted: 3

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

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

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the *Acid Sulfate Soils Manual* and has been provided to the consent authority
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:
- a preliminary assessment of the proposed works prepared in accordance with the *Acid Sulfate Soils Manual* indicates that an acid sulfate soils management plan need not be carried out for the works, and
 - the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
- emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
 - routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
 - minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if:
- the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial

water bodies (including canals, dams and detention basins) or foundations or flood mitigation works, or

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

6.3 Pitt Town—subdivision and regional transport infrastructure

- (1) This clause applies to development on all land identified on the Pitt Town Subdivision & Regional Transport Infrastructure Map.
- (2) The object of this clause is to require assistance towards the provision of regional transport infrastructure and services to satisfy needs that will arise from development of land to which this clause applies, but only if that land is developed intensively for urban purposes.
- (3) Despite any other provision of this plan, consent must not be granted for a subdivision of land to which this clause applies if the number of lots created exceeds the density control for the land (2 hectares or 10 hectares) as shown on the Pitt Town Subdivision & Regional Transport Infrastructure Map, unless the Director-General has certified in writing to the Council that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services in relation to the land comprising that lot.
- (4) The reference in subclause (3) to a lot with an area of less than 2 or 10 hectares does not include a reference to any such lot:
 - (a) identified in the certificate as a residue lot, or
 - (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose.
- (5) Subclause (3) does not apply to a subdivision for the purpose only of rectifying an encroachment on any existing allotment.
- (6) Clause 4.6 of this plan ~~does not apply to this clause.~~
- (7) This clause has effect despite any other provision of this plan.

Deleted: . (7) . Clause 10 of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development does not apply to development that requires development consent under this clause.¶

Deleted: 4

6.4 Essential Services

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

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

Deleted: and State Environmental Planning Policy No 1—Development Standards

Deleted: 5

Deleted: Public Utility Infrastructure

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

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

- (1) This clause applies to Lot 1, DP 827148, Richmond Road, Clarendon.
- (2) Despite any other provision of this plan, the Council must not grant consent to the carrying out of development on the land to which this clause applies unless, after consultation with the Department of Defence, it has considered

Deleted: 6

the effect of the proposed development on the aircraft operations of the RAAF Base Richmond with respect to:

- (a) the height of any proposed building, having regard to any Obstruction Clearance Surfaces (OCS) applying to the land as determined by the Department of Defence from time to time, and
- (b) the reflectivity of materials used on any proposed building, and
- (c) any proposed building to be erected satisfying the provisions of Australian Standard AS 2021-2000, *Acoustics-Aircraft noise intrusion-Building siting and construction*, and
- (d) birdlife attraction, and
- (e) any other requirements of the Department of Defence.

6.6 Flood Planning

Deleted: 7

- (1) The objectives of this clause are:
 - (a) to maintain the existing flood regime and flow conveyance capacity; and
 - (b) to enable safe occupation and evacuation of land in a flood event; and
 - (c) to avoid significant adverse impacts upon flood behaviour; and
 - (d) to avoid significant adverse effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of the river bank/watercourse; and
 - (e) to limit uses to those compatible with flow conveyance function and flood hazard.
- (2) This clause applies to land subject to the discharge of a 1:100 ARI (average recurrent interval) flood event.
- (3) Consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) will not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties; and
 - (b) will not significantly alter flow distributions and velocities to the detriment of other properties or the environment; and
 - (c) will enable safe occupation and evacuation of the land; and
 - (d) will not significantly detrimentally affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of the river bank/watercourse; and
 - (e) will not be likely to result in unsustainable social and economic costs to the flood affected community or general community as a consequence of flooding; and
 - (f) if located in a floodway,
 - (i) is compatible with the flow conveyance function of the floodway; and
 - (ii) is compatible with the flood hazard within the floodway.
- (4) In this clause, *floodway* has the same meaning as it has in the Floodplain Development Manual 2005.

6.7 Pitt Town heritage

Deleted: 8

- (1) This clause applies to development on all land shown on the map marked on the Pitt Town Heritage Map”.
- (2) This clause does not apply if:
 - (a) the proposed development does not involve disturbance of below-ground deposits and the Council is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) the proposed development is integrated development.
- (3) Before granting consent to development on land to which this clause applies that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the Council must:
 - (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.
- (4) Before granting consent to development on land to which this clause applies that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the Council must:
 - (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place of site and any relic known or reasonably likely to be located at the place or site, and
 - (b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such a way as it thinks appropriate) of the development application and take into consideration any comments received in response within 21 days after the notice was sent, and
 - (c) be satisfied that any necessary consent or permission under the *National Parks and Wildlife Act 1974* has been granted.
- (5) In this clause:

archaeological site means the site of one or more relics.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

place of Aboriginal heritage significance means:

 - (a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may 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, including 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.

potential archaeological site means a site that, in the opinion of the Council, has the potential to be an archaeological site, even if it is not so specified.

potential place of Aboriginal heritage significance means a place that, in the opinion of the Council, has the potential to have Aboriginal heritage significance, even if it is not so specified.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of Hawkesbury and that is a fixture or is wholly or partly within the ground, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of Hawkesbury.

6.8 Biodiversity (Terrestrial)

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

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

(2) This clause applies to land identified on the Hawkesbury Local Environmental Plan 2011 Natural Resource – Biodiversity Map

(3) When assessing a development application, the consent authority must consider potential adverse impacts from the proposed development on:

- (a) the condition and significance of the vegetation on the land and whether it should be substantially retained,
- (b) the importance of the vegetation in that particular location to native fauna
- (c) any potential to fragment, disturb or diminish the biodiversity values of the land, and
- (d) the condition and role of the vegetation as a habitat corridor, and any proposed measures to minimise or mitigate those impacts

(4) Before granting consent to development to which this clause applies the consent authority must be satisfied that:

- (a) the development is sited, designed and managed to avoid potential adverse environmental impacts, or
- (b) where an impact cannot be avoided, and having taken into consideration feasible alternatives, the proposed design, construction and operational management of the development will mitigate and minimise those impacts to a satisfactory extent.

6.9 Wetlands

(1) The objective of this clause is to ensure that natural wetlands are preserved and protected from the impacts of development.

Deleted: 9

Deleted: Environmentally sensitive land—biodiversity

Deleted: . (1) . The objectives of this clause are to protect, maintain or improve the diversity of the native vegetation, including: ¶

- . (a) . protecting biological diversity of native flora and fauna, and¶
- . (b) . protecting the ecological processes necessary for their continued existence, and¶
- . (c) . encouraging the recovery of threatened species, communities or populations and their habitats.¶

. (2) . This clause applies to development on land that is identified as "environmentally sensitive land—biodiversity" on the Biodiversity Protection Map or "environmental constraint area" on the Environmental Constraints Map.¶

. (3) . Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered a report that addresses the following matters: ¶

- . (a) . identification of any potential adverse impact of the proposed development on any of the following: ¶
- . (i) . a native vegetation community,¶
- . (ii) . the habitat of any threatened species, population or ecological community,¶
- . (iii) . a regionally significant species of plant, animal or habitat,¶
- . (iv) . a habitat corridor,¶
- . (v) . a wetland,¶
- . (vi) . the biodiversity values within a reserve, including a road reserve or a stock route, and¶
- . (b) . a description of any proposed measures to be undertaken to ameliorate any such potential adverse impact.¶

. (4) . Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and: ¶

- . (a) . the development is designed, sited and managed to avoid the potential adverse environmental impact, or¶
- . (b) . if a potential adverse impact cannot be avoided, the development: ¶
- . (i) . is designed and sited so as to have minimum adverse impact, and¶
- . (ii) . incorporates effective measures so as to have minimal adverse impact, and¶
- . (iii) . mitigates any residual adverse impact through the ... [2]

- (2) This clause applies to land identified on the Hawkesbury Local Environmental Plan 2011 Natural Resource - Wetlands Map
- (3) When assessing a development application, the consent authority must consider potential adverse impacts from the proposed development on:
 - (a) the growth and survival of native flora and fauna,
 - (b) the condition and significance of the native flora on the land and whether it should be substantially retained,
 - (c) the provision and quality of habitats for indigenous and migratory species,
 - (d) the surface and groundwater characteristics of the site, including water quality, natural water flows and salinity, and
 - (e) any wetland in the vicinity of the proposed development, and any proposed measures to minimise or mitigate those impacts.
- (4) Before granting consent to development to which this clause applies the consent authority must be satisfied that:
 - (a) the development is sited, designed and managed to avoid potential adverse environmental impacts, or
 - (b) where an impact cannot be avoided, and having taken into consideration feasible alternatives, the proposed design, construction and operational management of the development will mitigate and minimise those impacts to a satisfactory extent.

6.10 Residential development at Johnston and New Streets, Windsor

- (1) This clause applies to the land at Windsor described in the table to this subclause.
- (2) Despite any other provision in this Plan, the Council must not grant development consent to residential development on land to which this clause applies if the development will result in an increase in the number of dwellings on that land, unless:
 - (a) no dwelling is lawfully situated on that land, and
 - (b) the Council is satisfied that the relevant land has potential for residential development, and
 - (c) the development is for the erection of no more than one dwelling on that land.

<u>Property Description</u>	<u>Address</u>
<u>Lots 11 and 12, DP 854037</u>	<u>2 New Street</u>
<u>Lot 1, DP 1114150</u>	<u>4 New Street</u>
<u>Lot 6, DP 1066233</u>	<u>6 New Street</u>
<u>Lot 8, DP 1066324</u>	<u>8 New Street</u>
<u>Lot 1, DP 70063</u>	<u>17 Johnston Street</u>
<u>SP 49911</u>	<u>19 Johnston Street</u>
<u>Lot 1, DP 800664</u>	<u>23-27 Johnston Street</u>
<u>Part Lot 20, DP 1114152</u>	<u>Land on the south western side of Johnston Street (off 227 George Street including the walkway to New Street)</u>

Schedule 1 Additional permitted uses

(Clause 2.5)

In the event of any inconsistency, the land uses listed in this Schedule prevail over the Land Use Table or any other provisions of this Plan.

Deleted: Lot 1, DP 730 ... [3]

Deleted: Lot B, DP 411 ... [4]

Deleted: Tourist and visitor accommodation with associated s

Deleted: , restaurant, amenities building, carpark and picnic area

Deleted: Lots 101 – 110, 112 – 118, 120 – 142 DP 805558; Lots 222 – 236 DP 813379; Lots 204 – 208 DP 813634; Lots 220 – 224 DP 813635; Lots 211 – 219 DP 813636; Lots 404 – 413, 417 – 439 DP 818103; Lots 301 -325 DP 825973; Lots 501 – 530 DP 825974; Lots 901 – 944, 948 – 950 DP 830425; Lots 1201 – 1215 DP 833676; Lots 1001 – 1015 DP 834694; Lots 1101 – 1132, 1135, 1137 DP 834695; Lots 698, 701 -710 DP 835336; Lots 711 – 732 DP 835337; Lots 1945 – 1947 DP 836423; Lots 601 - 625 DP 839619; Lots 801 – 811 DP 841595; Lots 1 – 9 DP 843500; and Lots 4001 – 4008 DP 849967

Deleted: Lots 101 – 110, 112 – 118, 120 – 142 DP 805558; Lots 222 – 236 DP 813379; Lots 204 – 208 DP 813634; Lots 220 – 224 DP 813635; Lots 211 – 219 DP 813636; Lots 404 – 413, 417 – 439 DP 818103; Lots 301 -325 DP 825973; Lots 501 – 530 DP 825974; Lots 901 – 944, 948 – 950 DP 830425; Lots 1201 – 1215 DP 833676; Lots 1001 – 1015 DP 834694; Lots 1101 – 1132, 1135, 1137 DP 834695; Lots 698, 701 -710 DP 835336; Lots 711 – 732 DP 835337; Lots 1945 – 1947 DP 836423; Lots 601 - 625 DP 839619; Lots 801 – 811 DP 841595; Lots 1 – 9 DP 843500; and Lots 4001 – 4008 DP 849967

Deleted: 1 – 45 Archer Lane, Windsor Downs; 2 – 10 Avon Place, Windsor Downs; 3 – 168 Barkly Drive, Windsor Downs; 1 – 11 Buchanan Lane, Windsor Downs; 1 – 22 Burnside Grove, Windsor Downs; 2 – 81 Canoona Avenue, Windsor Downs; 1 – 12 Denison Place, Windsor Downs; 1 – 45 Diamantina Avenue, Windsor Downs; 3 – 15 Durham Close, Windsor Downs, Windsor Downs; 8 – 35 Fitzroy Lane, Windsor Downs; 1 – 14 Gordon Place, Windsor Downs; 1 – 23 Kimberley Lane, Windsor Downs; 1 – 13 Morstone Place, Windsor Downs; ... [5]

Lot Description	Address	Additional permitted use	Conditions
Lot 1, DP 783403 (formally known as Lot B, DP 158512)	60 Bells Line of Road, North Richmond	Office premises	
Lot 1, DP 846501	535 Wilberforce Road, Wilberforce	Service station	
Lot 1, DP 834702	81-87 Bells Line Of Road, North Richmond	Service station	
Lot 4, DP 507956	87 Windsor Street, Richmond	Office premises	
Lots 11 & 12, DP 1003591	77-79 Old Bells Line of Road, Kurrajong	Restaurant and shop	
Lot 2, DP 1110480	15B Racecourse Road, Clarendon	Tourist and visitor accommodation	
Lot 1, DP 824014	23 Coromandel Road, Ebenezer.	Dwelling house	
Lot 69, DP 753774	3351 Singleton Road, Colo Heights	Services station	
Lot 1 DP 129442 and Lot 1 779913	739 George Street, South Windsor	Service station	
Land at Windsor Downs as shown on sheet 016 of the Additional Permitted Uses Map	Land at Windsor Downs as shown on sheet 016 of the Additional Permitted Uses Map	Dual occupancy (attached)	
Part of Hawkesbury River as shown on sheet 018 of the Additional Permitted Uses Map	Part of Hawkesbury River as shown on sheet 018 of the Additional Permitted Uses Map	Extractive industry	
Lot 6 DP 270412	5A Curtis Road, Vineyard	Shops	
SP 73477	5B Curtis Road, Vineyard	Shops	
Lot 1 DP 1038365	8 Groves Avenue, Mulgrave	Shops	
Lot 381 DP 595952, Lot 380 DP 818974, Lot 1 DP 797152 and Lot 1 DP 613929	122 – 130 Macquarie Street, Windsor	Office premises, medical centre	
Land at Pitt Town as shown on sheet 015 of the Additional	Land at Pitt Town as shown on sheet 015 of the Additional	Community facilities	

Permitted Uses Map	Permitted Uses Map		
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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.](#)

Advertisements-general requirements

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

Advertisements-business identification signs for businesses other than brothels in business and industrial zones

- (1) **Under awning sign**
Sign attached to the underside of an awning other than a fascia or return end:
 - (a) must meet the general requirements for advertisements, and
 - (b) 1 sign per ground floor premises with street frontage, and
 - (c) maximum length—2.5m, and
 - (d) maximum height—0.5m.
- (2) **Flush wall sign**
Sign attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 300mm:
 - (a) must meet the general requirements for advertisements, and
 - (b) maximum area—2.5m².
- (3) **Top hamper sign**
Sign attached to the transom of a doorway or display window of a building:
 - (a) must meet the general requirements for advertisements, and
 - (b) maximum area—2.5m².
- (4) **Fascia signs**
Sign attached to the fascia or return of the awning:
 - (a) must meet the general requirements for advertisements, and

- (b) must not project above or below, or more than 50mm out from the fascia or return end of the awning to which it is attached.

