Wollongong Local Environmental Plan 2009
[2010-76]

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Wollongong Local Environmental Plan 2009

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Wollongong Local Environmental Plan 2009*.

1.1AA Commencement

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

1.1A (Repealed)

1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in Wollongong 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 a framework for land use management,

(b) to encourage economic and business development to increase employment opportunities,

(c) to encourage a range of housing choices consistent with the capacity of the land,

(d) to improve the quality of life and the social well-being and amenity of residents, business operators, workers and visitors,

(e) to conserve and enhance remnant terrestrial, aquatic and riparian habitats, native vegetation and fauna species,

(f) to conserve and enhance heritage,

(g) to ensure that development is consistent with the constraints of the land and can be appropriately serviced by infrastructure,

(h) to ensure that significant landscapes are conserved, including the Illawarra Escarpment, Lake Illawarra, the drinking water catchment and the coastline.

1.3 Land to which Plan applies

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

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:

   (a) approved by the local plan-making authority when the map is adopted, and

   (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made.

(1AA) (Repealed)

(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.

(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

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

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

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

   Note. The following local environmental plans are repealed under this provision:
   
   (a) Illawarra Planning Scheme Ordinance,
   
   (b) Wollongong City Centre Local Environmental Plan 2007,
   
   (c) Wollongong Local Environmental Plan (West Dapto) 2010.

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

1.8A Savings provision relating to development applications

(1) 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 finally been determined before that commencement, the application must be determined as if this Plan had not commenced.

(2) A development application made (but not finally determined) before the commencement of Wollongong Local Environmental Plan 2009 (Amendment No 19) is to be determined as if that Plan had not been made.

1.9 Application of SEPPs

(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.

(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

   State Environmental Planning Policy No 1—Development Standards

(2A) State Environmental Planning Policy No 71—Coastal Protection does not apply to land within the Wollongong city centre.

1.9A Suspension of covenants, agreements and instruments

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

(2) This clause does not apply:

   (a) to a covenant imposed by the Council or that the Council requires to be imposed, or

   (b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or
(c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or

(d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or

(e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or

(f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or

(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act, or

(h) to any land vested in the Lake Illawarra Authority under the Lake Illawarra Authority Act 1987.

(3) This clause does not affect the rights or interests of any public authority under any registered instrument.

(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones

RU1 Primary Production

RU2 Rural Landscape

RU4 Primary Production Small Lots

Residential Zones

R1 General Residential

R2 Low Density Residential

R3 Medium Density Residential

R4 High Density Residential

R5 Large Lot Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B3 Commercial Core

B4 Mixed Use
B6 Enterprise Corridor
B7 Business Park

**Industrial Zones**
IN1 General Industrial
IN2 Light Industrial
IN3 Heavy Industrial
IN4 Working Waterfront

**Special Purpose Zones**
SP1 Special Activities
SP2 Infrastructure
SP3 Tourist

**Recreation Zones**
RE1 Public Recreation
RE2 Private Recreation

**Environment Protection Zones**
E1 National Parks and Nature Reserves
E2 Environmental Conservation
E3 Environmental Management
E4 Environmental Living

**Waterway Zones**
W1 Natural Waterways
W2 Recreational Waterways
W3 Working Waterways

### 2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

### 2.3 Zone objectives and Land Use Table

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

(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

(3) In the Land Use Table at the end of this Part:
   (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
   (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

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

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

2.4 Unzoned land

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

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

2.5 Additional permitted uses for particular land

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

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

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

**Notes.**

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

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

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

2.6A, 2.6B (Repealed)

2.7 Demolition requires development consent

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

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

2.8 Temporary use of land

(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

(3) Development consent must not be granted unless the consent authority is satisfied that:

(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and

(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and

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

(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.

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

Land Use Table

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

- State Environmental Planning Policy (Affordable Rental Housing) 2009 (including provision for secondary dwellings)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy No 33—Hazardous and Offensive Development
- State Environmental Planning Policy No 50—Canal Estate Development
- State Environmental Planning Policy No 64—Advertising and Signage
- State Environmental Planning Policy (Primary Production and Rural Development) 2019

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Building identification signs; Extensive agriculture; Home occupations

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture; Business identification signs; Dwelling houses; Environmental protection works; Extractive industries; Farm buildings; Forestry; Intensive livestock agriculture; Intensive plant agriculture; Open cut mining; Roads; Roadside stalls

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 encourage the retention, management or restoration of native vegetation.

2 Permitted without consent

Extensive agriculture; Home occupations; Roadside stalls

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Centre-based child care facilities; Community facilities; Crematoria; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Forestry; Helipads; Home-based child care; Hospitals; Places of public worship; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Rural supplies; Secondary dwellings; Signage; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Zone RU4  Primary Production Small Lots

1 Objectives of zone

• To enable sustainable primary industry and other compatible land uses.

• To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dwelling houses; Extensive Agriculture; Farm buildings; Farm stay accommodation; Home-based child care; Intensive plant agriculture; Plant nurseries; Recreation areas; Roads; Roadside stalls; Secondary dwellings; Veterinary 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

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Signage; Tank-based aquaculture

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.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Hospitals; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Veterinary hospitals

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.

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Backpackers’ accommodation; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Exhibition homes; Exhibition villages; Group homes; Home-based child care; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Signage; Tank-based aquaculture; Veterinary hospitals

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for high density residential development in close proximity to the Wollongong city centre and other commercial centres.

2 Permitted without consent

Nil

3 Permitted with consent

Backpackers’ accommodation; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Exhibition homes; Home-based child care; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation
areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Seniors housing; Serviced apartments; Shop top housing; Signage

4 Prohibited

Pond-based aquaculture; Tank-based aquaculture; Any development not specified in item 2 or 3

Zone R5 Large Lot Residential

1 Objectives of zone

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

• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.

• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Exhibition homes; Farm buildings; Home-based child care; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Roadside stalls; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

• To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

• To allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.

2 Permitted without consent

Building identification signs; Business identification signs
3 Permitted with consent

Advertising structures; Amusement centres; Backpackers’ accommodation; Bed and breakfast accommodation; Boarding houses; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Home-based child care; Hotel or motel accommodation; Information and education facilities; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Roads; Seniors housing; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals

4 Prohibited

Pond-based aquaculture; Rural supplies; Specialised retail premises; Vehicle sales or hire premises; Any other development not specified in item 2 or 3

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 allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B3 Commercial Core

1 Objectives of zone

• To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
To encourage appropriate employment opportunities in accessible locations.

To maximise public transport patronage and encourage walking and cycling.

To strengthen the role of the Wollongong city centre as the regional business, retail and cultural centre of the Illawarra region.

To provide for high density residential development within a mixed use development if it:

(a) is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and

(b) contributes to the vitality of the Wollongong city centre.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Helipads; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B4 Mixed Use

1 Objectives of zone

• To provide a mixture of compatible land uses.

• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

• To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Function centres; Hostels; Hotel or motel
accommodation; Information and education facilities; Medical centres; Multi dwelling housing; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Wholesale supplies

4 Prohibited
Pond-based aquaculture; Any development not specified in item 2 or 3

Zone B6 Enterprise Corridor

1 Objectives of zone

• To promote businesses along main roads and to encourage a mix of compatible uses.
• To provide a range of employment uses (including business, office, retail and light industrial uses).
• To maintain the economic strength of centres by limiting retailing activity.
• To encourage activities which will contribute to the economic and employment growth of Wollongong.
• To allow some diversity of activities that will not:
  (a) significantly detract from the operation of existing or proposed development, or
  (b) significantly detract from the amenity of nearby residents, or
  (c) have an adverse impact upon the efficient operation of the surrounding road system.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Entertainment facilities; Environmental facilities; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Hotel or motel accommodation; Industrial retail outlets; Landscaping material supplies; Light industries; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Service stations; Serviced apartments; Sex services premises; Shop top housing; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres

4 Prohibited
Pond-based aquaculture; Any development not specified in item 2 or 3
Zone B7  Business Park

1 Objectives of zone

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

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Business premises; Centre-based child care facilities; Community facilities; Garden centres; Hardware and building supplies; Helipads; Hotel or motel accommodation; Kiosks; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Respite day care centres; Roads; Tank-based aquaculture; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone IN1  General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To facilitate and encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.
- To allow some diversity of activities that will not:
  (a) significantly detract from the operation of existing or proposed manufacturing and service industries, or
  (b) significantly detract from the amenity of nearby residents, or
  (c) adversely impact upon the efficient operation of the surrounding road system.

2 Permitted without consent

Building identification signs; Business identification signs
3 Permitted with consent

Advertising structures; Community facilities; Crematoria; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Heavy industries; Helipads; Industrial retail outlets; Industrial training facilities; Kiosks; Light industries; Liquid fuel depots; Mortuaries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Roads; Service stations; Take away food and drink premises; Tank-based aquaculture; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone IN2  Light Industrial

1 Objectives of zone

• To provide a wide range of light industrial, warehouse and related land uses.

• To encourage employment opportunities and to support the viability of centres.

• To minimise any adverse effect of industry on other land uses.

• To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

• To support and protect industrial land for industrial uses.