(5) **Pylon signs**

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

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

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

Advertisements—public notices displayed by a public body giving information or direction about the services provided

- (1) Must meet the general requirements for advertisements.
- (2) Maximum area—5m².
- (3) Maximum height—5m.
- (4) Must not obstruct the sight line of vehicle or pedestrian traffic.

Advertisements—real estate signs (advertising land development)

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

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

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

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

- (1) Must meet the general requirements for advertisements.
- (2) 1 sign per street/road frontage
- (3) Maximum area—2.5m².
- (4) Maximum Height—2m.
- (5) Must be within the boundary of the advertised property.

- (6) Must be removed within 14 days after the premises or land is sold or let.

Advertisements—~~shop window signs in Business and Industrial Zones (other than brothels)~~

Deleted: signs behind the glass line of a

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

Advertisements—temporary signs for religious, cultural, political, social or recreational events

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

Advertisements—in a site, but not visible from outside of that site (other than brothels)

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

Advertisements-sandwich boards (A frame)

- (1) For sandwich boards (A frame) located on private property in business and industrial zones:
 - (a) maximum area 2.4m² on each of the 2 faces, and
 - (b) maximum of one such sandwich board per business.
- (2) For sandwich boards (A frame) located on council property and public places:
 - (a) maximum area 1.2m² on each of the 2 faces, and
 - (b) each sandwich board is to be registered with the Council and have a Council issued registration plate attached, and
 - (c) each sandwich board is to be covered by public liability insurance to the value of \$5 million that protects both the owner of the board and the Council. The owner is to provide evidence of the insurance to the Council annually or at such other times as may be requested by the Council, and
 - (d) sandwich board is not to be placed so as to obstruct pedestrians or the view of drivers of motor vehicles, and
 - (e) sandwich board is to be located no more than 5m from the business to which it relates, and
 - (f) maximum of one sandwich board per business.

Change of use—~~industries, office and business premises, and shops—general requirements~~

Deleted: light industrial premises, industrial premises,

- (1) Must not involve the carrying out of any internal or external alterations other than the installation of fixtures and alterations that are themselves exempt development

- (2) The new use must be permissible in the zone.
- (3) Must not use curtilage of the premises for storage or display purposes.
- (4) Must not extend the approved hours of operation.
- (5) The relevant sewer authority (the Council or Sydney Water) must be consulted regarding acceptable discharge limits to the sewerage system and, if required, a Trade Waste agreement must be entered into with the relevant authority before trade waste is discharged from the premises.
- (6) Must not result in change of classification under the *Building Code of Australia* or require an upgrade of the building under the *Building Code of Australia*

Change of use—industrial premises in industrial zones

- (1) Must meet the general requirements for change of use.
- (2) New use must be for an industrial purpose but not for the purposes of an offensive, hazardous or heavy industry or an industrial retail outlet.
- (3) The premises must have a previous approval for an industrial use.
- (4) Must have space for loading and unloading vehicles on the premises.

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

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

Waste storage containers in public place

- (1) Maximum length of container 3m.
- (2) Single container only.
- (3) Container is to be located and designed in accordance with any requirements or guidelines of the Roads and Traffic Authority.
- (4) Container is to be removed within 14 days of being placed in the public place.
- (5) Each container is to be covered by public liability insurance to the value of \$10 million that protects the Council.

Deleted: Change of use—light industrial premises in business and industrial zones

- (1) . Must meet the general requirements for change of use.
- (2) . New use must be for light industrial purposes but not for the purposes of an industrial retail outlet.
- (3) . The premises must have a previous approval for light industrial use.
- (4) . Must have space for loading and unloading vehicles on the premises.

Deleted: Change of use—office and business premises in business zones

- (1) . Must meet the general requirements for change of use.
- (2) . Must use the premises for the purposes of office premises or business premises.
- (3) . The premises must have a previous approval for use as office premises or business premises.
- (4) . Maximum gross floor area—1,000m².

Change of use—shops in business zones

- (1) . Must meet the general requirements for change of use.
- (2) . Must use the premises for the purposes of a shop.
- (3) . The premises must have a previous approval for use as a shop.
- (4) . Must not result in premises being used for the purposes of food and drink.

Deleted: Dog kennels or dog runs

- <#>Maximum height of dog kennel - 2m above ground level.
- <#>Maximum area of dog kennel - 2m².
- <#>No more than 2 kennels.
- <#>Dog run enclosure not exceeding 1.2m high (or 2m if enclosed) above ground level and dimensions 3m x 2m.
- <#>Domestic use only.
- (6) . Located behind principal building.

Filming

- (1) . May only be carried out:
- (a) . on private land, or

Deleted: Water heaters

- (1) . Work does not reduce structural integrity of the building or involve structural alterations
- (2) . Must not alter any BASIX commitments accompanying the development consent for the dwelling.

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.

Deleted: ¶

Part 1 Types of development

Boundary Adjustments

- (1) Affects no more than 2 lots
- (2) Not identified as bushfire prone land
- (3) The variation to either of the lots must not exceed 20%
- (4) The lots created are connected to reticulated sewer system.
- (5) Not carried out on land:
 - (a) zoned E2 Environmental Conservation or within 20 metres of land so zoned, or
 - (b) lower than 1.2 metres below the 1 in 100 year flood level for the locality, or
 - (c) that is a remediation site within the meaning of the *Contaminated Land Management Act 1997* or subject to an agreement with the Environment Protection Authority under section 26 of that Act for voluntary remediation, or
 - (d) that is on a register maintained by the Council as land that is subject to landslip, or
 - (e) that is identified on the Acid Sulfate Soils Planning Map as land containing potential acid sulphate soils of Class 1, 2 or 3, or
 - (f) that is identified as a scenic area of the riverine corridor or as a conservation area sub-catchment under *Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997)*

Deleted: <#>¶

Industrial additions in Zones IN1 and IN2

- (1) As for industrial buildings.
- (2) Total area of all such additions does not exceed 1,000m²

Industrial buildings in Zones IN1 and IN2

- (1) Area of building does not exceed 1,000m²
- (2) Maximum height 9m above ground level
- (3) On classified roads, all buildings are to be setback 15 metres from the front property boundary. On all other streets, buildings are to be setback 10 metres from the front property boundary.
- (4) Must not be on corner lots or lots that are adjacent to land in Residential or Recreation zones.
- (5) Earthworks must not extend more than:
 - (a) 900mm above ground level (existing), or
 - (b) 600mm below ground level (existing).
- (6) Must provide and maintain, adjacent to any street boundary, a landscaped area with a minimum width of 5m that is designed by a suitably qualified landscape architect. Car parking spaces are not to be provided for in this area.
- (7) Must ensure that there are in each landscaped area at least 3 trees (that grow to a mature height of over 5m), 6 shrubs (that grow to a mature height of over 1.5m) and 20 smaller plants.

- (8) Building facades to street frontages are to be constructed predominantly of face brick, concrete panels or pre-coloured masonry blocks (not standard concrete blocks) or glazing.
- (9) Roller shutters and loading docks are not to face the street frontage.
- (10) The maximum reflectivity index permissible for any external glazing is 20%.
- (11) Where a number of units are proposed within a building(s), the colour scheme and design features are to unify all buildings on the premises.
- (12) Any fencing is to be provided behind the landscaped area. Pre-painted solid metal fencing is not acceptable.
- (13) Must locate garbage and storage areas behind the building line and screened from the road and adjoining land.
- (14) Must provide at least 4 car parking spaces for every 300m² of gross floor area then 1 space for each 90m² of gross floor area or part thereof, in excess of 300m².
- (15) For any part of the building proposed to be used for the purpose of associated office premises, at least 1 car parking space for every 30m² of gross floor area is to be provided.
- (16) Driveways must be at least 1m from adjoining property boundaries.
- (17) On-site manoeuvring areas must be of sufficient size to permit all vehicles to enter and exit the site in a forward direction.
- (18) Parking spaces are to be perpendicular to the driveway with minimum dimensions of 5.5m long by 2.6m wide and a minimum aisle width adjacent to the space of 6.7m.
- (19) Any roof or surface drainage area must have a gravity fed drainage system that:
 - (a) captures the roof or surface water, and
 - (b) discharges that water into the inter-allotment or street stormwater drainage system, and
 - (c) limits the rate of discharge into Council's kerb and gutter to less than 20 litres per second per outlet. Outlets are to be constructed of Rolled Hollow Section (RHS) not greater than 100mm in height and not more than two outlets located adjacent to each other, and
 - (d) the post-development flow rate shall not exceed the pre-development flow rate for all recurrence intervals from the 1 year event to the 100 year event.
- (20) The development must be connected to reticulated sewer system.
- (21) Not carried out on land:
 - (a) zoned E2 Environmental Conservation or within 20 metres of land so zoned, or
 - (b) lower than 1.2 metres below the 1 in 100 year flood level for the locality, or
 - (c) that is a remediation site within the meaning of the *Contaminated Land Management Act 1997* or subject to an agreement with the Environment Protection Authority under section 26 of that Act for voluntary remediation, or
 - (d) that is on a register maintained by the Council as land that is subject to landslip, or
 - (e) that is identified on the Acid Sulfate Soils Planning Map as land containing potential acid sulphate soils of Class 1, 2 or 3, or
 - (f) that is identified as a scenic area of the riverine corridor or as a conservation area sub-catchment under *Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997)*

Deleted: Business premises, office premises and retail premises fit outs

- (1) . Must be either: ¶
- (a) minor internal alterations (and any associated demolition), or¶
- (b) the change of use from retail premises, business premises or office premises to any other one of those uses.¶
- (3) . Must not increase the total floor area of the building.¶
- (4) . Any new use: ¶
- (a) . must be permissible in the relevant zone, and¶
- (b) . must replace a former lawful use, and¶
- (c) . must comply with any applicable existing conditions of development consent, and¶
- (d) . must not be for the purposes of food and drink premises, a beauty salon, hairdressing salon or skin penetration premises.¶

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.

Conditions relating to Industrial Building and Additions and Business premises, office premises and retail premises fit outs

1 Required payments

If payments are required in relation to any of the following, evidence of those payments must be provided to the Council on or before the lodging of the complying development certificate with the Council:

- (a) developer, sewerage, drainage and/or stormwater contributions
- (b) road reserve deposits,
- (c) opening of roads,
- (d) inspections,
- (e) Long Service Levy.

2. Conditions applying before works commence

2.1 User Restrictions, Easements and Covenants

The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

2.2 Protection of adjoining areas

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

A temporary fence must be covered in cyclone wire mesh if it adjoins or is on a public place.

A temporary hoarding, fence or awning must not be erected on public land or a road unless the relevant authority has approved of the works.

Note. Approval in relation to public land may be granted under the *Local Government Act 1993*. Approval in relation to a road may be granted under the *Roads Act 1993*.

2.3 Toilet facilities

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

2.4 Garbage receptacle

A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

3 Conditions applying during the works

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

3.1 Hours

Construction or demolition work that is audible in adjoining premises must be carried out only between the following hours:

- (a) Monday–Friday—7.00 am and 6.00 pm,
- (b) Saturday—8.00 am and 4.00 pm,

and no such work must be carried out at any time on a Sunday or a public holiday.

3.2 Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

3.3 Sedimentation and erosion controls

Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

3.4 Maintenance of site

Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Demolition materials and waste materials must be disposed of at a waste management facility.

The work site must be left clear of waste and debris at the completion of the works.

3.5 Demolition

The person having the benefit of the complying development certificate must ensure that demolition work does not adversely affect any neighbouring properties with dust, noise, traffic, falling objects or underpinning.

3.6 Survey - Industrial Buildings and Additions

The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority

4 Construction requirements

4.1 Staging construction

Any approval that is required for connection to the drainage system under the *Local Government Act 1993* must be held before the connection is carried out.

If the complying development involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the complying development on the site is obtained.

4.2 Utility services

If the complying development requires alteration to, or the relocation of, utility services on the lot on which the complying development is carried out, the complying development is not complete until all such works are carried out.

Where, Hawkesbury City Council is the sewer authority for this development, inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe.

Where the land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.

4.3 Parking, driveways and turning areas

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

5 Prior to Issue of Occupation Certificate

Where required:

- (a) A Section 73 Certificate from Sydney Water shall be submitted to the Principal Certifying Authority.
- (b) Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

5 Use of the Site - Business premises, Office premises and Retail Premises fit outs

Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.

All vehicles being loaded or unloaded shall stand entirely within the property.

All vehicles shall be driven in a forward direction at all times when entering and leaving the premises.

6 Use of the Site - Industrial Buildings and Additions

Separate consent is required for the use of the premises.

Conditions relating to Boundary Adjustments

1 Required payments

If payments are required in relation to any of the following, evidence of those payments must be provided to the Council on or before the lodging of the complying development certificate with the Council:

- (a) developer contributions
- (b) linen release/registration.

2 Prior to Release of Subdivision Certificate

A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.

A Section 73 Certificate from Sydney Water shall be submitted to the Principal Certifying Authority.

Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.

A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

Column 1	Column 2
Locality	Description
WINDSOR	Lot 5 DP 259300, 45 Macquarie Street
	Lots 102 and 103 DP 737270, George Street
RICHMOND	Lot 1 DP 236567, 12 West Market Street
	Lot 4 DP 236567, 12A West Market Street
	Lot 5 DP 236567, 12B West Market Street
	Lot 3 DP 236567, 12F West Market Street
	Lot 8 DP 236567, 12E West Market Street
	Lot 7 DP 236567, 12D West Market Street
	Lot 6 DP 236567, 12C West Market Street
	Lot 13 DP 236567, 11I West Market Street
	Lot 9 DP 236567, 11G West Market Street
	Lot 10 DP 236567, 11F West Market Street
	Lot 11 DP 236567, 11E West Market Street
	Lot 12 DP 236567, 11D West Market Street
	Lot 14 DP 236567, 11H West Market Street
	Lot 15 DP 236567, 11C West Market Street

	Lot 2 DP 561996, 11B West Market Street
	Lot 18 DP 236567, 11 West Market Street
	Lot 17 DP 236567, 11A West Market Street
	Lot 2 DP 554317, 185A Windsor Street
	Lot 221 DP 1088937, 14B West Market Street
	Lot 102 DP 870478, 263A Windsor Street
	Lot 1 DP 567637, 122 Francis Street
	Lot 7 DP 738003, 126 Francis Street
	Lot 2 DP 1008837, 128A Francis Street
	Lot 222 DP 1088938, 14D West Market Street
	Lot 14 DP 578972, 124 Francis Street
	Part Lot 1 DP 798313, 257A Windsor Street
	Lot 223 DP 1088987, 255A Windsor Street
	Part Lot 3 Sec 4 DP 758881, 7 West Market Street
	Lot 6 DP 738084, 23 West Market Street
	Lot 4 DP 223656, 5 Mussen Lane
	Lot 4 DP 738084, 8 Mussen Lane
	Lot 6 DP 560899, 110 March Street
NORTH RICHMOND	Lot 3 DP 748082, 10A Riverview Street
	Lot 102 DP 776172, 49B Bells Line of Road
	Lot 122 DP 771719, 47A Bells Line of Road
	Lot 104 DP 785779, 32A Riverview Street
	Lot 6 DP 748866, 39A Bells Line of Road

... [8]

	Lot 123 DP 774812, 24A Riverview Street
	Lot 9 Sec B DP 17017, 20 Riverview Street
	Lot 8 Sec B DP 17017, 22 Riverview Street
	Lot 1 DP 832969, 23 Bells Line of Road
	Lot 19 Sec A DP 17017, 33 Bells Line of Road
	Lot 10 DP 801727, 31 Bells Line of Road
	Lot 101 DP 776172, 3B Grose Vale Road
	Lot 4 DP 748866, 3A Grose Vale Road
	Pt Lot 7 Sec A DP 751637, 7 Grose Vale Road
	Pt Lot 6 Sec A DP 751637, 9 Grose Vale Road
	Pt Lot 5 Sec A DP 751637, 11 Grose Vale Road
	Lot 82 DP 634539, 5 Grose Vale Road
	Lot 2 DP 748866, 3 Grose Vale Road
	Lot 17 Sec B DP 17017, 2 Riverview Street
	Lot 18 Sec B DP 17017, 4 Riverview Street
	Lots 56, 57, 58 & 59 DP 236754, 22 Elizabeth Street
McGRATHS HILL	Part Lot 249 DP 752050
	Lot 8 DP 804460, 254 Windsor Road
WINDSOR DOWNS	Lot 698 DP 835336, 23 Burnside Grove
	Lot 1137 DP 834695, 18 Nutwood Drive
BLIGH PARK	Lot 102 DP 849072, 11A Peter Place

SOUTH WINDSOR	Lot 336 DP 752061, 22 Berger Road
ST ALBANS	Lot ? DP 753793, 1672 St Albans Road

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

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

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 - Heritage Items

Suburb	Item name	Address	Property description	Significance	Item number	
Agnes Banks	"Bronte"	248 Castlereagh Road	Lot 46, DP1113776	Local	<u>1444</u>	Deleted: Agnes Banks ... [9]
Agnes Banks		333 Castlereagh Road	Lot 5, DP 236076	Local	<u>1445</u>	
Agnes Banks		354 Castlereagh Road	<u>Part</u> Lot 1, DP 383981	Local	<u>1501</u>	
<u>Agnes Banks</u>		<u>2 Price Lane</u>	<u>Lot 1, DP 593577</u>	<u>Local</u>	<u>1500</u>	
Agnes Banks	"Blue Gardens"	254 Yarramundi Lane	Lot 220, DP 808633	Local	<u>1446</u>	
Berambing	"Bulga Matta"	57 Bulgamatta Road	Lot 1, DP 195276	Local	<u>1416</u>	
<u>Blaxlands Ridge</u>	<u>"Kooroowal"</u>	<u>173 Blaxlands Ridge Road</u>	<u>Lot 4, DP 738221</u>	<u>Local</u>	<u>1505</u>	Deleted: Blaxlands Ridge Public School
<u>Blaxlands Ridge</u>	<u>Blaxlands Ridge Public School</u>	<u>227-231 Blaxlands Ridge Road</u>	<u>Lots 72 and 73, DP 751658</u>	<u>Local</u>	<u>1447</u>	Deleted: Lots 72 and 73, DP 751658
Bowen Mountain	"Bowen Hut"	110-112 Lt. Bowen Drive	Lots 476 and 477, DP 210305	Local	<u>1327</u>	Deleted: Local
Cattai	"Ukamurra"	439 Cattai Road	Part Lot 258, DP 752050	Local	<u>1323</u>	Deleted: 447
Cattai		268 <u>Pebbley Hill Road</u>	Lot 3, DP 226309	Local	<u>1324</u>	Deleted: Blaxlands Ridge
Cattai	"Macquarie Retreat"	143 Threlkeld Drive	Lot 16, DP 259650	Local	<u>1325</u>	Deleted: 227-231 Blaxlands Ridge Road
Central MacDonald	Jurd's Private Cemetery	987 Settlers Road	Lot 76, DP 755258	Local	<u>1430</u>	Deleted: Blaxlands Ri ... [10]
Central MacDonald	Slab-built dwelling	1202 Settlers Road	Lot 1, DP 789303	Local	<u>1424</u>	Deleted: Cattai Road
Central MacDonald	St. Jude's Cemetery	1231 St Albans Road	Lot 1, DP 633910	Local	<u>1417</u>	Deleted: Central MacD ... [11]
Carendon	"Prestonville"	<u>120-162</u> Hawkesbury Valley Way	Lots 2 and 3, DP 700263	Local	<u>1322</u>	Deleted: 188
Carendon	"Rhodesia"	210 Hawkesbury Valley Way	Lot B, DP 160847	Local	<u>1321</u>	
Carendon		211 Hawkesbury Valley Way	<u>Part</u> Lot 1, DP 745143	Local	<u>1319</u>	
Carendon		216 Hawkesbury Valley	Lot 10, DP 624818	Local	<u>1318</u>	

Suburb	Item name	Address	Property description	Significance	Item number
		Way			
Clarendon		221 Hawkesbury Valley Way	Lot 1, DP 1017298	Local	1320
Clarendon	"Jonlyn"	130-144 Percival Street	Lots 12 and 13, DP 563483	Local	1255
East Kurrajong		829 Putty Road	Lot 773, DP 787251	Local	1448
Ebenezer	Uniting Church and Old Schoolhouse	95 Coromandel Road	Lot 2A, DP 740305	State	1329
Ebenezer	Uniting Church Cemetery	95 Coromandel Road	Lot 2A, DP 740305	Local	1330
Ebenezer	"Port Erringhi"	53 Port Erringhi Road	Lot 21, DP 232576	Local	1332
Ebenezer	"Portland Head Farm"	147 Portland Head Road	Lot B, DP 161016	Local	1333
Ebenezer		368 Sackville Road	Lot 2, DP 1035246	Local	1336
Ebenezer	"Kinlew"	477 Sackville Road	Lot 51, DP 804631	Local	1337
Ebenezer	Former Public School	664 Sackville Road	Lot 12, DP 603763	Local	1340
Ebenezer	"Coromandel"	665 Sackville Road	Lot 1, DP1008634	Local	1334
Ebenezer	"Rockleigh"	695 Sackville Road	Lot 42, DP 1071916	Local	1335
Ebenezer	"Pickwick Park"	799 Sackville Road	Lot 1, DP 533774	Local	1338
<u>Ebenezer</u>		<u>812 Sackville Road</u>	<u>Lot 102, DP 1001775</u>	<u>Local</u>	<u>1339</u>
Ebenezer		75 Tizzana Road	Lot 1, DP 1003326	Local	1343
Ebenezer	"Ebenezer Villa"	105 Tizzana Road	Lot 1, DP 997974	Local	1342
Ebenezer	Tizzana Winery	518 Tizzana Road	Lot 5, DP 227211	Local	1375
Fernances	Slab-built dwelling	1269 Wollombi Road	Lot 32, DP 832093	Local	1437
Freemans Reach		11 Blacktown Road	Lot 202, DP 872566	Local	1328
Freemans Reach	War Memorial in Public Reserve	194 Blacktown Road	Lot 475, DP 751665	Local	1344
Freemans Reach		353 Freemans Reach Road	Lot 4, DP 538611	Local	1347
Freemans Reach		375 Freemans Reach Road	Lot 2, DP 77951	Local	1346

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Suburb	Item name	Address	Property description	Significance	Item number
Freemans Reach		435 Freemans Reach Road	Lot 7, DP 1117693	Local	<u>1345</u>
Freemans Reach	"Reibycroft"	32-94 Smiths Lane	<u>Lots 5 and 6, DP 247875, Lot 4, DP 847231</u>	Local	<u>1348</u>
Freemans Reach	"Bridgeview"	27 Wilberforce Road	Lot A, DP 370895	Local	<u>1274</u>
Grose Vale	"Buena Vista"	5 Bowen Mountain Road	Lot 1, DP 546192	Local	<u>1449</u>
Grose Vale	"La Tosca"	6 Bowen Mountain Road	Lot 2, DP 876389	Local	<u>1453</u>
Grose Vale	"Calool"	33 Carters Road	Lot 201, DP 707842	Local	<u>1450</u>
Grose Vale	"Pleasant Way"	62 Carters Road	Lot 2, DP 879572	Local	<u>1326</u>
Grose Vale		663 Grose Vale Road	Lot 32, DP 1004590	Local	<u>1451</u>
Grose Vale		767 Grose Vale Road	Lot 1, DP 808258	Local	<u>1503</u>
Grose Vale	"Cooraba"	816 Grose Vale Road	Lot 1, DP 828723	Local	<u>1452</u>
Grose Vale	"Westbury"	15 Westbury Road	Lot 3, DP 232606	Local	<u>1454</u>
Higher MacDonald	Slab-built dwelling	2180 Upper MacDonald Road	Lot 11, DP 755206	Local	<u>1423</u>
Higher MacDonald	Higher MacDonald Church	3053 Upper MacDonald Road	Lot 1, DP 753827	Local	<u>1421</u>
Kurmond	"Inverary"	340 Bells Line of Road	Lot 16, DP 218801	Local	<u>1455</u>
Kurmond	"Longleat"	74 Longleat Lane	Lot 3, DP 747089	Local	<u>1458</u>
Kurrajong		114 Comleroy Road	Lot 1, DP 72843	Local	<u>1456</u>
Kurrajong	"Vanay"	463 Comleroy Road	Lot 3, DP 1039892	Local	<u>1457</u>
Kurrajong	"Ridgeacre"	941 Grose Vale Road	Lot 1, DP 502131	Local	<u>1354</u>
Kurrajong	St. Stephen the Martyr Anglican Church	1005 Grose Vale Road	Lot 133, DP 603158	Local	<u>1352</u>
Kurrajong	Cemetery and Manse	1005 Grose Vale Road	Lot 133, DP 603158	Local	<u>1353</u>
Kurrajong	"Curraweena"	1033 Grose Vale Road	Lot 1, DP 153901	Local	<u>1515</u>
Kurrajong		1040 Grose Vale Road	Lot 1, DP 745040	Local	<u>1355</u>
Kurrajong	"Arthona"	1046 Grose Vale Road	Lot 1, DP 562514	Local	<u>1351</u>
Kurrajong	"The Collectors"	101 Old Bells Line of	Lot B, DP 349803	Local	<u>1358</u>