• To encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Agricultural produce industries; Animal boarding or training establishments; Boat building and repair facilities; Community facilities; Crematoria; Depots; Freight transport facilities; Garden centres; Hardware and building supplies; Helipads; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Mortuaries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Roads; Self-storage units; Service stations; Sex services premises; Take away food and drink premises; Tank-based aquaculture; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3
Zone IN3  Heavy Industrial

1 Objectives of zone

• To provide suitable areas for those industries that need to be separated from other land uses.
• To encourage employment opportunities.
• To minimise any adverse effect of heavy industry on other land uses.
• To support and protect industrial land for industrial uses.
• To facilitate the ongoing sustainability of steel making and steel product manufacturing that will contribute to the economic and employment growth of Wollongong.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Boat building and repair facilities; Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industrial storage establishments; Heavy industries; Helipads; Industrial retail outlets; Kiosks; Light industries; Offensive storage establishments; Oyster aquaculture; Recreation areas; Recreation facilities (indoor); Roads; Rural industries; Service stations; Storage premises; Take away food and drink premises; Tank-based aquaculture; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water supply systems

4 Prohibited

Pond-based aquaculture; Any development not specified in item 2 or 3

Zone IN4  Working Waterfront

1 Objectives of zone

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

2 Permitted without consent

Nil
3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat launching ramps; Charter and tourism boating facilities; Food and drink premises; Information and education facilities; Jetties; Kiosks; Light industries; Marinas; Markets; Mooring pens; Roads; Signage

4 Prohibited

Any development not specified in item 2 or 3

Zone SP1  Special Activities

1 Objectives of zone

• To provide for special land uses that are not provided for in other zones.

• To provide for sites with special natural characteristics that are not provided for in other zones.

• To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Advertising structures; Centre-based child care facilities; Community facilities; Information and education facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2  Infrastructure

1 Objectives of zone

• To provide for infrastructure and related uses.

• To prevent development that is not compatible with or that may detract from the provision of infrastructure.

• To provide for key transport corridors.

2 Permitted without consent

Building identification signs

3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Advertising structures; Business
identification signs; Centre-based child care facilities; Community facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone SP3 Tourist

1 Objectives of zone

• To provide for a variety of tourist-oriented development and related uses.

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; Aquaculture; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Entertainment facilities; Food and drink premises; Function centres; Information and education facilities; Kiosks; Marinas; Markets; Moorings pens; Moorings; Neighbourhood shops; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tourist and visitor accommodation; Water recreation structures

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 cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite
day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2  Private Recreation

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Function centres; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures

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
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 retain and enhance the visual and scenic qualities of the Illawarra Escarpment.

• To maintain the quality of the water supply for Sydney and the Illawarra by protecting land forming part of the Sydney drinking water catchment (within the meaning of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011) to enable the management and appropriate use of the land by Water NSW.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environment protection works; Extensive agriculture; Oyster aquaculture; Recreation areas

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.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dwelling houses; Environmental facilities; Environment protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Forestry; Home-based child care; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Secondary dwellings; Tank-based aquaculture
Zone E4 Environmental Living

1 Objectives of zone

• To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.

• To ensure that residential development does not have an adverse effect on those values.

2 Permitted without consent

Building identification signs; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Business identification signs; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Home-based child care; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Secondary dwellings; Tank-based aquaculture

4 Prohibited

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

Zone W1 Natural Waterways

1 Objectives of zone

• To protect the ecological and scenic values of natural waterways.

• To prevent development that would have an adverse effect on the natural values of waterways in this zone.

• To provide for sustainable fishing industries and recreational fishing.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Environmental facilities; Environmental protection works; Moorings pens; Moorings; Recreation areas; Water recreation structures

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing;
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.

• To provide for the sustainable and viable economic use of Lake Illawarra and other waterways.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Kiosks; Marinas; Mooring pens; Moorings; Passenger transport facilities; Recreation areas; Restaurants or cafes; Take away food and drink premises; 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

Zone W3  Working Waterways

1 Objectives of zone

• To enable the efficient movement and operation of commercial shipping, water-based transport and maritime industries.

• To promote the equitable use of waterways, including appropriate recreational uses.

• To minimise impacts on ecological values arising from the active use of waterways.

• To provide for sustainable fishing industries.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Marinas; Moorings; Moorings pens; Port facilities; Water recreation structures; Wharf or boating facilities
4 Prohibited

Any development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

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

The section states that exempt development:

(a) must be of minimal environmental impact, and

(b) cannot be carried out in a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994, and

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

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

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

(3) To be exempt development, the development:

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

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

(c) must not be designated development, and

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

(e) (Repealed)

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

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

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

(4A) (Repealed)

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

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

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

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

3.2 Complying development

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

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

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

(b) the requirements of this Part,

is complying development.

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

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

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

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

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

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

(4A) To be complying development, the development must not be carried out on any of the following land:

(a) land within 100 metres of Lake Illawarra,

(b) land shown on the Acid Sulfate Soils Map as being in class 1 or 2,

(c) land to which clause 7.8 (Illawarra Escarpment area conservation) applies,

(d) land to which the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 applies,

(e) land within Zone RU1, E2, E3, W1 or W2,

(f) land with a slope of 18 degrees or greater.

(4B) (Repealed)

(5) A heading to an item in Schedule 3 is part of that Schedule.
3.3 Environmentally sensitive areas excluded

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

(2) For the purposes of this clause:

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

(a) the coastal waters of the State,

(b) a coastal lake,

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

(d) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997,

(e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,

(f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,

(g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,

(h) land reserved under the National Parks and Wildlife Act 1974 or land acquired under Part 11 of that Act,

(i) land reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna, geological formations or for other environmental protection purposes,

(j) land that is a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994,

(ja) land identified as containing an endangered ecological community under the Fisheries Management Act 1994 or the Threatened Species Conservation Act 1995,

(jb) land to which clause 7.3 (Flood planning area) applies,

(jc) land to which clause 7.8 (Illawarra Escarpment area conservation) applies.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

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

(a) to control the density of subdivision in accordance with the character of the location, site constraints and available services, facilities and infrastructure,
(b) to ensure lots are of a sufficient size and shape to accommodate development.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause does not apply in relation to the subdivision of any land:

   (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or
   
   (b) by any kind of subdivision under the Community Land Development Act 1989.

(4A) In calculating the area of any lot resulting from a subdivision of land, if the lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included.

(4B) This clause does not apply in relation to the subdivision of land for the purpose of erecting an attached dwelling or a semi-detached dwelling in a residential zone.

(4C) This clause does not apply in relation to the subdivision of land in a residential zone on which there is an existing dual occupancy or multi dwelling housing.

4.1AA Minimum subdivision lot size for community title schemes

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

   (a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.

(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:

   (a) Zone RU1 Primary Production,
   
   (b) Zone RU2 Rural Landscape,

   but does not apply to a subdivision by the registration of a strata plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 1989) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause applies despite clause 4.1.

4.1A Minimum lots sizes for certain split zones

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

   (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,
(b) to ensure that the subdivision occurs in a manner that promotes suitable land uses and development.

(2) This clause applies to each lot (an original lot) that contains:

(a) land in a residential, business or industrial zone or in Zone E4 Environmental Living, and

(b) land in a rural zone or Zone E2 Environmental Conservation or Zone E3 Environmental Management.

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

(a) one of the resulting lots will contain:

   (i) land in a residential, business or industrial zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and

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

(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.

**4.1B Lot averaging subdivision in Zone RU2, Zone E3 and Zone E4**

(1) The objective of this clause is to ensure that lot sizes and subdivision patterns for residential accommodation conserve and provide protection for the environmental values of the land by encouraging buildings to be appropriately sited.

(2) This clause applies to the following land in the Yallah-Marshall Mount Precinct shown on the Urban Release Area Map:

(a) land within the following zones:

   (i) Zone RU2 Rural Landscape,

   (ii) Zone E3 Environmental Management,

   (iii) Zone E4 Environmental Living,

(b) Lot 5, DP 24143, being 297 Marshall Mount Road, Marshall Mount.

(3) Despite clauses 4.1 and 4.1AA, development consent may be granted to the subdivision of land to which this clause applies that requires development consent (whether or not the subdivision is under the Community Land Development Act 1989) to create lots of any size if:

(a) the consent authority is satisfied that the land to be subdivided is proposed to be used for the purpose of residential accommodation, and

(b) the total number of lots resulting from the subdivision will not exceed the number of lots that could be created by a subdivision of the same land under clause 4.1 (3) or 4.1AA (3), and
(c) the consent authority is satisfied that the development retains, and is complementary to, the environmental attributes of the land and its surrounds, and

(d) in the case of Lot 5, DP 24143—an existing dwelling house will be located on each lot resulting from the subdivision.

(4) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot created under this clause unless the consent authority is satisfied that:

(a) the lots resulting from the subdivision will not be used for the purpose of residential accommodation, and

(b) the subdivision will not result in any significant adverse environmental impacts on the land being subdivided.

4.2 Rural subdivision

(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.

(2) This clause applies to the following rural zones:

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape,

(ba) Zone RU3 Forestry,

(c) Zone RU4 Primary Production Small Lots,

(d) Zone RU6 Transition.

(3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

(4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

(5) A dwelling cannot be erected on such a lot.

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

Note. This Plan does not include Zone RU6.

4.2A Erection of dwelling houses on land in certain rural and environmental protection zones

(1) This clause applies to land in the following zones:

Zone RU1 Primary Production,

Zone RU2 Rural Landscape,

Zone E3 Environmental Management.
(2) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land is:

(a) a lot created in accordance with clause 4.1, or

(b) a lot created before this Plan commenced that met the minimum lot size specified to permit the erection of a dwelling house under *Wollongong Local Environmental Plan 1990* in effect immediately before that commencement, or

(c) a lot created before this Plan commenced that is at least the minimum lot size specified for that lot by the Lot Size Map, or

(d) land that will be a lot in a subdivisions for which development consent was granted or approval under Part 3A of the Act was given before this Plan commenced and on which the erection of a dwelling house would have been permissible immediately before that commencement, or

(e) an existing holding with an area of not less than 10 hectares, or

(f) a lot that was created after 30 April 1971 but before 23 February 1984 and which has an area of not less than 20 hectares, or

(g) a lot that was created on or after 23 February 1984 but before the commencement of this Plan and which has an area of not less than 40 hectares, or

(h) a lot that was created before the commencement of this Plan, but only if the subdivision requirements for the land, or number of dwelling houses to be erected on the land, were specified in Schedule 2 to the *Wollongong Local Environmental Plan 1990* immediately before that commencement.

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

(3) Land ceases to be an existing holding for the purposes of subclause (2) (e), if an application for development consent referred to in subclause (2) is not made in relation to that land before 31 December 2012.

(4) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:

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

(b) the land would have been a lot or a holding referred to in subclause (2) had it not been affected by:

   (i) a minor realignment of its boundaries that did not create an additional lot, or

   (ii) a subdivision creating or widening a public road or public reserve or for another public purpose.

(5) In determining whether to grant consent for the erection of a dwelling house, the consent authority must consider the extent to which the development is likely to affect the environmental
and ecological conservation of the land with respect to the extent of clearing required for the development, including any clearing required for the provision of infrastructure, access and any asset protection zone identified for the land in a bush fire risk management plan in force under the *Rural Fires Act 1997*.

(6) In this clause:

*existing holding* means all adjoining land, even if separated by a road or railway, held in the same ownership:

(a) on 30 April 1971, and

(b) at the time of lodging a development application for the erection of a dwelling house under this clause,

and includes any other land adjoining that land acquired by the owner since 30 April 1971.

**Note.** The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.

### 4.2B Strata title subdivision in certain rural and environment protection zones

(1) The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.

(2) This clause applies to land in the following zones that is used, or proposed to be used, for residential accommodation or tourist and visitor accommodation:

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape,

(c) Zone E3 Environmental Management.

(3) Development consent must not be granted for the subdivision of a lot to which this clause applies under a strata plan that would create lots below the minimum size shown on the *Lot Size Map* for that land.

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

### 4.3 Height of buildings

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

(a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,

(b) to permit building heights that encourage high quality urban form,

(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the *Height of Buildings Map*. 
4.4 Floor space ratio

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

(a) to provide an appropriate correlation between the size of a site and the extent of any development on that site,

(b) to establish the maximum development density and intensity of land use, taking into account the availability of infrastructure to service that site and the vehicle and pedestrian traffic the development will generate,

(c) to ensure buildings are compatible with the bulk and scale of the locality.

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

4.4A Floor space ratio—Wollongong city centre

(1) This clause applies to land within the Wollongong city centre.

(2) Despite clause 4.4, the maximum floor space ratio for a building on land within a zone specified in Column 1 of the Table to this subclause, on land with a site area and street frontage specified opposite that zone in Column 2 of the Table, is:

(a) the amount specified opposite that zone in Column 3 of the Table, if the building is used only for residential purposes, or

(b) the amount specified opposite that zone in Column 4 of the Table, if the building is used only for purposes other than residential purposes.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone B3 Commercial Core</td>
<td>Site area of any size and no street frontage equal to or greater than 20 metres</td>
<td>1.5:1</td>
<td>1.5:1</td>
</tr>
<tr>
<td></td>
<td>Site area less than 800 square metres and a street frontage equal to or greater than 20 metres</td>
<td>2:1</td>
<td>3.5:1</td>
</tr>
<tr>
<td></td>
<td>Site area equal to or greater than 800 square metres and less than 2000 square metres and a street frontage equal to or greater than 20 metres</td>
<td>As set out in subclause (3)</td>
<td>As set out in subclause (3)</td>
</tr>
<tr>
<td></td>
<td>Site area equal to or greater than 2000 square metres and a street frontage equal to or greater than 20 metres</td>
<td>3.5:1</td>
<td>6:1</td>
</tr>
</tbody>
</table>
Zone B4 Mixed Use

| Site area of any size and no street frontage equal to or greater than 20 metres | 1.5:1 | 1.5:1 |
| Site area of any size and a street frontage equal to or greater than 20 metres | 2.5:1 | 3.5:1 |

Zone B6 Enterprise Corridor

| Site area of any size and no street frontage equal to or greater than 20 metres | 1.5:1 | 1.5:1 |
| Site area of any size and a street frontage equal to or greater than 20 metres | 2.5:1 | 3:1 |

Zone SP1 Special Activities

| Site area of any size and a street frontage of any size | 1.5:1 | 3:1 |

(3) For land within Zone B3 Commercial Core with a site area equal to or greater than 800 square metres and less than 2,000 square metres and a street frontage equal to or greater than 20 metres, the maximum floor space ratio for any building on that site is:

(a) \((2 + 1.5X):1\) — if the building is used only for residential purposes, or

(b) \((3.5 + 2.5X):1\) — if the building is used only for purposes other than residential purposes,

where:

\[ X = \frac{(\text{site area in square metres} - 800)}{1200}. \]

(4) The maximum floor space ratio for a building on land within a business zone under this Plan, that is to be used for a mixture of residential purposes and other purposes, is:

\[ (\text{NRFSR} \times \frac{\text{NR}}{100}) + (\text{RFSR} \times \frac{\text{R}}{100}) : 1 \]

where:

\(\text{NR}\) is the percentage of the floor space of the building used for purposes other than residential purposes.

\(\text{NRFSR}\) is the maximum floor space ratio determined in accordance with this clause if the building was to be used only for purposes other than residential purposes.

\(\text{R}\) is the percentage of the floor space of the building used for residential purposes.

\(\text{RFSR}\) is the maximum floor space ratio determined in accordance with this clause if the building was to be used only for residential purposes.

Note. The following gives an example of how a maximum floor space ratio is to be calculated for a building on land, having a site area equal to or greater than 2,000 square metres and a street frontage equal to or greater than 20 metres, that is within Zone B3 Commercial Core, 30 per cent of which is to be used for purposes other than residential purposes and 70 per cent of which is to be used for residential purposes:
4.25:1 is the maximum floor space ratio.

(5) For a building on land within Zone SP1 Special Activities that is to be used for the purposes of hospitals, medical centres or other like uses or a combination of such uses, the maximum floor space ratio is 3:1.

(6) In this clause:

residential purposes, in relation to the use of a building, means using the building for the purposes of residential accommodation or serviced apartments or a combination of such uses.

4.5 Calculation of floor space ratio and site area

(1) Objectives

The objectives of this clause are as follows:

(a) to define floor space ratio,

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

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

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

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

(2) Definition of “floor space ratio”

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

(3) Site area

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

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

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

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

(4) Exclusions from site area

The following land must be excluded from the site area:
(a) land on which the proposed development is prohibited, whether under this Plan or any other law,

(b) community land or a public place (except as provided by subclause (7)).

(5) **Strata subdivisions**

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) **Only significant development to be included**

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) **Certain public land to be separately considered**

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) **Existing buildings**

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) **Covenants to prevent “double dipping”**

When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) **Covenants affect consolidated sites**

If:

(a) a covenant of the kind referred to in subclause (9) applies to any land (affected land), and

(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

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

(11) **Definition**

In this clause, **public place** has the same meaning as it has in the Local Government Act 1993.
4.6 Exceptions to development standards

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

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

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

(a) the consent authority is satisfied that:

(i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Secretary must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

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

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

(a) a development standard for complying development,

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

(c) clause 5.4,

(ca) clause 4.2A, 6.1 or 8.3.

(8A) (Repealed)

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

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

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

<table>
<thead>
<tr>
<th>Type of land shown on Map</th>
<th>Authority of the State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone RE1 Public Recreation and marked “Local open space”</td>
<td>Council</td>
</tr>
<tr>
<td>Zone RE1 Public Recreation and marked “Regional open space”</td>
<td>The corporation constituted under section 8 of the Act</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure and marked “Classified road”</td>
<td>Roads and Maritime Services</td>
</tr>
</tbody>
</table>
Zone E1 National Parks and Nature Reserves and marked “National Park”  Minister administering the National Parks and Wildlife Act 1974

Zone E2 Environmental Conservation and marked “Local open space”  Council

Zone E2 Environmental Conservation and marked “Local road”  Council

Zone R2 Low Density Residential and marked “Local road”  Council

Zone R2 Low Density Residential and marked “Classified road”  Roads and Maritime Services

Zone B2 Local Centre and marked “Local road”  Council

Zone B3 Commercial Core and marked “Local road”  Council

Zone B4 Mixed Use and marked “Classified road”  Roads and Maritime Services

Zone SP2 Infrastructure and marked “Educational establishment”  Minister for Education and Training

Zone SP2 Infrastructure and marked “Local road”  Council

Zone RU2 Rural Landscape and marked “Local road”  Council

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

(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

(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.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>Development</td>
</tr>
</tbody>
</table>
5.2 Classification and reclassification of public land

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

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

(2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993.

(3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993.

(4) The public land described in Part 1 of Schedule 4:

(a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.

(5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:

(a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and

(b) any reservations that except land out of the Crown grant relating to the land, and

(c) reservations of minerals (within the meaning of the Crown Lands Act 1989).
Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.

5.3 Development near zone boundaries

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

(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres.

(3) This clause does not apply to:

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

(a1) land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Rural Small Holdings, Zone SP1 Special Activities or Zone SP2 Infrastructure, or

(b) land within the coastal zone, or

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

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

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

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

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

5.4 Controls relating to miscellaneous permissible uses

(1) Bed and breakfast accommodation
If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

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

(2) Home businesses
If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.
(3) **Home industries**
If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 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) 67% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or

(b) 400 square metres,

whichever is the lesser.

(5) **Farm stay accommodation**
If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

(6) **Kiosks**
If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 30 square metres.

(7) **Neighbourhood shops**
If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.

(7AA) **Neighbourhood supermarkets**
If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.

(8) **Roadside stalls**
If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 30 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) 67% of the total floor area of the principal dwelling.

(10) **Artisan food and drink industry exclusion**
If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:

(a) 67% of the gross floor area of the industry, or

(b) 400 square metres,
whichever is the lesser.

5.5 (Repealed)

5.6 Architectural roof features

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

(a) to provide a built skyline that does not adversely impact on the natural landscape, view
    corridors or surrounding land, and

(b) to specify what part of a building may exceed the height limits.