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Suburb	Item name	Address	Property description	Significance	Item number
	Theatre"	Road			
Kurrajong	"Goldfinders" former Inn	164 Old Bells Line of Road	Lot 123, DP 1063011	Local	357
Kurrajong Heights		36 Bellbird Avenue	Lot 101, DP 806616	Local	365
Kurrajong Heights		1229 Bells Line of Road	Lot 1, DP 576199	Local	364
Kurrajong Heights	St. James Anglican	1235 Bells Line of Road	Lot 1, DP 723931	Local	363
Kurrajong Heights	Former St. David's Uniting Church	1251 Bells Line of Road	Lot 100, DP 807610	Local	362
Kurrajong Heights		1255 Bells Line of Road	Lot 2, DP 706131	Local	361
Kurrajong Heights	"Allambie"	1256-1258 Bells Line of Road	Lots A and B, DP 14931	Local	504
Kurrajong Heights	"Ivy Cottage" ("Lochiel")	1259 Bells Line of Road	Lot 1, DP 558605	Local	360
Kurrajong Heights	"Patricks Pressoir"	1271-1275 Bells Line of Road	Lots 1, 2 and 3, DP 1091218	Local	370
Kurrajong Heights	"Rainridge"	1 Buralow Road	Lot C, DP 164492	Local	368
Kurrajong Heights	"The Hermitage" ("Fernmount")	89 Buralow Road	Lot 1, DP 1084814	Local	366
Kurrajong Heights	Shop and residence	1A Warks Hill Road	Lot 204, DP 839939	Local	369
Kurrajong Heights	"Surinam" ("Belmore Lodge")	9 Warks Hill Road	Lot 2, DP 785631	Local	367
Kurrajong Hills	"Beechwood"	41 Baileys Lane	Lot 51, DP 1045434	Local	349
Kurrajong Hills		968-970 Bells Line of Road	Lot 2, DP 582139 and Lot 1, DP 791743	Local	350
Kurrajong Hills		993 Bells Line of Road	Lot 22, DP 867849	Local	502
Kurrajong Hills	"Sunnyside"	49 Hermitage Road	Lot 12, DP 634076	Local	356
Kurrajong Hills	"Bernilla"	93 Hermitage Road	Lot 103, DP 1068395	Local	507
Kurrajong Hills	"Springrove"	55 Springrove Lane	Lot 11, DP 834958	Local	359

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Deleted: Kurrajong Hills ... [18]

Suburb	Item name	Address	Property description	Significance	Item number
Kurrajong Hill	Public School	1 Stone Terrace and 1030 Bells Line of Road	Lot 1, DP 194010 and Lot 1, DP 588702	Local	1371
					Deleted: Agnes Banks ... [19]
Lower MacDonald	Davidson's Dairy	335 Settlers Road	Lot 1 DP 1138319	Local	1425
					Deleted: Lot 9, DP 996029
Lower MacDonald	"Penrose" ruins	707-707A Settlers Road	Lots 13 and 14, DP755258	Local	1431
Lower Macdonald	Wooden Mile Post	St Albans Road	Adjacent to Lot 81 DP 753828	Local	1418
Lower MacDonald	Ruins of St. Joseph's Catholic Church	1029 St Albans Road	Lot 1, DP 605179	Local	1427
Lower MacDonald	St. Joseph's Cemetery	1029 St Albans Road	Lot 1, DP 605179	Local	1428
Lower Portland	"Hawkesbury Retreat"	78 Greens Road	Lot 1, DP 862897	Local	1511
Lower Portland	Monument to Aborigines	239 Laws Farm Road	Lot 201, DP 824060	Local	1372
Lower Portland	"Ventiaville"	1235 West Portland Road	Lot 101, DP 739219	Local	1518
Lower Portland	"Riverside" - slab-barn	1280 West Portland Road	Lot 1, DP 586231	Local	1508
Lower Portland	Lower Portland Public School	1930 Wheelbarrow Ridge Road	Lot 1, DP 794605	Local	1509
Lower Portland	St. Johns Anglican Church	1932 Wheelbarrow Ridge Road	Lot 1, DP 1022812	Local	1510
McGraths Hill	"Spring Hill Farm" house and barn	21 Beddeck Street	Lot 1, DP 743108	Local	1311
McGraths Hill	Cemetery	5 Charles Street	Lot 249, DP 1150152	Local	1312
					Deleted: Part
					Deleted: 752050
McGraths Hill	"McGraths Hill Inn"	1 Pitt Town Road	Lot 1, DP 702263	Local	1315
McGraths Hill		96 Pitt Town Road	Lot 3, DP 242319	Local	1314
McGraths Hill	Pair of cottages	109-113 Windsor Road	Lot 10, DP 1037789 and Lot 1, DP 986076	Local	1316
Mogo Creek	Slab-built dwelling	2500 Wollombi Road	Lot 3, DP 755236	Local	1429
					Deleted: Mulgrave ... [20]
Mulgrave	Railway Stationmaster's residence	Mulgrave Road		Local	1403

Suburb	Item name	Address	Property description	Significance	Item number
Mulgrave	Railway Station	Mulgrave Road		Local	1404
Mulgrave	"Tall Trees"	124 Mulgrave Road	Lot 13, DP 736138	Local	1405
North Richmond	Former Police Station and residence	39 Bells Line of Road	Lot 1, DP 1124671	Local	1406
North Richmond	Seventh Day Adventist Church	54 Bells Line of Road	Part Lot 120, DP 751637	Local	1407
North Richmond		91 Bells Line of Road	S/P 64373	Local	1410
North Richmond		101A Bells Line of Road	Lot 1, DP 1021039	Local	1493
North Richmond	St. Phillips Anglican Church and Cemetery	151 Bells Line of Road	Lot 1, DP 870269	Local	1408
North Richmond	"Hill Crest"	219 Bells Line of Road	Lot 87, DP 1040092	Local	1409
North Richmond	"Rouse Farm"	266 Crooked Lane	Lot 9, DP 595333	Local	1411
North Richmond		15 Grose Vale Road	Lot 12, DP 719031	Local	1495
North Richmond	St. John of God Hospital (former "Belmont Park", mansion, garden building, gatehouse and curtilage)	177-235 Grose Vale Road	Lots 11 and 12, DP 1134453	Local	1412
North Richmond	"Sunnyside" (former O'Dea's dairy)	21 Pitt Lane	Lot 1, DP 749146	Local	1413
North Richmond	"The Terraces"	227 Terrace Road	Lot 410, DP 715738	Local	1415
Oakville	"Killarney Homestead"	23 Clare Crescent	Lot 4, DP 247391	Local	1313
Pitt Town	"Bona Vista" House and slab barns	11 Amelia Grove	Lot 131, DP 1025876	Local	1286
Pitt Town		22 Bathurst Street	Lot 1, DP 986055	Local	1277
Pitt Town	Former "Bird in the Hand Inn"	81 Bathurst Street	Lot 1, DP 786863	State	1279
Pitt Town	Slab barn	85 Bathurst Street	Lot 3, DP 627983	Local	1280
Pitt Town		94 Bathurst Street	Lot 1, DP 719885	Local	1287

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Suburb	Item name	Address	Property description	Significance	Item number
Pitt Town	Scots Uniting Church	99 <u>and 99A</u> Bathurst Street	Lots D and F, DP 392264	Local	<u>281</u>
					Deleted: Agnes Banks ... [22]
Pitt Town	"Macquarie Arms Inn" complex (former inn and slab barn)	104 Bathurst Street	<u>Lot 2, DP 515997</u>	State	<u>282</u>
					Deleted: Part
Pitt Town	St James Anglican Church	112 Bathurst Street	Lot 1, DP 1061612	Local	<u>283</u>
Pitt Town		126 Bathurst Street	Lot 1, DP 999548	Local	<u>284</u>
Pitt Town	"Vine House"	132 Bathurst Street	Lot 1, DP 1000076	Local	<u>285</u>
Pitt Town	Slab cottage and slab barn	132-134 Bathurst Street	Lots 1 and 2, DP 1000076	Local	<u>468</u>
Pitt Town	Slab barn	140 Bathurst Street	Lot 1, DP 779079	Local	<u>1007</u>
Pitt Town	Slab barn and house	142 Bathurst Street	Lot 2602, DP 1003585	Local	<u>288&1006</u>
Pitt Town	Pitt Town Public School and Residence	17 Buckingham Street	Lot 51, DP 851875	Local	<u>291</u>
Pitt Town	"Strathmore" Cottage and slab barn	20-22 Buckingham Street	<u>Lot 101, DP 1150587</u>	Local	<u>290</u>
					Deleted: Lots 1 and 2, DP 550651
Pitt Town	Slab barn	26 Buckingham Street	Lot 4, DP 746764	Local	<u>292</u>
Pitt Town	House and slab barn	8 Chatham Street	Lot 1, DP 785736	Local	<u>293</u>
Pitt Town	"Royville"	38 Eldon Street	Lot 1, DP 777853	Local	<u>294</u>
Pitt Town		10 Grenville Street	Lot 1, DP 741079	Local	<u>296</u>
Pitt Town	"Cleary's House"	14-18 <u>Hall Street</u>	Lots 11 and 12, DP 997997	Local	<u>297</u>
					Deleted: ,
					Deleted: Section 1
Pitt Town	"Wilbows Cottage"	Stone 102 Hall Street	Lot 15, DP 793787	Local	<u>298</u>
Pitt Town	"Lone Acre"	10-14 Hawkesbury Street	Lots 103-105, DP 1056832	Local	<u>299</u>
Pitt Town	"Samuel House"	Cox's 16 Lagoon Road	Lot 1, DP 708230	Local	<u>278</u>
Pitt Town	Cemetery	60 Old Pitt Town Road	Lot 2, DP 544186	Local	<u>302</u>
Pitt Town	Cemetery	524 Old Stock Route Road	Lot 7010, DP 1030967	Local	<u>301</u>
Pitt Town	"Lynwood"	4 Pitt Town Bottoms Road	Lot 3, DP 546915	Local	<u>303</u>

Suburb	Item name	Address	Property description	Significance	Item number
Pitt Town	"Huxley's Blacksmith Shop"	292 Pitt Town Road	Lot 11, DP 10192	Local	304
Pitt Town	Former Manse Farm house	1 Punt Road	Lot 101, DP 635129	Local	310
Pitt Town Bbtoms	Slab barn	163 Pitt Town Bottoms Road	Lot 1, DP 1014860	Local	270
Pitt Town Bbtoms	House and barn	217 Pitt Town Bottoms Road	Lot 22, DP 730868	Local	305
Pitt Town Bbtoms	House and two slab barns	231 Pitt Town Bottoms Road	Lot 21, DP 730869	Local	461
Pitt Town Bbtoms	House and slab barn	251 Pitt Town Bottoms Road	Lot 16, DP 776017	Local	462
Pitt Town Bbtoms	House and slab barn	259 Pitt Town Bottoms Road	Lot 9, DP 1079633	Local	463
Pitt Town Bbtoms	Slab barn	265 Pitt Town Bottoms Road	Lot 8, DP 1079633	Local	464
Pitt Town Bbtoms	Slab barn	284 Pitt Town Bottoms Road	Lot 2, DP 202281	Local	306
Pitt Town Bbtoms	Slab barns	293 Pitt Town Bottoms Road	Lot 101 , DP 1154658	Local	307
Pitt Town Bbtoms	Slab barn	303 Pitt Town Bottoms Road	Lot 26, DP 1125833	Local	465
Pitt Town Bbtoms	House and slab barn	313 Pitt Town Bottoms Road	Lot 1, DP 778704	Local	466
Pitt Town Bbtoms	House and slab barn	333 Pitt Town Bottoms Road	Lot 1, DP 774609	Local	308
Pitt Town Bbtoms	Slab barns	343 Pitt Town Bottoms Road	Lot 3, DP 618213	Local	309
Pitt Town Bbtoms	Slab barn	353 Pitt Town Bottoms Road	Lot 1, DP 569711	Local	467
Richmond		21 Bosworth Street	Lot 6, DP 1087132	Local	1
Richmond		24 Bosworth Street	Lot 1, DP 598169	State	2
Richmond		25-29 Bosworth Street	Lots 7, 8, and 9, DP 5905	Local	3
Richmond		35 Bosworth Street	Lot 2, DP 518997	Local	4
Richmond		42 Bosworth Street	Lot 1, DP 564874	Local	5

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond		51 Bosworth Street	Lot B, DP 153561	State	<u>16</u>
Richmond		55 Bosworth Street	Lot 18, DP 770857	Local	<u>1486</u>
Richmond	"The Presbytery"	1A Bourke Street	Lot 1, DP 874822	Local	<u>17</u>
<u>Richmond</u>	<u>St. Monica's Roman Catholic Church</u>	<u>1A Bourke Street</u>	<u>Lot 1, DP 874822</u>	<u>Local</u>	<u>1132</u>
Richmond	East Richmond Railway Station	32 Bourke Street	Lot 1, DP 1126383	Local	<u>111</u>
Richmond		35 Bourke Street	Lots 4 and 5, DP 210175	Local	<u>112</u>
Richmond		8 Burgess Street	Lot B, Section 15, DP 158162	Local	<u>113</u>
Richmond	Avenue of trees east and west side of street	Chapel Street		Local	<u>118</u>
Richmond	"Josieville"	2 Chapel Street	Lot 1, DP 634986	Local	<u>115</u>
Richmond	"Inew Cottage"	7 Chapel Street	Lot 1, DP 564060	Local	<u>116</u>
Richmond		9 Chapel Street	Lot 1, DP 199910	Local	<u>117</u>
Richmond	Administrative Block	2 College Street	Lot 2, DP1051798	Local	<u>19</u>
Richmond	Blacksmith Shop	2 College Street	Lot 2, DP1051798	Local	<u>19</u>
Richmond	Grandstand	2 College Street	Lot 2, DP1051798	Local	<u>110</u>
Richmond	Stable Square	2 College Street	Lot 2, DP1051798	Local	<u>19</u>
Richmond		13 Conrad Street	Lot 1, DP 734066	Local	<u>119</u>
Richmond		15 Conrad Street	Lot 1, DP 742918	Local	<u>120</u>
Richmond	"Clarendon" (Servants Quarters)	96 Dight Street	Lot 2, DP 542738	Local	<u>121</u>
Richmond	McMahon Homestead	26 Drift Road	Lot 1, DP 737688	Local	<u>182</u>
Richmond		5 Francis Street	Lot 9, DP 863991	Local	<u>126</u>
Richmond		7 Francis Street	Lot 81, DP 1009285	Local	<u>127</u>
Richmond		13 Francis Street	Lot 5, <u>Section 26</u> , DP 758881	Local	<u>128</u>
Richmond	"Tara"	21 Francis Street	Lot 17, DP 525067	Local	<u>129</u>
Richmond		26 Francis Street	Lot 1, DP 549235	Local	<u>130</u>

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond		60 Francis Street	Lot 2, DP 508876	Local	131
Richmond	"Benson House"	61 Francis Street	Lots 1, DP 212262	Local	132
Richmond		87A Francis Street	Lot 570, DP 859752	Local	133
Richmond		119 Francis Street	Lot 3, DP 563230	Local	134
Richmond		128 Francis Street	Lot 1, DP 1008837	Local	135
Richmond	"Kialla"	130 Francis Street	Lot 1, DP 1089582	Local	136
Richmond	"Zeta"	132 Francis Street	Lot 1, DP 513769	Local	137
Richmond	"Clear Oaks"	135 Francis Street	Part Lot 100, DP 789415	State	138
Richmond		142 Francis Street	Lot 1, DP 112529	Local	139
Richmond	"Mountain View"	22 Inalls Lane	Lot 12, DP 588570	State	140
Richmond		32 Inalls Lane	Lot 2, DP 874920	Local	141
Richmond	"Hobartville" (including outbuildings)	36-86 Inalls Lane	Lots 1, 2, and 3, DP 596558	State	114
Richmond	Cemetery	16 Jersey Street	Lot 1, DP 724131	Local	122
Richmond		35 Lennox Street	Lot 2, DP 862014	Local	1484
Richmond		56 Lennox Street	Lot 2, DP 511504	Local	142
Richmond		72 Lennox Street	Lot 1, DP 160850	Local	144
Richmond		74 Lennox Street	Lot 1, DP 1080999	Local	145
Richmond		80 Lennox Street	Lot 221, DP 864634	Local	1491
Richmond	"Carsisle"	82 Lennox Street	Lot 21, DP 567749	Local	146
Richmond		88 Lennox Street	Lot 1, DP 986429	Local	147
Richmond		90 Lennox Street	Lot 1, DP 198910	Local	148
Richmond		102 Lennox Street	Lot 2, DP 207974	Local	149
Richmond		112 Lennox Street	Lot 2, DP 802849	Local	150
Richmond		114 Lennox Street	Lot 1, DP 802849	Local	151
Richmond		122 Lennox Street	Lot 6, DP 997061	Local	152
Richmond		1 March Street	Lot 1, DP 836577	Local	18

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond		8 March Street	Lot 1, DP 745386	Local	1481
Richmond		9 March Street	Lot 12, DP 828171	Local	154
Richmond		16 March Street	Lot 21, DP 1031945	Local	155
Richmond		20 March Street	Lot 1, DP 1040293	Local	156
Richmond		22 March Street	Lot 4, DP 997295	Local	157
Richmond		52 March Street	Lot 1 , DP 1135622	Local	1487
Richmond		56 March Street	Lot 102 , DP 1155675	Local	158
Richmond	Richmond Station	Railway	61 March Street	State	153
Richmond	Cottage	78 March Street (formerly 63 March Street)	Part of Lot 21 , DP 872925	Local	143
Richmond	Cottage	78 March Street (formerly 64 March Street)	Part of Lot 21 , DP 872925	Local	159
Richmond	Cottage	78 March Street (formerly 66 March Street)	Part of Lot 21 , DP 872925	Local	160
Richmond	Cottage	78 March Street (formerly 67 March Street)	Part of Lot 21 , DP 872925	Local	1480
Richmond	Cottage	78 March Street (formerly 70 March Street)	Part of Lot 21 , DP 872925	Local	161
Richmond	Cottage	78 March Street	Part of Lot 21 , DP 872925	Local	1488
Richmond	Cottage	78 March Street (formerly 80 March Street)	Part of Lot 21 , DP 872925	Local	162
Richmond	Cottage	78 March Street (formerly 82 March Street)	Part of Lot 21 , DP 872925	Local	1489
Richmond		102 March Street	Lot 7, DP 1101571	Local	164
Richmond		104 March Street	Lot 9, DP 560756	Local	163
Richmond		106 March Street	Lot 7, DP 519019	Local	165
Richmond	"Pangelis"	118 March Street	Lot 6, DP 558573	Local	166
Richmond		120 March Street	Lot 2, DP 567636	Local	167
Richmond		130 March Street	Lot 2, DP 1078198	Local	168
Richmond		155 March Street	Lot 2, DP 774156	Local	171

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond	"Rutherglen"	158 March Street	Lot A, Section 6 , DP 152400	Local	169
Richmond		160 March Street	Lot 101, DP 700887	Local	1482
Richmond		162 March Street	Lot 2, Section 6 , DP 151321	Local	1483
Richmond		190 March Street	Lot 1, DP 199860	Local	172
Richmond		21 Moray Street	Lot 10, DP 1040208	Local	174
Richmond		24 Moray Street	Lot B, Section 23 , DP 161177	Local	175
Richmond	Residence and Iron Works	3 Paget Street	Lot 7, DP 3770 and Lot 1, DP 1034091	Local	176
Richmond		9 Paget Street	Lot 4, Section 11, DP 3770	Local	177
Richmond	Former Methodist Church	10 Paget Street	Lot 1, DP 995840	Local	1492
Richmond		59 Paget Street	Lot 8, DP 634613	Local	178
Richmond		31 Pitt Street	Lot A, DP 337953	Local	179
Richmond		34 Teviot Street	Lot 1, DP 803737	Local	180
Richmond		46 Teviot Street	Lot 1, DP 1100473	Local	181
Richmond		12 Toxana Street	Lot 22, DP 4906	Local	183
Richmond		2 West Market Street	Lot 1, DP 1044430	Local	1478
Richmond	Hall at rear of former Masonic Temple	24 West Market Street	Lot A, DP 182902	Local	186
Richmond	Former Masonic Temple	24 West Market Street	Lot A, Section 8 , DP 182902	Local	187
Richmond	St. Andrews Uniting Church Hall	25 West Market Street	Lot 1, DP 196617	Local	188
Richmond	St. Andrews Uniting Church	25 West Market Street	Lot 1, DP 196617	Local	189
Richmond	School of Arts	26 West Market Street	Lot 1, DP 880771	Local	184
Richmond	Former Richmond Rest Home	27 West Market Street and 139 March Street	Lot 1, DP 313724 and Lot 192, DP 1111231	Local	185
Richmond	Former Richmond	29 West Market Street	Lot A, DP 313725	Local	170

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Suburb	Item name	Address	Property description	Significance	Item number
	Council Chambers				
Richmond		30 West Market Street	Lot 1, DP 198726	Local	191
Richmond		38 West Market Street	Lot 2, DP 38231	Local	192
Richmond	Avenue of plane trees along eastern approach to Richmond	Windsor Street		Local	193
Richmond		61 Windsor Street	Lot 3, DP 527542	Local	194
Richmond		63 Windsor Street	Lot 13, DP 547659	Local	195
Richmond		65 Windsor Street	Lot 2, DP 513998	Local	196
Richmond		67 Windsor Street and 14 Bourke Street	Lot B and C, DP 372517	Local	197
Richmond		70 Windsor Street	Lot A, DP 375626	Local	198
Richmond		82 Windsor Street and 13 William Street	Lots D and E, DP 164971	Local	1490
Richmond		89 Windsor Street	Lot 6, DP 519411	Local	199
Richmond	"Vicky's House"	106 Windsor Street	Lot 3, DP 270031	Local	1101
Richmond	Gate Post at "Kamilario" at entrance to Richmond Public School	103 Windsor Street	Lots 16, DP 13068	Local	1100
Richmond		117 Windsor Street	Lot 1, DP 71437	Local	1102
Richmond		122 Windsor Street	Lot 3, DP 18568	Local	1103
Richmond		124-128 Windsor Street	Lot 21, DP 713157 and Lot 50, DP 1039235	State	1105
Richmond		125 Windsor Street	Lot 3, DP 3770	Local	1104
Richmond		127 Windsor Street	Lot 2, DP 3770	Local	1106
Richmond		129 Windsor Street	Lot 1, DP 3770	Local	1107
Richmond		131 Windsor Street	Lot 25, DP 4906	Local	1108
Richmond		133 Windsor Street	Lot 24, DP 4906	Local	1109
Richmond		135 Windsor Street	Lot 23, DP 4906	Local	1110
Richmond	"Regent Theatre"	145 Windsor Street	Lot 2, DP 514053	Local	1111

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond	"Toxana"	147 Windsor Street	Lot C, DP 330610	State	1135
Richmond	"Royal Hotel"	167 Windsor Street	Lot 1, DP 123560	Local	1131
Richmond		179 Windsor Street	Lot 40, DP 1040134	Local	1112
Richmond	Richmond Park Pavilion and Statue	180 Windsor Street	Lot 81 , DP 1153844	State	1133
Richmond		187 Windsor Street	Lot 1, DP 544317	Local	1113
Richmond	"Commercial Hotel"	193 Windsor Street	Lot 1, DP 577982	Local	1114
Richmond		201-205 Windsor Street	Lot 1, DP 232921 and Lots 11 and 12, DP 609265	Local	1115
Richmond		237 Windsor Street	Lot A, DP 83011	Local	1116
Richmond	Shop, former barn	239 Windsor Street	Lot 1, DP 770613	Local	1190
Richmond		239 Windsor Street	Lot 1, DP 770613	Local	1117
Richmond		245 Windsor Street	Lot 2, DP 270402	Local	1118
Richmond		255-257 Windsor Street	Lot 1, DP 714745 and Part Lot 1, DP 798313	State	1119
Richmond	Post and telegraph office and stables	286 Windsor Street	Lot 180, DP 41869	State	1120
Richmond	Court House and Police Station	288 Windsor Street	Lot 701, DP 1125383	Local	1121
Richmond	Bank and stables	294 Windsor Street	Lot 1, DP 905037	Local	1136
Richmond		295 Windsor Street	Lot 1, SP 33332	Local	1122
Richmond		312 Windsor Street	Lot 1, DP 67973	Local	1123
Richmond		313-315 Windsor Street	Lot 1 and 2, DP 1037730	Local	1124
Richmond	"Eltham"	317 Windsor Street	Lot 1, DP 817350	Local	1125
Richmond	Former "Black Horse Inn"	334-340 Windsor Street	Lots A and B, DP 335179 and Lot A, DP 154628	Local	1130
Richmond		335 Windsor Street	Lot 1, DP 744729	Local	1126
Richmond		337 Windsor Street	Lot 1, DP 743154	Local	1127
Richmond		339 Windsor Street	S/P 60767	Local	1128

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Suburb	Item name	Address	Property description	Significance	Item number
Richmond	Anglican Church Hall and Cemetery, Windsor Street St. Peters Church	347,347A, and 349	Lot 2, DP 547256; Lot 1, DP 1033368; and Lot 1, DP 1033136	Local	1129
Richmond	"Bowman House"	368-370 Windsor Street	Lots A and B, Section 2 , DP 161485 and Part Lot 11, DP 629453	State	1137
Richmond	St. Peter's Anglican Church	384 Windsor Street	Lot 8, DP 238149 and Lot 1 , DP 1024037	Local	1134
Richmond Lowlands	Hawkesbury Agricultural College River Farm	173 Cornwells Lane	Lot 19, DP 752032	Local	123
Richmond Lowlands	"The Pines" residence and trees	149 Edwards Road	Lot 21, DP 659030	Local	124
Richmond Lowlands	Georgian Farmhouse	216 Edwards Road	Lots 1 and 2, DP 229549	Local	125
Sackville	Residence and barn	888 Sackville Road	Lot 4, DP 616167	Local	1373
Sackville	St. Thomas Anglican Church	597 Tizzana Road	Part Lot 500, DP 751665	Local	1374
Sackville	St. Thomas Anglican Cemetery	614 Tizzana Road	Lot 503, DP 751665	Local	1376
Sackville		742 Tizzana Road	Lot 241, DP 616673	Local	1377
Sackville	"Lilburndale"	413 West Portland Road	Lot 18 , DP 1096890	Local	1512
South Windsor	Windsor Presbyterian Cemetery	8 Church Street	Lot 7305 , DP 1154151	Local	1155
South Windsor		440 George Street	Lot 6, DP 38768	Local	1224
South Windsor		450 George Street	Lot 1, DP 38768	Local	1471
South Windsor		456 George Street	Lot 1, DP 838389	Local	1225
South Windsor		458 George Street	Lot 3, DP 1087379	Local	1226
South Windsor		464 George Street	Lot 1, S/P 69563	Local	1472
South Windsor	"Glenroy"	465-465B George Street	Lots 15 and 16, Section O , DP 759096 and Lot 1, DP 195535	Local	1227
South Windsor		482-486 George Street	Lots 1, 2 and 3, DP	Local	1228