(2) Development that includes an architectural roof feature that exceeds, or causes a building to
    exceed, the height limits set by clause 4.3 may be carried out, but only with development
    consent.

(3) Development consent must not be granted to any such development unless the consent authority
    is satisfied that:

(a) the architectural roof feature:
    (i) comprises a decorative element on the uppermost portion of a building, and

    (ii) is not an advertising structure, and

    (iii) does not include floor space area and is not reasonably capable of modification to include
         floor space area, and

    (iv) will cause minimal overshadowing, and

(b) any building identification signage or equipment for servicing the building (such as plant,
    lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is
    fully integrated into the design of the roof feature.

5.7 Development below mean high water mark

(1) The objective of this clause is to ensure appropriate environmental assessment for development
    carried out on land covered by tidal waters.

(2) Development consent is required to carry out development on any land below the mean high
    water mark of any body of water subject to tidal influence (including the bed of any such water).

5.8 Conversion of fire alarms

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

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

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

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

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

(a) internal alterations to a building, or

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

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

(5) In this clause:

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

5.9, 5.9AA (Repealed)

5.10 Heritage conservation

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

(1) Objectives

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Wollongong,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

(i) a heritage item,

(ii) an Aboriginal object,
(iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:
   (i) on which a heritage item is located or that is within a heritage conservation area, or
   (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land:
   (i) on which a heritage item is located or that is within a heritage conservation area, or
   (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) **When consent not required**

However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
   (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
   (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:
   (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
   (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

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

(5) Heritage assessment
The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or
(b) on land that is within a heritage conservation area, or
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans
The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites
The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

(a) notify the Heritage Council of its intention to grant consent, and
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance
The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

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

(a) notify the Heritage Council about the application, and
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) **Conservation incentives**

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

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

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

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

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

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

**5.11 Bush fire hazard reduction**

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

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

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

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

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

**5.13 Eco-tourist facilities**

[Not applicable]

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

[Not adopted]

**5.15 Defence communications facility**

[Not adopted]
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones

[Not applicable]

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

[Not applicable]

5.18 Intensive livestock agriculture

(1) The objectives of this clause are:

(a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and

(b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.

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

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

(a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,

(b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,

(c) the potential for the pollution of surface water and ground water,

(d) the potential for the degradation of soils,

(e) the measures proposed to mitigate any potential adverse impacts,

(f) the suitability of the site in the circumstances,

(g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,

(h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.

(4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if:
(a) the development is of a type specified in subclause (5), and

(b) the consent authority is satisfied that the development will not be located:
   (i) in an environmentally sensitive area, or
   (ii) within 100 metres of a natural watercourse, or
   (iii) in a drinking water catchment, or
   (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or
   (v) if the development is a poultry farm—within 500 metres of another poultry farm.

(5) The following types of development are specified for the purposes of subclause (4):

(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,

(b) a goat feedlot having a capacity to accommodate fewer than 200 goats,

(c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,

(d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),

(e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,

(f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).

(6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.

(7) In this clause:

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

**residential zone** means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.

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

**Objectives**

The objectives of this clause are as follows:

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

(2) **Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent**

The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following:

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

(b) in the case of:

(i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and

(ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and

(iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and

(iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.

(3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.

(4) **Extensive pond-based aquaculture permitted without consent in certain zones**

Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if:

(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and

(b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.

(5) **Oyster aquaculture—additional matters that consent authority must consider in determining a development application**

In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider:

(a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and
(b) the *NSW Oyster Industry Sustainable Aquaculture Strategy*.

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

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

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

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

(7) Definitions

In this clause:

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

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

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

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

**Part 6 Urban release areas**

6.1 Arrangements for designated State public infrastructure

(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.

(2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.

(3) Subclause (2) does not apply to:

(a) any lot identified in the certificate as a residue lot, or

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

(d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

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

6.2 Development control plan

(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.

(3) The development control plan must provide for all of the following:

(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,

(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,

(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,

(d) a network of passive and active recreational areas,

(e) stormwater and water quality management controls,

(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,

(g) detailed urban design controls for significant development sites,

(h) measures to encourage higher density living around transport, open space and service nodes,

(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,

(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

(4) Subclause (2) does not apply to any of the following development:
(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,

(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,

(c) a subdivision of land in a zone in which the erection of structures is prohibited,

(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

6.2A Subdivision of land in West Dapto Release Area

(1) The size of any lot resulting from any subdivision of land in the Darkes Road South West Precinct may be less than the minimum lot size shown on the Lot Size Map in relation to that land if the lot complies with clauses 5.3.7 and 6.3.9 of Chapter D16 (West Dapto Release Area) of Wollongong Development Control Plan 2009.

(2) In this clause:

   *Darkes Road South West Precinct* means the following land at Kembla Grange:

   (a) Lot 3, DP 1008723, Darkes Road,

   (b) 105 Darkes Road, being Lot 202, DP 1192033,

   (c) 109 Darkes Road, being Lot 1, DP 795839,

   (d) 141 Darkes Road, being Lot 1, DP 770451,

   (e) Lot 111, DP 718106, West Dapto Road,

   (f) Lot 4, DP 1008723, West Dapto Road.

6.3 Relationship between Part and remainder of Plan

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

Part 7 Local provisions—general

7.1 Public utility infrastructure

(1) The objective of this clause is to ensure that sufficient infrastructure is available to service development.

(2) Development consent must not be granted for development on land unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

(3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.
(4) In this clause:

public utility infrastructure includes infrastructure for any of the following:

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

7.2 Natural resource sensitivity—biodiversity

(1) The objective of this clause is to protect, maintain or improve the diversity and condition of the native vegetation and habitat, 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, populations and their habitats.

(2) This clause applies to land that is identified as “Natural resource sensitivity—biodiversity” on the Natural Resource Sensitivity—Biodiversity Map.

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the impact of the development on:

(a) native terrestrial flora and fauna and its habitat, and
(b) native aquatic flora and fauna and its habitat, and
(c) the ecological role of the land, waterways, riparian land or wetland, and
(d) threatened species, communities, populations and their habitats.

(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 potential adverse environmental impact, or
(b) if a potential adverse environmental impact cannot be avoided, the development:
   (i) is designed and sited so as to have minimum adverse environmental impact, and
   (ii) incorporates effective measures so as to have minimal adverse environmental impact, and
   (iii) mitigates any residual adverse environmental impact through the restoration of any existing disturbed or modified area on the site.

(5) 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 reserves 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*.

### 7.3 Flood planning

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

(a) to maintain the existing flood regime and flow conveyance capacity,

(b) to enable evacuation from land to which this clause applies,

(c) to avoid significant adverse impacts on flood behaviour,

(d) to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,

(e) to limit uses to those compatible with flow conveyance function and flood hazard.

(2) This clause applies to:

(a) land identified as “Flood planning area” on the *Flood Planning Map*, and

(b) other land at or below the flood planning level.

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied in relation to all the following matters:

(a) all habitable floor levels of the development will be above the flood planning level,

(b) the development will not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,

(c) the development will not significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain,

(d) the development will not affect evacuation from the land,
(e) the development will not significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,

(f) the development will not result in unsustainable social and economic costs to the community as a consequence of flooding,

(g) if located in a floodway area—the development will not be incompatible with the flow conveyance function of, or increase a flood hazard in, the floodway area.

7.4 Riparian lands

(1) The objective of this clause is to ensure that development does not adversely impact upon riparian lands.

(2) This clause applies to land shown as “riparian land” on the Riparian Land Map.

(3) Despite any other provision of this Plan, development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the impact of the proposed development on the land and any opportunities for rehabilitation of aquatic and riparian vegetation and habitat on that land.

7.5 Acid Sulfate Soils

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

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

<table>
<thead>
<tr>
<th>Class of land</th>
<th>Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Any works.</td>
</tr>
<tr>
<td>2</td>
<td>Works below the natural ground surface.</td>
</tr>
<tr>
<td></td>
<td>Works by which the watertable is likely to be lowered.</td>
</tr>
<tr>
<td>3</td>
<td>Works more than 1 metre below the natural ground surface.</td>
</tr>
<tr>
<td></td>
<td>Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</td>
</tr>
<tr>
<td>4</td>
<td>Works more than 2 metres below the natural ground surface.</td>
</tr>
<tr>
<td></td>
<td>Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</td>
</tr>
<tr>
<td>5</td>
<td>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td>
</tr>
</tbody>
</table>

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.
(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:

(a) a preliminary assessment of the proposed works prepared in accordance with the *Acid Sulfate Soils Manual* indicates that an acid sulfate soils management plan is not required for the works, and

(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):

(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety;

(b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),

(c) minor work, being work that costs less than $20,000 (other than drainage work).

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:

(a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations or flood mitigation works, or

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

### 7.6 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 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 is exempt development under this Plan, or

(b) the consent authority is satisfied the work is of a minor nature.

(3) Before granting development consent for earthworks, the consent authority must consider the following matters:
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil 
stability in the locality,

(b) the effect of the 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.

7.7 Foreshore building line

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

(2) Development consent must not be granted for development on land in the foreshore area except 
for the following purposes:

(a) the extension, alteration or rebuilding of an existing building wholly or partly in the 
foreshore area,

(b) the erection of a building in the foreshore area, if the levels, depth or other exceptional 
features of the site make it appropriate to do so,

(c) development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, 
waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities 
or other recreation facilities (outdoor).

(3) Development consent must not be granted under subclause (2) unless the consent authority is 
satisfied that:

(a) the development will contribute to achieving the objectives for the zone in which the land is 
located, and

(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore 
areas, will be compatible with the surrounding area, and

(c) the development will not cause environmental harm such as:

(i) pollution or siltation of the waterway, or

(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna 
habitats, or

(iii) an adverse effect on drainage patterns, and
(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and

(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and

(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and

(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.