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Suburb	Item name	Address	Property description	Significance	Item number
			736578		
South Windsor		540 George Street	Lot 21, DP 871420	Local	1230
South Windsor		546 George Street	Lot 1, SP 36706	Local	1231
South Windsor		550 George Street	Lot B, DP 421200	Local	1232
South Windsor	Former Windsor Grammar School	607 George Street	Lot 1, DP 546895	Local	1233
South Windsor		202 Macquarie Street	Lot 1, D.P. 225681	Local	1474
South Windsor		204 Macquarie Street	Lot 2, D.P. 225681	Local	1475
South Windsor		205 Macquarie Street	Lot 1, DP 511364	Local	1469
South Windsor		209 Macquarie Street	Lot 200, DP 1010515	Local	1473
St Albans	Old Northern Road, closed road and public road	Old Northern Road		State	1443
St Albans	Old General Cemetery (Settlers Cemetery)	1626 Settlers Road	Lot 72, DP 755258	Local	1439
St Albans	St Albans Bridge over MacDonald River	St Albans Road		State	1506
St Albans	Goal, courthouse and stables	19 Upper MacDonald Road	Lot 55, DP 753793	Local	1440
St Albans	Price Morris' Cottage	37 Upper MacDonald Road	Lot 26, DP 753793	State	1441
St Albans	Fernance Property Graves	313 Upper MacDonald Road	Lot 1, DP 574341	Local	1420
St Albans	Ruin of "Our Lady of Loretto" Chapel and Cemetery	477 Upper MacDonald Road	Lot 2, DP 1001852	Local	1419
St Albans	Settlers Arm Inn	1-5 Wharf Street and 6-8 Bulga Street	Lots 3-7, DP 710647	Local	1436
St Albans	St. Albans Anglican Church	26 Wharf Street	Lot 1A, Section 3, DP 758924	Local	1432
St Albans	St Albans Permanent Common	Wollombi Road	Lot 7301 - 7306, DP 1140079	Local	1438
St Albans	"Industrial Settler" Group "Bailey's" Homestead Grave Site, slab-built	135A and 135B Wollombi Road	Lot 4, DP 806902 and Lot 2, DP 707535	Local	1433

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Suburb	Item name	Address	Property description	Significance	Item number
	dwelling (Aaron Walter's Cottage)				Deleted: Agnes Banks ... [34]
St Albans	St. Albans New General Cemetery	140 - 170 Wollombi Road	Lots 1-16, Section 10, DP 758924	Local	1434
					Deleted: St Albans ... [35]
St Albans	"The Homestead and, "Governor Bailey's" Burial Ground	238-250A Wollombi Road	Lots 53 and 54, DP 740571	Local	1435
					Deleted: St Albans ... [36]
Tennyson		269 Tennyson Road	Lot 2, DP 563819	Local	1460
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The Slopes	"Coonawarra Lodge"	564 Slopes Road	Lot 11, DP 556607	Local	1414
Upper MacDonald	Slab-built dwelling	1349 Upper MacDonald Road	Lot 16, DP 753827	Local	1422
Vineyard	"Rosemont"	87 Level Crossing Road	Lot 1, DP 59145	Local	1459
Webbs Creek	Disused section of Main Road 181		Adjacent to Lot 32, DP 753828	Local	1426
Wilberforce		201 Argyle Reach Road	Lot 23, DP 856258	Local	1378
Wilberforce	St John's General Cemetery (former Anglican Cemetery)	39-55 Clergy Road	Lot 7015 and 7016, DP 1032360 and Lot ?, DP 751665	Local	1387
Wilberforce	Uniting Church (formerly Methodist Church)	2 David Street	1 Lot A, DP 327443	Local	1398
					Deleted: Corner
Wilberforce		14 George Road	Lot B, DP 334004	Local	1379
Wilberforce		43 George Road	Lot 4, DP 568208	Local	1499
Wilberforce	War Memorial in Wilberforce Park	47 George Road	Lot 346, DP 751665	Local	1386
Wilberforce		66 George Road	Lot 31, DP 816015	Local	1380
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Wilberforce	"Stoneleigh"	108 Grono Farm Road	Lot 2, DP 1064649	Local	1331
Wilberforce	"Milby Grange"	127 Grono Farm Road	Lot 276, DP 751665	Local	1381
Wilberforce		9 King Road	Lot 1, DP 195883	Local	1382
Wilberforce		24 King Road	Lot 1, DP 834561	Local	1497
Wilberforce		43 King Road	Lot 2, DP 703055	Local	1383
Wilberforce	The Butcher's Shop	52 King Road	Lot 1, DP 196502	Local	1496
Wilberforce	St. John's Anglican Church and	43 Macquarie Road	Lot 1, DP 771362	Local	1385

Suburb	Item name	Address	Property description	Significance	Item number
	Schoolhouse				
Wilberforce	"Harmony Farm"	108 Pitt Town Ferry Road	Lot 1, DP 588784	Local	1388
Wilberforce		1 Putty Road	Lot 1, DP 603382	Local	1384
Wilberforce		5 Putty Road	Lot 1, DP 799507	Local	1394
Wilberforce	"Pareora"	7 Putty Road	Lot 1, DP 505696	Local	1393
Wilberforce	"Rocky Hall"	546 Putty Road	Lot 1, DP 245757	Local	1395
Wilberforce	"Rose Cottage"	18 Rose Street	Lot 21, DP 829589	State	1390
Wilberforce		26 Rose Street	Lot 3, DP 706517	Local	1391
Wilberforce	"Barrabadeen"	52 Salters Road	Lot 287, DP 1082730	Local	1392
Wilberforce	"Stannix Park"	103 Stannix Park Lane	Lot 11, DP 789975	State	1341
Wilberforce		87 Wilberforce Road	Lot 616, DP 863291	Local	1275
Wilberforce		446 Wilberforce Road	Lot 2, DP 595299	Local	1498
Wilberforce	Australiana Village	496 Wilberforce Road	Lot 22, DP 829589	State	1389
Wilberforce	"Karooa"	530 Wilberforce Road	Lot 5, DP 791448	Local	1397
Wilberforce	Former Police Station	534 Windsor/Wilberforce Road	Lot 61, DP 1009304	Local	1396
Wilberforce		541 Wilberforce Road	Lot 4, DP 1135286	Local	1399
Windsor	"Anschau House"	1 Anschau Crescent	Lot 2, DP 31098	Local	1138
Windsor		9 Baker Street	Lot 1, DP 871860	Local	1140
Windsor		11 Baker Street	Lot 1, DP 111632	Local	1141
Windsor		1-3 Brabyn Street	Lot 1, DP1130843 and Lot 1, DP197170	Local	1142
Windsor		9 Brabyn Street	SP 71136	Local	1143
Windsor		15 Brabyn Street	Lot 5, DP 520176	Local	1144
Windsor		18 Brabyn Street	Lot 21, DP 1092348	Local	1145
Windsor	Railway Cottage	21 Brabyn Street	Lot 1, DP 736139	Local	1146
Windsor		4 Bridge Street	Lot 10, DP 666894	State	173

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Suburb	Item name	Address	Property description	Significance	Item number	
Windsor		8 Bridge Street	Lot 1, DP 995391	State	1206	Deleted: 6 Deleted: Agnes Bank [... [38]
Windsor		10 Bridge Street	Part Lot A, DP 381403	State	1253	
Windsor		14 Bridge Street, 1/52 George Street and 2/52 George Street	Lot 1, DP 136637, Lots 1 and 2, DP 1127620	State	1273	Deleted: - 16A
Windsor		17 Bridge Street	Lot 1, DP 555685	State	1300	Deleted: Part
Windsor		20 Bridge Street	Part Lot 2, DP 420926	Local	1147	
Windsor	"The Windsor Tavern"	25-27 Bridge Street	Part of Lot 101 DP 1151845 and Lots 102 and 103 DP 1151845	Local	1151	Deleted: Lot 2, DP 731080 and Lot 1, DP 84858
Windsor	"Lock Up" Ruin	32 Bridge Street	Lot 7017, DP 1030415	Local	1148	
Windsor	Old Barrack Wall	32 Bridge Street	Lot 7017, DP 1030415	Local	1157	
Windsor	Stables at rear of Police Station	32 Bridge Street	Lot 7017, DP 1030415 and Lot 11, Sec 10, DP 759096	State	1149	
Windsor	The Toll House	40 Bridge Street	Lot 1, DP 583229	Local	1150	
Windsor		2-4 Catherine Street	Lots 371 and 372, DP 813236	Local	1152	
Windsor		5-7 Catherine Street	Lot 1, DP 573726 and Lot 7, DP 1105572	Local	1153	
Windsor	"Claremont Cottage"	16 Claremont Crescent	Lot 11, DP 816462	State	1156	
Windsor	Windsor Roman Catholic Cemetery	Corner George Street Richmond Road and Macquarie Street	Lots 101, 102, 103 and 104, DP 1101551	Local	1259	
Windsor	"Windsor Court House"	34 Court Street	Lot 7018, DP 1060980	State	1289	
Windsor	"Trevallyn"	10 Day Street	Lot 50, DP 1137999	Local	1158	Deleted: 2 Deleted: 1019214
Windsor	Public School	2-6 Dight Street and 328 George Street	Lot 1, DP 724345, Lot 359, DP 729849 and Lot 1, DP 122886	Local	1159	
Windsor	"Fairfield House"	21 Fairfield Avenue	Lot 8, DP 556639	Local	1256	

Suburb	Item name	Address	Property description	Significance	Item number
Windsor		1 Fitzgerald Street	Lot 1, DP 731707	Local	160
Windsor	"Sunny Brae"	12 Fitzgerald Street	Lot 21, DP 603166	Local	161
Windsor	"Mackenzie House"	29 Fitzgerald Street	Lot 2, DP 580289	State	162
Windsor		12 Forbes Street	Lot 1, DP 199020	Local	164
Windsor		16 Forbes Street	Lot 1, DP 572164	Local	165
Windsor		27 George Street	Lot 2, DP 212542	Local	166
Windsor		31 George Street	Lot 3, DP 1119195	Local	167
Windsor		32 George Street	Lot 1, DP 136623	Local	168
Windsor		34 George Street	Lot 34, DP 742262	Local	169
Windsor		35 George Street	Lot 2, DP 770964	Local	170
Windsor		40 George Street	Lot 1, DP 713478	Local	171
Windsor		41 George Street	Lot 1, DP 995355	State	172
Windsor		43 George Street	Lot 1, DP 203668	Local	174
Windsor		45 George Street	Lot 45, DP 1113935	Local	173
Windsor		48 George Street	Lot 3, Section 10, DP 759096	Local	175
Windsor		62 - 68 George Street	Lots 1 and 2, DP 555685	State	295
Windsor		70 George Street	Lot 1, DP 1011887	State	400
Windsor		74 George Street	Lot 1, DP 87241	State	401
Windsor		80 - 82 George Street	Lots 10 and 11, DP 630209	State	402
Windsor	"Macquarie Arms Hotel"	81 George Street	Lot 1, DP 864088	State	442
Windsor		84 and 88 George Street	Lots 1, DP 223433 and Lot 2, DP 233054	State	479
Windsor		109 George Street and 9B Baker Street	Lots 111 and 112, DP 739120	Local	176
Windsor		117 George Street	Lot 101, DP 737270	Local	177
Windsor		123 George Street	Lot 104, DP 737270	Local	178

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Suburb	Item name	Address	Property description	Significance	Item number
Windsor	"Loder House"	126 George Street	Lot 1, DP 580752	State	1179
Windsor		127 George Street	Lot 8, DP 607128	Local	1180
Windsor		131 George Street	Lot B, DP 32825	Local	1181
Windsor		135 George Street	Lot A, DP 32825	Local	1182
Windsor		136 George Street	Lot 2, DP 659668	Local	1183
Windsor		137 George Street	Lot 1, DP 448270	Local	1184
Windsor		141 George Street	Lot A, DP 160933	Local	1185
Windsor		146 George Street	Lot 4, DP 558970	Local	1186
Windsor		153 George Street	Lot C, DP 394938	Local	1192
Windsor		156 George Street	Lot 3, DP 558970	Local	1187
Windsor		160-160A George Street	Lot 1, DP 742050 and Lot 2, DP 537539	Local	1189
Windsor	"Fitzroy Hotel"	161 George Street	Lot 1, DP 83287	Local	1188
Windsor		162-166 George Street	Lot X and N, DP 161323 and Lot 3, DP 259300	Local	1190
Windsor		167-169 George Street	Lot 1, DP 199771	Local	1191
Windsor	Former Windsor Post Office	180 George Street	Lot 1, DP 771874	Local	1235
Windsor		181 George Street	Lot 1, DP 227084	Local	1193
Windsor		189 George Street	Lot 11, DP 876951	Local	1194
Windsor		194 George Street	Lot 1, DP 1008865	Local	1195
Windsor		199 George Street	Lot 4, DP1072197	Local	1197
Windsor		200 George Street	Lot 1, DP 75108	Local	1196
Windsor	"Royal Hotel" Exchange	203-207 George Street	Lot 1 and 2, DP 1094217	Local	1199
Windsor		206 George Street	Lot 1, DP 596806	Local	1198
Windsor	" Simmons Hardware Store "	226 George Street	Lot 12, DP 1159754	State	1200
Windsor		242 George Street	Lot 1, DP 566382	Local	1201