7.8 Illawarra Escarpment area conservation

(1) The objective of this clause is to provide specific controls to protect, conserve and enhance the Illawarra Escarpment.

(2) This clause applies to land shown as being within the Illawarra Escarpment area on the Illawarra Escarpment Map.

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

(a) will be located so as to minimise any adverse impact on the natural features and environment of the Illawarra Escarpment, and

(b) will incorporate on the land, conservation and rehabilitation measures to enhance the Illawarra Escarpment.

7.9 Airspace operations

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

(a) to provide for the effective and ongoing operation of the Illawarra Regional Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,

(b) to protect the community from undue risk from that operation.

(2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

(3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that:

(a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or

(b) the development will not penetrate the Limitation or Operations Surface.
(4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed.

(5) In this clause:

\textit{Limitation or Operations Surface} means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map for the Illawarra Regional Airport.

\textit{relevant Commonwealth body} means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Illawarra Regional Airport.

7.10 Development in areas subject to airport noise

(1) The objectives of this clause are to ensure that development in the vicinity of an airport site:

(a) has regard to the use of the site as an airport, and

(b) does not hinder or have any other adverse impact on the development or operation of the airport.

(2) Development consent is required for the erection of a building for residential purposes, or for any other purpose involving regular human occupation, if the ANEF contour for the land on which the building is to be erected exceeds 20.

(3) The following development is prohibited unless it meets the requirements of Australian Standard AS 2021—2000, \textit{Acoustics—Aircraft noise intrusion—Building siting and construction} with respect to interior noise levels:

(a) residential accommodation on land for which the ANEF contour exceeds 20,

(b) business premises, entertainment facilities, office premises, public administration buildings, retail premises and tourist and visitor accommodation on land for which the ANEF contour exceeds 25.

(4) The following development is prohibited:

(a) educational establishments, hospitals and places of public worship on land for which the ANEF contour exceeds 20,

(b) residential accommodation on land for which the ANEF contour exceeds 25,

(c) business premises, entertainment facilities, office premises, public administration buildings, retail premises and tourist and visitor accommodation on land for which the ANEF contour exceeds 30.

(5) In this clause:

\textit{ANEF} contour means a noise exposure contour shown as an ANEF contour on a plan of the Illawarra Regional Airport or surrounding land prepared by the relevant Commonwealth body or
the private lessor of that Airport, a copy of which is available for inspection by the public during office hours in the office of the Council.

7.11 Location of sex services premises

(1) Despite any other provision of this Plan, development consent must not be granted for development for the purposes of sex services premises if the premises will be located on land that adjoins, or is separated by a road only from, land:

(a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or

(b) used for the purposes of a centre-based child care facility, a community facility, an educational establishment or a place of public worship.

(2) In deciding whether to grant development consent for the purpose of sex services premises, the consent authority must consider the impact the proposed development would have on children likely to regularly frequent land that adjoins, or is in view of, the proposed development.

7.12 Serviced apartments

(1) The objective of this clause is to prevent substandard residential building design occurring by way of converted serviced apartment development.

(2) Development consent must not be granted for the strata subdivision of a building that is being, or has been, used as serviced apartments unless the consent authority is satisfied that, if the development were a residential flat building:

(a) the design quality principles set out in Schedule 1 to State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development would be achieved,

(b) the design principles of the Apartment Design Guide (within the meaning of that Policy) would be achieved.

7.13 Certain land within business zones

(1) The objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people.

(2) This clause applies to land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core or Zone B4 Mixed Use, but does not apply to land to which clause 7.19 applies.

(3) Development consent must not be granted for development for the purpose of a building on land to which this clause applies unless the consent authority is satisfied that the ground floor of the building:

(a) will not be used for the purpose of residential accommodation, and

(b) will have at least one entrance and at least one other door or window on the front of the building facing the street other than a service lane.
7.14 **Minimum site width**

(1) Development consent must not be granted for development for the purposes of multi dwelling housing unless the site area on which the development is to be carried out has a dimension of at least 18 metres.

(2) Development consent must not be granted for development for the purposes of a residential flat building unless the site area on which the development is to be carried out has a dimension of at least 24 metres.

7.15 **Wollongong innovation campus**

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

(a) to permit the establishment of a research and development campus that includes a hotel, student and campus related residential accommodation and necessary support services and facilities,

(b) to provide an area where enterprises that carry out research and development as an integral part of their operations can be located,

(c) to promote collaborative research and development between users of the land to which this clause applies and the University of Wollongong and other enterprises in the Illawarra region,

(d) to promote links between the University of Wollongong’s research activities and the initiatives of the business community,

(e) to ensure that the development of the site is undertaken in a manner that demonstrates design of a high quality with respect to the context of the site, scale, built form and density of the development, resources, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics,

(f) to ensure that development of the site is in harmony with the coastal and foreshore landscape,

(g) to permit the provision of university related facilities including student and campus related residential accommodation and support services, incidental or ancillary to research and development activities.

(2) This clause applies to land shown as being within the Wollongong innovation campus on the Wollongong Innovation Campus Map.

(3) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that the subdivision is for the purpose only of defining the boundaries of lots that are to be the subject of leases.

(4) Development consent must not be granted to development for the purposes of building on land to which this clause applies if the gross floor area of the building would be greater than 135,000 square metres.
7.16 Tallawarra Power Station buffer area

(1) This clause applies to land shown hatched on the Tallawarra Power Station Buffer Area Map.

(2) Development consent must not be granted to development for the purposes of a building on land to which this clause applies unless the consent authority is satisfied that adequate measures have been, or will be in place, to minimise the adverse impact on persons using the building from noise and odour produced by the Tallawarra Power Station.

7.17 Former Port Kembla Public School

(1) This clause applies to land at Military Road, Port Kembla, being Lot 1, DP 811699.

(2) Development consent must not be granted to development for the purposes of tourist and visitor accommodation on land to which this clause applies unless the consent authority is satisfied that the development will not result in the accommodation containing more than 10 bedrooms.

7.18 Design excellence in Wollongong city centre and at key sites

(1) The objective of this clause is to deliver the highest standard of architectural and urban design.

(2) This clause applies to development on any of the following land involving the construction of a new building or external alterations to an existing building:

(a) land within the Wollongong city centre,

(b) land shown edged heavy black and distinctively coloured on the Key Sites Map (a key site).

(3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.

(4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

(c) whether the proposed development detrimentally impacts on view corridors,

(d) whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,

(e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,

(ii) existing and proposed uses and use mix,

(iii) heritage issues and streetscape constraints,
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

(v) bulk, massing and modulation of buildings,

(vi) street frontage heights,

(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

(viii) the achievement of the principles of ecologically sustainable development,

(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,

(x) impact on, and any proposed improvements to, the public domain.

(5) Development consent must not be granted to the following development to which this clause applies unless a design review panel has reviewed the design of the proposed development:

(a) development in respect of a building that is, or will be, greater than 35 metres in height,

(b) development having a capital value of more than $1,000,000 on a key site,

(c) development for which the applicant has chosen to have such a review.

(6) In this clause:

*design review panel* means a panel of 2 or more persons established by the consent authority for the purposes of this clause.

### 7.19 Active street frontages

(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in the following zones:

(a) Zone B1 Neighbourhood Centre,

(b) Zone B2 Local Centre,

(c) Zone B3 Commercial Core,

(d) Zone B4 Mixed Use.

(2) This clause applies to land identified as “Active street frontages” on the [Active Street Frontages Map](#).

(3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.

(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:

(a) entrances and lobbies (including as part of mixed use development),
(b) access for fire services,
(c) vehicular access.

(5) For the purposes of this clause, a building has an active street frontage if:
(a) all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises, and
(b) its street frontage enables direct visual and physical contact between the street and the interior of the building.

Note. Clearly defined entrances, windows and shop fronts are elements of a building facade that contribute to an active street frontage.

Part 8 Local provisions—Wollongong city centre

8.1 Objectives for development in Wollongong city centre

The objectives of this Part and (in so far as it relates to the Wollongong city centre) clause 7.18 are as follows:
(a) to promote the economic revitalisation of the Wollongong city centre,
(b) to strengthen the regional position of the Wollongong city centre as a multifunctional and innovative centre that encourages employment and economic growth,
(c) to protect and enhance the vitality, identity and diversity of the Wollongong city centre,
(d) to promote employment, residential, recreational and tourism opportunities within the Wollongong city centre,
(e) to facilitate the development of building design excellence appropriate to a regional city,
(f) to promote housing choice and housing affordability,
(g) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that the Wollongong city centre achieves sustainable social, economic and environmental outcomes,
(h) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of the Wollongong city centre for the benefit of present and future generations.

8.2 Wollongong city centre—land to which Part applies

(1) This Part applies to land within the Wollongong city centre.

(2) A provision in this Part prevails over any other provision of this Plan to the extent of any inconsistency.

8.3 Sun plane protection

(1) The objective of this clause is to protect specified public open space from excessive overshadowing by restricting the height of buildings.
(2) This clause applies to land coloured yellow on the Sun Plane Protection Map.

(3) Development on land to which this clause applies is prohibited if the development results in any part of a building projecting above a sun access control set out in this clause.

(4) **MacCabe Park**

   The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “MacCabe Park—Burelli Street” is:

   (a) 32 metres above the point, or

   (b) if the point is within 26.4 metres of the boundary of Burelli Street—\(16 + (0.6061 \times D)\) metres above the point,

   where \(D\) is the shortest distance in metres between the point and the boundary of Burelli Street.

(5) The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “MacCabe Park—Keira Street” is:

   (a) 24 metres above the point, or

   (b) if the point is within 4.4 metres of the boundary of Keira Street—\(20 + (0.9091 \times D)\) metres above the point,

   where \(D\) is the shortest distance in metres between the point and the boundary of Keira Street.

(6) **Civic Square**

   The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “Civic Square” is:

   (a) 32 metres above the point, or

   (b) if the point is within 30.6 metres of the boundary of Crown Street—\(12 + (0.6535 \times D)\) metres above the point,

   where \(D\) is the shortest distance in metres between the point and the boundary of Crown Street.

(7) **Pioneer Park**

   The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “Pioneer Park” is:

   (a) 24 metres above the point, or

   (b) if the point is within 19 metres of the boundary of Pioneer Park—\(16 + (0.6154 \times (D - 6))\) metres above the point,

   where \(D\) is the shortest distance in metres between the point and the boundary of Pioneer Park.

(8) **Market Square**

   The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “Market Square—North” is:

   (a) 16 metres above the point, or
(b) if the point is within 10.6 metres of the northern boundary of Market Place—
\[12 + (0.6061 \times (D - 4))\] metres above the point,

where \(D\) is the shortest distance in metres between the point and the northern boundary of Market Place.

(9) The sun access control for any point on land shown coloured yellow on the Sun Plane Protection Map and marked “Market Square—West” is:

(a) 16 metres above the point, or

(b) if the point is within 9.4 metres of the western boundary of Market Place—
\[12 + (0.7407 \times (D - 4))\] metres above the point,

where \(D\) is the shortest distance in metres between the point and the western boundary of Market Place.

(10) If a calculation for a sun access control for a point gives a figure of zero or less, the sun access control is taken to be at the same height as the point.

(11) A reference in this clause to a **point on land** means a point at ground level (existing) on the land.

(12) This clause does not apply to development if it is the refurbishment of a building.

8.4 Minimum building street frontage

(1) The objective of this clause is to ensure that buildings have a minimum width to provide for the efficient development of land and design of buildings.

(2) Development consent must not be granted to the erection of a building that does not have at least one street frontage of 20 metres or more on land within Zone B3 Commercial Core, B4 Mixed Use or B6 Enterprise Corridor.

(3) Despite subclause (2), the consent authority may grant consent to the erection of a building on land referred to in that subclause if it is of the opinion that it is not physically possible for the building to be erected with at least one street frontage of 20 metres or more.

8.5 (Repealed)

8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use

(1) The objective of this clause is to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.

(2) Buildings on land within Zone B3 Commercial Core or B4 Mixed Use must be erected so that:

(a) there is no separation between neighbouring buildings up to the street frontage height of the relevant building or up to 24 metres above ground level whichever is the lesser, and

(b) there is a distance of at least 12 metres from any other building above the street frontage height and less than 45 metres above ground level, and
(c) there is a distance of at least 28 metres from any other building at 45 metres or higher above ground level.

(3) Despite subclause (2), if a building contains a dwelling, all habitable parts of the dwelling including any balcony must not be less than:

(a) 20 metres from any habitable part of a dwelling contained in any other building, and

(b) 16 metres from any other part of any other building.

(4) For the purposes of this clause, a separate tower or other raised part of the same building is taken to be a separate building.

(5) In this clause:

street frontage height means the height of that part of a building that is built to the street alignment.

8.7 Shops in Zone B4 Mixed Use

(1) The objective of this clause is to limit the size of shops in Zone B4 Mixed Use to ensure that land within Zone B3 Commercial Core remains the principal retail area.

(2) Development consent must not be granted for development for the purpose of a shop on land in Zone B4 Mixed Use if the gross floor area of the shop is to be more than 400 square metres.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at Buttenshaw Drive, Austinmer

(1) This clause applies to land at 99 Buttenshaw Drive, Austinmer, being Lot 7, DP 223280.

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

2 Use of certain land at Lawrence Hargrave Drive, Clifton

(1) This clause applies to land at Lawrence Hargrave Drive, Clifton, being Lot 100, DP 1118518.

(2) Development for the purposes of hotel or motel accommodation, a pub and a restaurant or cafe is permitted with development consent.

3 Use of certain land at Jarvie Road, Cringila

(1) This clause applies to land at Jarvie Road, Cringila, being Lot 2, DP 217590.

(2) Development for the purposes of a resource recovery facility is permitted with development consent.

4 Use of certain land at O’Briens Road, Figtree

(1) This clause applies to land at O’Briens Road, Figtree, being Lot 21, DP 939374.
(2) Development for the purposes of the subdivision of the land into 2 lots, and the erection of one dwelling house on the lot within Zone E3 Environmental Management is permitted with development consent.

5 Use of certain land at Princes Highway, Figtree

(1) This clause applies to land at 47 Princes Highway, Figtree, being land that was formerly Lot 11, DP 609167.

Note. This land is shown on the map marked “City of Wollongong Local Environmental Plan 1990 (Amendment No 154)” deposited in the office of the Council.

(2) Development for the purposes of a residential flat building is permitted with development consent.

6 Use of certain land at Macquarie Place, Haywards Bay

(1) This clause applies to land at 1–22 Macquarie Place, Haywards Bay, being Lots 101–108, DP 1070495.

(2) Development for the purposes of specialised retail premises, a service station and vehicle sales or hire premises is permitted with development consent.

7 Use of certain land at Paynes Road, Kembla Grange

(1) This clause applies to land at Paynes Road, Kembla Grange, being Lot 223, DP 751278.

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

8 (Repealed)

9 Use of certain land at 84A Princes Highway, Maddens Plains

(1) This clause applies to land at 84A Princes Highway, Maddens Plains, being Lot A, DP 408911.

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

10 Use of certain land at North Marshall Mount Road, Marshall Mount

(1) This clause applies to land at North Marshall Mount Road, Marshall Mount, being Lots 1–3, DP 852180.

(2) Development for the purposes of the subdivision of the land into 6 lots, and the erection of a dwelling house on each lot is permitted with development consent.

11 Use of certain land at Kirkwood Place, Mount Kembla

(1) This clause applies to land at 1 Kirkwood Place, Mount Kembla, being Lot 2, DP 206691.

(2) Development for the purposes of a dwelling house is permitted with development consent.
12 Use of certain land at Lawrence Hargrave Drive, Scarborough

(1) This clause applies to land at Lawrence Hargrave Drive, Scarborough, being Lot 1, Section 4, DP 1659, Lot 1, DP 982323 and Lot 1, Section A, DP 2693.

(2) Development for the purposes of hotel or motel accommodation, a pub and a restaurant or cafe is permitted with development consent.

13 Use of certain land at Hawthorn Street, Tarrawanna

(1) This clause applies to land at Hawthorn Street, Tarrawanna, being Lot 2, DP 793302.

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

14 Use of certain land at Princes Highway, Thirroul

(1) This clause applies to land at 57 Princes Highway, Thirroul, being Lot 1, DP 998258.

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

15 Use of certain land at Carr Street, Towradgi

(1) This clause applies to land at 12 Carr Street, Towradgi, being Lot 6, DP 749492.

(2) Development for the purposes of the subdivision of the land in Zone R2 Low Density Residential into 3 lots, and the erection of 2 single storey dwelling houses, is permitted with development consent.

16 Use of certain land at Central Road and Albert Street, Unanderra

(1) This clause applies to land at 23A Central Road, Unanderra, being Lot 20, DP 774581 and land at 1 Albert Street, Unanderra, being Lot 21, DP 774581.

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

17 Use of certain land at Lady Penrhyn Drive, Unanderra

(1) This clause applies to land at 30–40 Lady Penrhyn Drive, Unanderra, being Lot 1, DP 815554.

(2) Development for the purposes of a correctional centre is permitted with development consent.

18 Use of certain land at Crown Street, Wollongong

(1) This clause applies to land at 9–11 Crown Street, Wollongong, being Lot 101, DP 872951 and Lots 1, 6 and 7, DP 1091530.

(2) Development for the purposes of commercial premises, markets or shops is permitted with development consent, but only if the development is part of the entertainment centre complex.

19 Use of certain land at Crown Street and Harbour Street, Wollongong

(1) This clause applies to land at Crown Street and Harbour Street, Wollongong, being Part Lot 143 and Part Lot 144, DP 786508 as shown edged heavy black on the map marked “City of Wollongong Local Environmental Plan 1990 Amendment No 2”.
(2) Development for the purposes of office premises and retail premises is permitted with development consent.

20 Use of certain land at Ross Street, Wollongong

(1) This clause applies to land at 1 Ross Street, Wollongong, being Lots 101–106, DP 1125366.

(2) Development for the purposes of a hospital is permitted with development consent.

21 Use of certain land at Wollongong and North Wollongong

(1) This clause applies to land at 1–82A Cliff Road and 2 Georges Place, Wollongong and 1–13 Bourke St, North Wollongong being Lots 1, 2 and 3, DP 17709; Part Lot 1, DP 434751; Lot 2, DP 1059775; Part Lot 2, DP 337677; Part Lot B, DP 367260; Lot 1, DP 883351; Lot 101, DP 1021913; Part Lot D, DP 155466; Lot 21, DP 1032058; Lot 22, DP 1047028; Lots 1 and 2, DP 534773; Lot 1, DP 629931; Lot 4, DP 546014; Lot 78, DP 1097836; Lot 7, DP 565904; Lot 1, DP 87310; Lot 30, DP 511757; Lot 1, DP 112803; Lot 19, DP 550947; Lot 1, DP 603683; Lot 40, DP 1084880; Lot 1, DP 231198; Lot 2, DP 150830; Lot 1, DP 612629; Lot 1, DP 714625; Lot 3, DP 1106063; Lot 20, DP 607507; Lot 20, DP 607507 and Lot 19, DP 996430.

(2) Development for the purposes of a restaurant or cafe is permitted with development consent, but only if the restaurant or cafe is located on the ground floor.

(3) Development for the purposes of hotel or motel accommodation and serviced apartments is permitted with development consent.

22 Use of certain land at Princes Highway, Yallah

(1) This clause applies to land at Princes Highway, Yallah, being Lot 1, DP 156657.

(2) Development for the purposes of a place of public worship is permitted with development consent.