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Suburb	Item name	Address	Property description	Significance	Item number	
Windsor	Former Inn	265 George Street	Lot 2, DP 82467	Local	202	Deleted: Corner
Windsor	Former "The Royal Theatre"	266 George Street	Lot 1, DP 435893	Local	203	Deleted: Agnes Bank (... [42]) Deleted: Corner
Windsor		267 George Street	Lot 2, DP 602252	Local	204	
Windsor		268 George Street	Lot 22, DP 1148530	Local	205	Deleted: Corner Part Deleted: 2 Deleted: 67626
Windsor		271 George Street	Lot 271, DP 1106015	Local	207	
Windsor		275 George Street	Lot B, DP 155672	Local	208	
Windsor		279 George Street	Lot 1, DP 702967	Local	209	
Windsor		283 George Street	Lot 1, DP 784340	Local	210	
Windsor	Residence and surgery	287 George Street	Lot 3, DP 70337	Local	211	
Windsor		291 George Street	Lot 2, DP 226437	Local	212	
<u>Windsor</u>		<u>301 George Street</u>	<u>Lot 301, DP 1105735</u>	<u>Local</u>	<u>213</u>	Deleted: Windsor (... [43])
Windsor		303 George Street	Lot 3, DP 702966	Local	214	
Windsor		307 George Street	Lot 1, DP 198135	Local	215	
Windsor		308 George Street	Lot 49, DP 875355	Local	516	
Windsor		310 George Street	Lot B, DP 159779	Local	517	Deleted: Windsor (... [44])
Windsor	"Mrs. Cope's Cottage"	312 George Street	Lot 1, DP 605013	Local	217	
Windsor		319 George Street	Lot 21, DP830445	Local	216	
<u>Windsor</u>	<u>Dedication Stone Hawkesbury Hospital</u>	<u>320 George Street</u>	<u>Lot 50, DP 1035291</u>	<u>Local</u>	<u>245</u>	
Windsor	Ashlar Morgue Building	320 George Street	Lot 50, DP 1035291	Local	513	
<u>Windsor</u>	<u>Well structure</u>	<u>320 George Street</u>	<u>Lot 50, DP 1035291</u>	<u>Local</u>	<u>514</u>	Deleted: Windsor (... [45])
Windsor	Former Windsor Council Chambers	325 George Street	Lot 4, Section 12, DP 759096	Local	219	
Windsor	"Tates Hotel"	339 George Street	Lot A, DP 84001	Local	220	
Windsor	"The Turner Reverend Cottage" (formerly "Oxalis Cottage")	360-360A George Street	Part Lot 1, DP 998012	State	221	

Suburb	Item name	Address	Property description	Significance	Item number
Windsor	Bandstand Rotunda	361 George Street	Lot 1, DP 556829	Local	1218
Windsor		391-393 George Street	Lots 8 and 9, DP 1093	Local	1222
Windsor		394 George Street	Lot 2, DP 499865	Local	1223
Windsor		396 George Street	Lot 73, DP 1045497	Local	1477
Windsor	McQuade Park	361 George Street	Lot 1, DP 556829	State	1234
Windsor	"Railway Hotel"	419 George Street	Lot 1, Section D, DP 1093	Local	1229
Windsor	Windsor Railway Station	425 George Street	Lot 1, DP 1022444	State	1236
Windsor		29 Greenway Crescent	Lot 2, DP 816755	Local	1237
Windsor		22 Hawkesbury Valley Way	Lot 6, DP 654301	Local	1258
Windsor	Fairfield Gateway House	52 Hawkesbury Valley Way	Lot 1, DP 243057	Local	1257
Windsor		25 Johnston Street	Lot 1, DP 800664	State	1238
Windsor	"Uralla"	6 Kable Street	Lot 1, DP 1005845	Local	1139
Windsor		22 Kable Street	Lot 1, DP 998061	Local	1239
Windsor		1-3 Little Church Street	Lot 21, DP1085640 and Lot 1, DP 742156	Local	1240
Windsor	"The Bell Inn"	2-4 Little Church Street	Lots 1 and 2, SP 56964	Local	1154
Windsor	St. Matthew's Roman, Catholic Church	8 Little Church Street	Lot 1, DP 872759	Local	1262
Windsor		17 Little Church Street	Lot 16, Section 13, DP 759096	Local	1241
Windsor		21 Little Church Street	Lot 11, DP 1043426	Local	1242
Windsor		23 Little Church Street	Lot 1, DP 743317	Local	1243
Windsor	"Elourea"	33 Macquarie Street	Lot 3, DP 2995	Local	1476
Windsor	Former Methodist Parsonage	49 Macquarie Street	Lot 16, DP 809182	State	1244
Windsor	Uniting Church and Hall	53 Macquarie Street	Lot 1, DP 34642	State	1163

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Suburb	Item name	Address	Property description	Significance	Item number
Windsor	Shop and dwelling	95 Macquarie Street	Lot 1, DP 1053061	Local	1246
Windsor		8 Mileham Street	Lot B, DP 373884	Local	1247
Windsor	"Woodside" (former Melville Cottage)	39 Mileham Street	Lot 18, DP 998546	Local	1248
Windsor	St. Matthew's Anglican Church and Cemetery	1 Moses Street	Lot 1, DP 1034515	State	1249
Windsor	St. Matthew's Rectory and Stables	1 Moses Street	Lot 17, DP 37952	State	1250
Windsor		1 New Street	Lot 1, DP 783338	Local	1251
Windsor	Anglican Church Hall	7 New Street	Lot 1, DP 194342	Local	1252
Windsor		25 North Street	Lot 201, DP 593790	State	1494
Windsor		26-28 North Street	Lot 1, DP 749299	State	1519
Windsor		29 North Street	Lot 200, DP 593790	State	1520
Windsor		31-33 North Street	Lot 19, DP 745851	State	1521
Windsor		35 North Street	Lot 181, DP 593791	State	1522
Windsor		37-39 North Street	Lot 182, DP 593791	State	1523
Windsor	Public Reserve	3 Old Bridge Road	Lot 345, DP 752061	State	1524
Windsor	"Peninsula House" and Observatory	51 Palmer Street	Lot 1, DP 731655	State	1254
Windsor	"Fitzroy Cottage"	2 Tebbutt Street	Lot 1, DP 734005	Local	1260
Windsor		4 Tebbutt Street	Lot 4, DP 1117674	Local	1261
Windsor		6 Tebbutt Street	Lot 1, DP 124494	Local	1470
Windsor		74 The Terrace	Lot 2, DP 816331	Local	1263
Windsor	"Crescentville"	80 The Terrace	Lot 1, DP 816331	Local	1264
Windsor	"Riverview Cottage"	86 The Terrace	Lot 10, DP 882748	Local	1265
Windsor	"Hill Crest"	88 The Terrace	Lot 11, DP 882748	Local	1266
Windsor		92 The Terrace	Lot 15, DP 1105638	Local	1271
Windsor	"Lindfield House"	94 The Terrace	Lot 16, DP 1105530	Local	1267
Windsor		98 The Terrace	Lot 1, DP 745516	Local	1268

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Suburb	Item name	Address	Property description	Significance	Item number
Windsor		100 The Terrace	Lot 1, DP 712383	Local	I269
Windsor		105 and 105A The Terrace	Lots 1 and 2, DP 12710	Local	I272
Windsor	Thompson Square	Part George Street, part The Terrace, and part Bridge Street		State	I526
Windsor		Thompson Square	Lot 7007 DP 1029964	State	I529
Windsor		1-3 Thompson Square	Lot B, DP 161643 and Lot 1, DP 196531	State	I525
Windsor		5 Thompson Square	Lot 1, DP 745036	State	I527
Windsor		7 Thompson Square	Lot 1, DP 60716	State	I528
Windsor	Windsor Bridge	Wilberforce Road		Local	I276

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Part 2 - Heritage Conservation Areas

Suburb	Item name	Address	Property description	Significance	Item number
Pitt Town	Pitt Town Conservation Area	Area within the suburb of Pitt Town shown hatched red on the Heritage Map		Local	C1
St Albans	St Albans' Conservation Area	Area within the suburb of St Albans shown hatched red on the Heritage Map		Local	C2
Windsor	North Street Conservation Area	34 Court Street	Lot 7018, DP 1060980	State	C3
		25 North Street	Lot 201, DP 593790		
		26 - 28 North Street	Lot 1, DP 749299		
		31-33 North Street	Lot 19, DP 745851		
		35 North Street	Lot 181, DP 593791		
		37-39 North Street	Lot 182, DP 593791		
		29 North Street	Lot 200, DP 593790		
Windsor	Thompson Square Conservation Area	18 Baker Street	Lot 2, DP 730435	State	C4
		4 Bridge Street	Lot 10, DP 666894		

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Suburb	Item name	Address	Property description	Significance	Item number
		6 Bridge Street	Lot 1, DP 995391		
		10 Bridge Street	Part Lot A, DP 381403		
		14 Bridge Street and 1/52 and 2/52 George Street	Lot 1, DP 136637 and Lots 1 and 2, DP 1127620		
		17 Bridge Street	Part Lot 1, DP 555685		
		62 - 68 George Street	Lots 1 and 2, DP 555685		
		70, George Street	Lot 1, DP 1011887		
		74 George Street	Lot 1, DP 87241		
		80 - 82 George Street	Lots 10 and 11, DP 630209		
		81 George Street	Lot 1, DP 864088		
		84 and 88 George Street	Lots 1, DP 223433 and Lot 2, DP 233054		
		92George Street	Lot 1, DP 730435		
		11 Macquarie Street	Lot 1, DP 1160263		
		3 Old Bridge Street	Lot 345, DP 752061		
		Thompson Square	Lot 7007 DP 1029964		
		Thompson Square	Part George Street, part The Terrace, and part Bridge Street		
		1-3 Thompson Square	Lot B, DP 161643 and Lot 1, DP 196531		
		5 Thompson Square	Lot 1, DP 745036		
		7 Thompson Square	Lot 1, DP 60716		

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Dictionary

(Clause 1.4)

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

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.

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.

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 an industry involving the handling, treating, processing or packing of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes 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.

agriculture means any of the following:

- (a) animal boarding or training establishments,
- (b) aquaculture,
- (c) extensive agriculture,
- (d) farm forestry,
- (e) intensive livestock agriculture,
- (f) intensive plant agriculture.

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 used for the landing, taking off, parking, maintenance or repair of aeroplanes (including associated buildings, installations, facilities and movement areas and any heliport that is part of the airport).

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

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

- (a) billiards, pool or other like games, or

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

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

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

Note. The term is defined as follows:

aquaculture means:

- (a) cultivating fish or marine vegetation for the purposes of harvesting the fish or marine vegetation or their progeny with a view to sale, or
- (b) keeping fish or marine vegetation in a confined area for a commercial purpose (such as a fish-out pond),

but does not include:

- (c) keeping anything in a pet shop for sale or in an aquarium for exhibition (including an aquarium operated commercially), or
- (d) anything done for the purposes of maintaining a collection of fish or marine vegetation otherwise than for a commercial purpose, or
- (e) any other thing prescribed by the regulations (made under the *Fisheries Management Act 1994*).

This Dictionary also contains definitions of **natural water-based aquaculture**, **pond-based aquaculture** and **tank-based aquaculture**.

archaeological site means an area of land:

- (a) shown on the Heritage Map as an archaeological site, and
- (b) the location and nature of which is described in Schedule 5, and
- (c) that contains one or more relics.

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

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land (not being an individual lot in a strata plan or community title scheme), and
- (c) none of the dwellings is located above any part of another dwelling.

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 tourist and visitor accommodation:

- (a) that has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (b) that will generally provide accommodation on a bed basis (rather than by room).

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 tourist and visitor accommodation comprising a dwelling (and any ancillary buildings and parking) where the accommodation is provided by the permanent residents of the dwelling and:

- (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.

biodiversity means biological diversity.

biological diversity has the same meaning as in the *Threatened Species Conservation Act 1995*.

Note. The term is defined as follows:

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

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

biosolid waste application means the application of sludge or other semi-solid products of human sewage treatment plants to land for the purpose of improving land productivity, that is undertaken in accordance with the NSW Environment Protection Authority's guidelines titled *Environmental Guidelines: Use and Disposal of Biosolids Products* (EPA 1997) and *Addendum to Environmental Guidelines: Use and Disposal of Biosolids Products* (EPA 2000a).

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.

boarding house means a building:

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

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

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

boat 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 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.

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 the vertical distance between ground level (existing) at any point 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 that does not include general advertising of products, goods or services.

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

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

bulky goods premises means a building or place used primarily for the sale by retail, wholesale or auction of (or for the hire or display of) bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, 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 or hire or display of bulky goods.

bush fire hazard reduction work has the same meaning as in the *Rural Fires Act 1997*.

Note. The term is defined as follows:

bush fire hazard reduction work means:

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

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

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

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

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

business identification sign means a sign:

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

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

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 may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, medical centres, betting agencies and the like, but does not include sex services premises.

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

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

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

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

catchment action plan has the same meaning as in the *Catchment Management Authorities Act 2003*.

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

cellar door premises means retail premises that sell wine by retail and that are situated on land on which there is a commercial vineyard, where all 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.

cemetery means a building or place for the interment of deceased persons or their ashes.

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

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

- (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and

- (b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
- (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - (ii) private tutoring, or
- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of section 200 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

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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.)

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clearing native vegetation has the same meaning as in the *Native Vegetation Act 2003*.

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Note. The term is defined as follows:

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

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

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

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

coastal lake means a body of water specified in Schedule 1 to the *State Environmental Planning Policy No 71—Coastal Protection*.