23 Use of certain land at Bong Bong Road, Huntley

(1) This clause applies to land at Bong Bong Road, Huntley, being Lot 1, DP 618764.

(2) Development for the purposes of a recreation facility (outdoor) for a shooting range is permitted with development consent.

24 Use of certain land at 54 Marshall Mount Road, Avondale

(1) This clause applies to land at 54 Marshall Mount Road, Avondale, being Lot 4, DP 608205.

(2) Development for the purpose of a camping ground is permitted with development consent, but only if the consent authority is satisfied that the development will not have a significant adverse environmental impact.

25 Use of certain land at Beaton Park, Gwynneville

(1) This clause applies to land at 37 Foley Street, Gwynneville, being Lot 113, DP 788462, Lot 104, DP 594259 and Lot 401, DP 1128781.

(2) Development for the purposes of a medical centre is permitted with development consent.
(3) Development for the purposes of a health services facility is permitted with development consent if the development is limited to development for the purposes of a community health service facility.

26 Use of certain land at Beaton Park, Gwynneville

(1) This clause applies to land at 37 Foley Street, Gwynneville, being Lot 113, DP 788462.

(2) Development for the purposes of a registered club is permitted with development consent.

Schedule 2 Exempt development

(Clause 3.1)

Note 1. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners’ property rights and the common law still apply.

Advertisements—general requirements

(1) Must be non-moving.

(2) Must be at least 600mm from any public road.

(3) Must be at least 2.6m above any public footpath.

(4) Must relate to the lawful use of the building (except for temporary signs).

(5) Must be within the boundary of the property to which it applies, unless in a business or an industrial zone.

(6) Must reflect the character and style of any building to which it is attached.

(7) Must not be detrimental to the character and functioning of the building.

(8) Must not be on walls facing or adjoining residential premises.

(9) Must not be an “A” frame sign.

(10) 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 zones

(1) Underawning 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, and

(e) must not be flashing.

(2) Projecting wall sign (excluding underawning signs)
Sign attached to the wall of a building (other than the transom of a doorway or display window) and projecting more than 300mm:

(a) must meet the general requirements for advertisements, and

(b) 1 sign per premises or 1 per street frontage, whichever is the greater, and

(c) maximum projection—1.5m, and

(d) maximum area—1.5m², and

(e) must not be flashing.

(3) 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, and

(c) must not be flashing.

(4) 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, and

(c) must not be flashing.

(5) Fascia signs
Sign attached to the fascia or return of the awning:

(a) must meet the general requirements for advertisements, and

(b) 1 sign per premises, and

(c) must not project above or below, or more than 300mm from, the fascia or return end of the awning to which it is attached, and

(d) must not be flashing.

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

(1) Must meet the general requirements for advertisements.

(2) 1 pole or pylon sign per premises (including any directory board for multiple occupancies).
(3) Maximum height—5m.

(4) Must be within 5m of any public entry point to the premises.

(5) Must not obstruct the sight line of vehicle or pedestrian traffic.

(6) For multiple occupancy premises, 1 additional business identification sign is permitted at the entrance to each occupied unit, maximum area—1.2m².

(7) For single occupancy premises, 1 additional business identification sign is permitted, maximum area—50m² or 1m² per 3m of street frontage, whichever is the lesser.

Advertisements—business identification signs in residential zones

(1) Must meet the general requirements for advertisements.

(2) 1 sign per premises.

(3) Maximum area—0.75m².

(4) If a pole or pylon sign, maximum height—2m.

(5) Must not be illuminated or flashing.

Advertisements—business identification signs in rural zones

(1) Must meet the general requirements for advertisements.

(2) 1 sign per premises.

(3) Maximum area—0.75m² (except if a pole or pylon sign).

(4) If a pole or pylon sign, maximum area—2m² and maximum height—2m.

(5) Must not be illuminated or flashing.

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

(1) Must meet the general requirements for advertisements.

(2) Maximum height—5m.

(3) Maximum area—5m².

(4) Must not obstruct the sight line of vehicle or pedestrian traffic.

(5) Must not be flashing.

Advertisements—real estate signs (advertising land development)

(1) Must meet the general requirements for advertisements.

(2) Maximum area—6m² for each 25 lots being advertised.
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—4.5m².
(3) Must be within the boundary of the advertised property.
(4) Must not be flashing.
(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 or rural zones

(1) Must meet the general requirements for advertisements.
(2) Maximum area—2.5m².
(3) Must not be flashing.
(4) Must be removed within 14 days after the premises or land is sold or let.

Advertisements—signs behind glass line of shop window in Zone B1, B3, B4, B6 or IN2 (other than in brothels)

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

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

(1) Must meet the general requirements for advertisements.
(2) 1 per street frontage.
(3) Maximum area—1.5m² and maximum height—1.5m in residential and rural zones.
(4) Maximum area—3.5m² and maximum height—2m in commercial and industrial zones.
(5) Must not include commercial advertising apart from name of event sponsor.
(6) Must not be displayed earlier than 28 days before, or later than 14 days after, the event.
(7) Must not be used in relation to recurring events.
(8) Must not be flashing.

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

Must meet the general requirements for advertisements.
Outdoor dining (associated with food and drink premises)

(1) Must be on community land, operational land or a Crown reserve.

(2) Must be associated with an adjacent food and drink premises for which development consent has been granted.

Schedule 3 Complying development

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

Part 1 Types of development

Alterations and additions to industrial and warehouse buildings in industrial zones

(1) Must not be on lots that are adjacent to land in residential or recreation zones.

(2) Must not involve change to the use of the premises.

(3) Maximum additional floor area—1,000m² or 25% of existing floor area (whichever is the lesser).

(4) Maximum floor space ratio—1:1.

(5) Maximum height of any structure—8.5m.

(6) Minimum setback for any structure:

   (a) from an arterial road (or arterial road widening)—20m, or

   (b) from a local road (or local road widening)—10m, or

   (c) from other boundaries—5m.

(7) Minimum setback for any paved area wider than 1.5m:

   (a) from an arterial road (or arterial road widening)—5m, or

   (b) from a local road (or local road widening)—5m, or

   (c) from other boundaries—3.5m.

(8) Must have at least 1 window opening, door opening or other wall variation of more than 50mm for every 20m of wall length facing the front boundary.

(9) Earthworks must not extend more than:

   (a) 900mm above ground level (existing), or

   (b) 600mm below ground level (existing).

(10) Any roof or surface drainage area must have a 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 20L per second without using on-site detention systems, and
(d) caters for a 1 in 20 year storm event and directs excess water over land to the street.

(11) Must provide and maintain, adjacent to any street, a landscaped area with a minimum width of 5m that is designed by a suitably qualified landscape architect and that has mounding to a height of at least 600mm along the majority of any frontage to an arterial road.

(12) 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.

(13) Must provide a landscaped bay with a minimum width of 1.5m containing at least 1 tree, at the end of at least every 10 car parking spaces in the front setback.

(14) Must provide at least 1 car parking space for every 40m$^2$ of gross floor area of any building used for the purpose of office premises and at least 1 car parking space for every 70m$^2$ of gross floor of any building used for any other purpose.

(15) Must not reduce any vehicle loading area or remove any such area.

(16) Must not change the location or number of driveway entries onto the property.

(17) Driveways must:
   (a) be at least 10m from any road intersection, and
   (b) be no wider than 7m crossing any landscaped strip to the front street or a side street, and
   (c) permit all vehicles to enter and exit the site in a forward direction.

(18) Must locate garbage and storage areas behind the building line for each street frontage.

**Dwelling houses in Zone R5 Large Lot Residential**

(1) Must be the construction of a dwelling house including any ancillary development related to that house (such as garages, awnings or swimming pools).

(2) Must be entirely in Zone R5 Large Lot Residential.

(3) The property must have a street frontage width of at least 20m and an area of at least 2,500m$^2$.

(4) Maximum floor space ratio—0.1:1.

(5) The setback from the front property boundary:
   (a) to the front wall of the dwelling house closest to the street must be between 12m and 25m, and
(b) to any other front walls of the dwelling house that are over 2m wide must be between 4.5m and 8m.

(6) Maximum width of the dwelling (not including ancillary components)—20m.

(7) Maximum depth of the dwelling (not including ancillary components)—20m.

(8) Minimum setback from the rear property boundary to the rear walls of the dwelling—12m.

(9) Minimum setback from side property boundaries to the walls of the dwelling—5m.

(10) Maximum height of any structure (other than a structure that is exempt development)—8.5m.

(11) Maximum height of a single storey structure (other than a structure that is exempt development)—5m.

(12) Maximum number of storeys—2.

(13) Maximum height of the ground floor level—800mm above ground level (existing).

(14) Maximum height of any raised platform (associated with a deck, retaining wall, fill or otherwise) behind the front setback—800mm but if within 3m of any property boundary—300mm.

(15) Earthworks must not extend more than:
   (a) 300mm above ground level (existing), or
   (b) 500mm above ground level (existing) if retained behind an edge beam wall of the dwelling, or
   (c) 500mm below ground level (existing).

(16) Maximum depth of any second storey balcony—3m.

(17) Any second storey balcony must be at least 10m from the rear property boundary.

(18) Maximum height between a floor and the ceiling above—4.5m.

(19) Minimum height between a floor in a habitable area and the ceiling above—2.4m.

(20) Materials, colours and finishes must be visually compatible with those existing in the surrounding area.

(21) Must provide and maintain, on the rear half of the property, private open space of at least 300m$^2$ with a minimum width of 6m.

(22) Must provide and maintain, on the rear half of the property, a soft landscaped area of at least 100m$^2$ with a minimum width of 5m that has no hard paved surface other than garden edging, retaining structure or similar.