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

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

Note. The term is defined as follows:

coastal zone means:

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

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

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

community land has the same meaning as in the *Local Government Act 1993*.

correctional centre means:

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

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

Council means the **Hawkesbury City Council**.

crematorium means a building in which deceased persons or pets are cremated, and includes a funeral chapel.

Crown reserve means:

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

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

curtilage, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage

conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

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

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

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

dual occupancy means 2 dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme), but does not include a secondary dwelling.

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.

earthworks means excavation or filling.

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

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

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

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

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

emergency services organisation means any of the following:

- (a) the Ambulance Service of New South Wales,
- (b) New South Wales Fire Brigades,
- (c) the NSW Rural Fire Service,
- (d) the NSW Police Force,
- (e) the State Emergency Service,
- (f) the New South Wales Volunteer Rescue Association Incorporated,
- (g) the 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.

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:

- (a) the production of crops or fodder (including irrigated pasture and fodder crops), or
- (b) the grazing of livestock, or
- (c) bee keeping,

for commercial purposes, but does not include any of the following:

- (d) animal boarding or training establishments,
- (e) aquaculture,
- (f) farm forestry,
- (g) intensive livestock agriculture,
- (h) intensive plant agriculture.

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

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methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

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

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

farm stay accommodation means tourist and visitor accommodation provided to paying guests on a working farm as a secondary business to primary production.

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

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

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 [Name of local government area or other relevant name] Local Environmental Plan [Year] Floor Space Ratio Map.

food and drink premises means retail premises used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes restaurants, cafes, take away food and drink premises, milk bars and pubs.

forestry has the same meaning as **forestry operations** in the *Forestry and National Park Estate Act 1998*.

Note. The term is defined as follows:

forestry operations means:

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

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

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

funeral chapel means premises used to arrange, conduct and cater for funerals and memorial services, and includes facilities for the short-term storage, dressing and viewing of bodies of deceased persons, but does not include premises with mortuary facilities.

funeral home means premises used to arrange and conduct funerals and memorial services, and includes facilities for the short-term storage, dressing and viewing of bodies of deceased persons and premises with mortuary facilities.

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 dwelling that is a permanent group home or a transitional group home.

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

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

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

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

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

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

hazardous industry means development for the purpose of an industry that, when the development is 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 development from existing or likely future development on other land in the locality), would pose a significant risk in the locality:

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

hazardous storage establishment means any establishment where goods, materials or products are stored that, 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 establishment from existing or likely future development on other land in the locality), would pose a significant risk in the locality:

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

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 a medical centre that comprises one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals who practise in partnership (if there is more than one such professional) who provide professional health care services to members of the public.

health services facility means a building or place used as a facility 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 the following:

- (a) day surgeries and medical centres,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) facilities for the transport of patients, including helipads and ambulance facilities,
- (e) hospitals.

heavy industry means an industry that requires separation from other land uses because of the nature of the processes involved, or the materials used, stored or produced. It may consist of or include a hazardous or offensive industry or involve the use of a hazardous or offensive storage establishment.

Height of Buildings Map means the **Hawkesbury** Local Environmental Plan [2011](#) Height of Buildings Map.

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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 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.

heritage conservation area means an area of land:

- (a) shown on the Heritage Map as a heritage conservation area or as a place of Aboriginal heritage significance, 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 Department of Planning 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, archaeological site, place of Aboriginal heritage significance or other 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, archaeological site, tree, place or Aboriginal object:

- (a) shown on the Heritage Map as a heritage item, and
- (b) the location and nature of which is described in Schedule 5, and
- (c) specified in an inventory of heritage items that is available at the office of the Council.

Heritage Map means the **Hawkesbury** Local Environmental Plan 2011 Heritage Map.

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

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

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

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

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

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

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or

- (c) involve the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
 - (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or
 - (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,
- but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note. See clause 5.4 for controls relating to the floor area used to carry on the business.

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

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

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

Note. See clause 5.4 for controls relating to the floor area used to carry on the home industry.

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home occupation means an occupation carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling 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 notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the occupation carried on in the dwelling), 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, a brothel or home occupation (sex services).

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 notice, advertisement or sign, 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 retail sales or viticulture.

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 or refreshment rooms,
- (e) transport of patients, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not it is carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

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.

hotel or motel accommodation means tourist and visitor accommodation (whether or not licensed premises under the *Liquor Act 1982*):

- (a) comprising rooms or self-contained suites, and
- (b) that 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.

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry (including a light industry) but not in conjunction with a warehouse or distribution centre, and
- (b) is situated on the land on which the industry is carried out, 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 is carried out.

Note. See clause 5.4 for controls relating to the retail floor area.

industry means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing or adapting, or the research and development of any goods, chemical substances, food, agricultural or beverage products, or articles for commercial purposes, but does not include extractive industry or a mine.

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, goats, horses or other livestock, that are fed wholly or substantially on externally-sourced feed, and includes the operation of feed lots, piggeries, poultry farms or restricted dairies, but does not include the operation of facilities for drought or similar emergency relief or extensive agriculture or aquaculture.

intensive plant agriculture means any of the following carried out for commercial purposes:

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

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 retail premises used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note. See clause 5.4 for controls relating to the gross floor area.

Land Application Map means the **Hawkesbury** Local Environmental Plan [2011](#) Land Application Map.

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Land Reservation Acquisition Map means the **Hawkesbury** Local Environmental Plan [2011](#) Land Reservation Acquisition Map.

Deleted: 2009

Land Zoning Map means the **Hawkesbury** Local Environmental Plan [2011](#) Land Zoning Map.

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landscape and garden supplies means a building or place where trees, shrubs, plants, bulbs, seeds and propagating material are offered for sale (whether by retail or wholesale), and may include the sale of landscape supplies (including earth products or other landscape and horticulture products) and the carrying out of horticulture.

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.

light industry means an industry, not being a hazardous or offensive industry or involving use of a hazardous or offensive storage establishment, in which the processes carried on, the transportation involved or the machinery or materials used do 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.

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

livestock processing industry means an industry that involves the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes such activities as abattoirs, knackeries, tanneries, woolscours and rendering plants.

Lot Size Map means the **Hawkesbury** Local Environmental Plan [2011 Lot Size Map](#).

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

marina means a permanent boat storage facility (whether located wholly on land, wholly on the waterway or partly on land and partly on the waterway) together with any associated facilities, including:

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

market means retail premises comprising an open-air area or an existing building 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.

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 business premises 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, and may include the ancillary provision of other health services.

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.

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.

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 (not being an individual lot in a strata plan or community title scheme) each with access at ground level, but does not include a residential flat building.

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

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

native vegetation has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

Meaning of “native vegetation”

- (1) **Native vegetation** means any of the following types of indigenous vegetation:
 - (a) trees (including any sapling or shrub, or any scrub),
 - (b) understorey plants,
 - (c) groundcover (being any type of herbaceous vegetation),
 - (d) plants occurring in a wetland.
- (2) Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.
- (3) **Native vegetation** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

natural water-based aquaculture means aquaculture undertaken in natural waterbodies (including any part of the aquaculture undertaken in tanks, ponds or other facilities such as during hatchery or depuration phases).

Note. Typical natural water-based aquaculture is fin fish culture in cages and oyster, mussel or scallop culture on or in racks, lines or cages.

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

Note. See clause 5.4 for controls relating to the retail floor area.

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.

Deleted: *nightclub* means premises specified in a nightclub licence under the *Liquor Act 1982*.¶

NSW Coastal Policy means the publication titled *NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast*, published by the Government.

offensive industry means any development for the purpose of an industry that would, when the development is 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 development 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 the existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored 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 establishment 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 the existing or likely future development on other land in the locality.

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.

operational land has the same meaning as in the *Local Government Act 1993*.

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

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

place of Aboriginal heritage significance means an area of land 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 can (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.

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.

pond-based aquaculture means aquaculture undertaken in structures that are constructed by excavating and reshaping earth, which may be earthen or lined, and includes any part of the aquaculture undertaken in tanks, such as during the hatchery or pre-market conditioning phases, but does not include natural water-based aquaculture.

Note. 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 receival, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

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

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

property vegetation plan has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

property vegetation plan means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*.

pub means licensed premises under the *Liquor Act 1982* the principal purpose of which is the 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 on the premises.

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

Deleted: *place of public entertainment* has the same meaning as in the Act.¶
- **Note.** The term is defined as follows:¶
place of public entertainment means:¶
- (a) any theatre or cinema (including a drive-in or open-air theatre or cinema) that is used or intended to be used for the purpose of providing public entertainment, or¶
- (b) any premises the subject of a licence under the *Liquor Act 1982* or a certificate of registration under the *Registered Clubs Act 1976*, that are used or intended to be used for the purpose of providing entertainment, including public entertainment, but not including amusement provided by means of an approved gaming machine within the meaning of the *Gaming Machines Act 2001*, or¶
- (c) any public hall that is used or intended to be used for the purpose of providing public entertainment.¶

organisation established for public purposes, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public land has the same meaning as in the *Local Government Act 1993*.

Note. The term is defined as follows:

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

public reserve has the same meaning as in the *Local Government Act 1993*.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department 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, Government Department, 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 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

Deleted: *public entertainment* has the same meaning as in the Act.

Note. The term is defined as follows:

public entertainment means entertainment to which admission may ordinarily be gained by members of the public on payment of money or other consideration:

- (a) whether or not some (but not all) persons are admitted free of charge, and
- (b) whether or not the money or other consideration is demanded:
- (i) as a charge for a meal or other refreshment before admission is granted, or
- (ii) as a charge for the entertainment after admission is granted.

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 has the same meaning as in the Registered Clubs Act 1976, whether or not entertainment is provided at the club,

Deleted: means a club in respect of which a certificate of registration under the

relic means any deposit, object or other material evidence of human habitation:

Deleted:

- (a) that relates to the settlement of the area of **Hawkesbury**, not being Aboriginal settlement, and
- (b) that is more than 50 years old, and
- (c) that is a fixture or is wholly or partly within the ground.

Deleted: is in force

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, but does not include tourist and visitor accommodation.

residential care facility means accommodation for seniors (people aged 55 years or more) 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,

not being a dwelling, hospital or psychiatric facility.

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

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, 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.

restaurant means a building or place the principal purpose of which is the provision of food or beverages to people for consumption on the premises and that may also provide takeaway meals and beverages.

restricted dairy means a dairy (other than a dairy (pasture-based)) where restriction facilities are present in addition to milking sheds and holding yards, and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during periods of drought or similar emergency relief). A restricted dairy may comprise the whole or part of a restriction facility.

restricted premises means business premises or retail 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 hotel or motel accommodation, a pub, 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 for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale).

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 retail selling 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.

rural industry means an industry that involves the handling, treating, production, processing or packing of animal or plant agricultural products, and includes:

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

undertaken for commercial purposes.

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

rural worker's dwelling means a dwelling, ancillary to a dwelling house on the same landholding, used as the principal place of residence by persons employed for the purpose of agriculture or a rural industry on that land.

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.

school means a government school or non-government school within the meaning of the *Education Act 1990*.

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 (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note. See clause 5.4 for controls relating to the total floor area.

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

semi-detached dwelling means a dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling.

seniors housing means residential accommodation that consists of:

- (a) a residential care facility, or
- (b) a hostel, or
- (c) a group of self-contained dwellings, or
- (d) a combination of these,

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 residential accommodation or in the provision of services to persons living in the accommodation,

but does not include a hospital.

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 tourist and visitor accommodation 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.

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.

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.

sewerage system means a biosolids treatment facility, sewage reticulation system, sewage treatment plant, water recycling facility, or any combination of these.

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 retail premises that sell groceries, personal care products, clothing, music, homewares, stationery, electrical goods or other items of general merchandise, and may include a neighbourhood shop, but does not include food and drink premises or restricted premises.

shop top housing means one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

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:

- (a) building identification signs, and
- (b) business identification signs, and
- (c) advertisements,

but does not include traffic signs 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.

spa pool has the same meaning as in the *Swimming Pools Act 1992*.

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

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

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 business premises or retail premises on the same parcel of land.

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

tank-based aquaculture means aquaculture utilising structures that are constructed from materials such as fibreglass, plastics, concrete, glass or metals, are usually situated either wholly or partly above ground, and may be contained within a purpose built farm or industrial style sheds or plastic covered hothouse to assist in controlling environmental factors.

telecommunications facility means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or to be used, in or in connection with a telecommunications network.

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

temporary structure has the same meaning as in the Act.

Note. The term is defined as follows:

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

the Act means the *Environmental Planning and Assessment Act 1979*.

timber and building supplies means a building or place used for the display, sale (whether by retail or wholesale) or hire of goods or materials that are used in the construction and maintenance of buildings.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes hotel or motel accommodation, serviced apartments, bed and breakfast accommodation and backpackers' accommodation.

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 passenger transport undertaking, business, industry or shop.

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.

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 or the selling of, and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop.

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

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 commercial purposes for use in the production of fresh or dried fruit or wine.

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

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

waste management facility means a facility used for the storage, treatment, purifying or disposal of waste, whether or not it is also used for the sorting, processing, recycling, recovering, use or reuse of material from that waste, and whether or not any such operations are carried out on a commercial basis. It may include but is not limited to:

- (a) an extractive industry ancillary to, required for or associated with the preparation or remediation of the site for such storage, treatment, purifying or disposal, and
- (b) eco-generating works ancillary to or associated with such storage, treatment, purifying or disposal.

waste or resource management facility means a waste or resource transfer station, a resource recovery facility or a waste disposal facility.

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.

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.

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

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

water supply system means a water reticulation system, water storage facility, water treatment facility, or any combination of these.

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.

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.

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.

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