(23) Must provide and maintain, on the front setback, a soft landscaped area of at least 15m$^2$ with a minimum width of 2.5m that has no hard paved surface other than garden edging, retaining structure or similar.
(24) Must ensure that there are at least 3 trees (that grow to a mature height of over 5m and are not exempt trees), 6 shrubs (that grow to a mature height of over 1.5m) and 20 smaller plants.

(25) Must provide and maintain at least 2 car parking spaces, 1 that is behind the building line and is at least 3m wide and 5.5m long (that must be covered) and 1 that is at least 2.5m wide and 5.5m long (that may be covered, but only if behind the building line).

(26) Maximum width of any garage or carport (including walls)—7m (unless entirely behind the dwelling).

(27) Any garage or carport must be set back at least 1m behind the front wall of the dwelling closest to the street.

(28) Maximum width of driveways at the property boundary—6m.

(29) Minimum distance of driveways from any road intersection—6m.

(30) Driveways outside the property boundary must be constructed at right angles to the kerb and guttering and must be at least 500mm from any telegraph pole, street furniture or drainage structure.

(31) Any covered outdoor area (including awnings, pergolas, gazebos, verandahs, entry foyers or similar) must be open for at least 50% of its perimeter between 1m and 2m above the inside floor level.

(32) Any structure with a roof area of more than 10m$^2$ must have guttering and downpipes that capture the water from the roofed area and discharge that water:

(a) into the inter-allotment or street stormwater drainage system, or

(b) into rainwater tanks that discharge any overflow into any such stormwater system.

(33) Maximum area of any swimming pool or spa pool—50m$^2$.

(34) Any swimming pool or spa pool:

(a) must be behind the dwelling, and

(b) must be at least 1.2m from any side or rear property boundary, and

(c) must be at least 4m from the principal access point to the main living areas of the dwelling, and

(d) must be surrounded by a graded surface that diverts water away from the pool, buildings and neighbouring properties.

(35) Maximum height of any coping or decking around a swimming pool or spa pool—900mm above ground level (natural) or if within 3m of any side or rear property boundary—400mm above ground level (natural).

Part 2 Complying development certificate conditions

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

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

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locality</td>
<td>Description</td>
</tr>
<tr>
<td>Windang</td>
<td>Lot 102, DP 1005245, Windang Road (Lake Illawarra Foreshore)</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locality</td>
<td>Description</td>
<td>Any trusts etc not discharged</td>
</tr>
<tr>
<td>Bellambi</td>
<td>Part of Lot 202, DP 716326, Bott Drive, as shown edged heavy black and identified as “Operational Land” on Sheet 2 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
</tr>
<tr>
<td>Berkeley</td>
<td>Part of Lot 192, DP 700165, Nolan Street, as shown edged heavy black and identified as “Operational Land” on Sheet 9 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
</tr>
<tr>
<td>Bulli</td>
<td>Part of Lot 2, DP 772593 and part of Lot 3, DP 863277, Princes Highway, being part of the Bulli Showground, as shown edged heavy black and identified as “Operational Land” on Sheet 3 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Dapto
Part of Lot 49, DP 24980, Avondale Road, as identified as operational land on the Land Reclassification (Part Lots) Map
Nil

Dapto
Part of Lot 1, DP 1005887, 253 Kanahooka Road, as shown edged heavy black and identified as “Operational Land” on Sheet 8 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council
Nil

East Corrimal
Lot 31, DP 10422, 42 Thalassa Avenue
Nil

Figtree
Lot 4, DP 230541, Mountain View Crescent
Nil

Gwynneville
Lot 201 and part of Lot 207, DP 816857, Mercury Street, as shown edged heavy black and identified as “Operational Land” on Sheet 5 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council
Nil

Keiraville
Part of Lot 1672, DP 877546, near Ashcroft Place, being a carpark at the University of Wollongong, as shown edged heavy black and identified as “Operational Land” on Sheet 1 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 1) Reclassification Map” deposited in the office of the Council
Nil

Kembla Grange
Lot 1, DP 329804, Canterbury Road
Nil

Mount Keira
Part of Lot 81, DP 1153714, Keira Mine Road, as shown edged heavy black and identified as “Operational Land” on Sheet 7 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council
Nil
<table>
<thead>
<tr>
<th>Location</th>
<th>Details</th>
<th>Easements/Restrictions</th>
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</thead>
<tbody>
<tr>
<td>Mount Keira</td>
<td>Part of Lot 1, DP 875991, Queen Elizabeth Drive, being part of Mount Keira Summit Park, as shown edged heavy black and identified as “Operational Land” on Sheet 4 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
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<tr>
<td>Mount Pleasant</td>
<td>Lot 10, DP 39154, part of Brokers Road Reserve</td>
<td>Nil</td>
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<tr>
<td>North Wollongong</td>
<td>Part of Lot 1, DP 708558, Montague Street Reserve, as shown edged heavy black and identified as “Operational Land” on Sheet 6 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
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<tr>
<td>Port Kembla</td>
<td>Lot 3, DP 231808, Darcy Road</td>
<td>Nil</td>
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<tr>
<td>Port Kembla</td>
<td>Lot 1, DP 723148, 85 Illawarra Street</td>
<td>Nil</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Lot 1, DP 728015, 96A Illawarra Street</td>
<td>Nil</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Lot 1, DP 347045, Shellharbour Road</td>
<td>Nil</td>
</tr>
<tr>
<td>Russell Vale</td>
<td>Lot 20, DP 245050, 3 Collaery Road</td>
<td>Nil</td>
</tr>
<tr>
<td>Spring Hill</td>
<td>Lot 6, DP 91802, Five Islands Road</td>
<td>Nil</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Part of Lot 3, DP 204631, Station Street, as shown edged heavy black and identified as “Operational Land” on Sheet 1 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 2) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
</tr>
<tr>
<td>Warrawong</td>
<td>Part of Lot 1, DP 182649, part of Darcy Wentworth Park, as shown edged heavy black and identified as “Operational Land” on Sheet 2 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 1) Reclassification Map” deposited in the office of the Council</td>
<td>Nil</td>
</tr>
<tr>
<td>Warrawong</td>
<td>Lot 1, DP 243820, Eyre Place</td>
<td>Nil</td>
</tr>
<tr>
<td>Windang</td>
<td>Lot 1, DP 610406, Windang Road (Lake Illawarra Foreshore)</td>
<td>Easement for drainage (D641261), easement for drainage (N303271) and easement for sewerage (R292848) as noted on Certificate of Title Folio Identifier 1/610406</td>
</tr>
</tbody>
</table>
Wollongong Local Environmental Plan 2009 [NSW]

Wollongong
Lot 6, Section C, DP 15742, Greenacre Road  Nil
Wollongong
Lot 14, Section B, DP 15742, Northcote Street Nil
Wollongong
Lot 1, DP 1132396, Sperry Street Nil
Wollongong
Part of Lot 102, DP 847615, Springhill Road, being a heliport and carpark, as shown edged heavy black and identified as “Operational Land” on Sheet 3 of the map marked “Wollongong Local Environmental Plan 2009 (Amendment No 1) Reclassification Map” deposited in the office of the Council Nil

Woonona
Lot 3, DP 552827, Mitchell Road Nil
Woonona
Lot 82, DP 562294, Mitchell Road Nil
Woonona
Lot 2, DP 723137, Pioneer Drive Nil

Part 3 Land classified, or reclassified, as community land

<table>
<thead>
<tr>
<th>Locality</th>
<th>Description</th>
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<tbody>
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Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

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<thead>
<tr>
<th>Suburb</th>
<th>Item Name</th>
<th>Address</th>
<th>Property Description</th>
<th>Significance</th>
<th>Item No</th>
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<tbody>
<tr>
<td>Austinmer</td>
<td>House</td>
<td>1 Headland Avenue</td>
<td>Lot 2, DP 201973</td>
<td>Local</td>
<td>6147</td>
</tr>
<tr>
<td>Austinmer</td>
<td>House “Brentwood”</td>
<td>55 Lawrence Hargrave Drive</td>
<td>Lot 73, DP 9233</td>
<td>Local</td>
<td>6510</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Glastonbury Gardens</td>
<td>72–82 Lawrence Hargrave Drive</td>
<td>Lot 2, DP 519285</td>
<td>Local</td>
<td>6153</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Austinmer school residence</td>
<td>92–94 Lawrence Hargrave Drive</td>
<td>Lot 1, DP 119024</td>
<td>Local</td>
<td>6148</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Norfolk Island pines</td>
<td>Lawrence Hargrave Drive, Austinmer Main Beach</td>
<td>Lot 3, DP 1110343</td>
<td>Local</td>
<td>6151</td>
</tr>
<tr>
<td>Austinmer</td>
<td>War memorial</td>
<td>Lawrence Hargrave Drive, Austinmer Main Beach</td>
<td>Lot 3, DP 1110343</td>
<td>Local</td>
<td>6511</td>
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<tr>
<td>Austinmer</td>
<td>Norfolk Island pines</td>
<td>North Austinmer Beach</td>
<td>Lot 99, DP 174418</td>
<td>Local</td>
<td>6152</td>
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<tr>
<td>Location</td>
<td>Property Type</td>
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<tr>
<td>Austinmer</td>
<td>Group of shops</td>
<td>34–40 Moore Street</td>
<td>Lot 18, Section C, DP 2111; Lot 2, DP 1073935 and Lot 1, DP 1073935</td>
<td>Local</td>
<td>6509</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Uniting church</td>
<td>48 Moore Street</td>
<td>Lot 12, Section C, DP 2111</td>
<td>Local</td>
<td>6507</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Shop and house</td>
<td>57 Moore Street</td>
<td>Lot 6, Section A, DP 2111</td>
<td>Local</td>
<td>6508</td>
</tr>
<tr>
<td>Austinmer</td>
<td>“Workshop”</td>
<td>67 Moore Street</td>
<td>Lot 1, DP 301323</td>
<td>Local</td>
<td>6149</td>
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<tr>
<td>Austinmer</td>
<td>Austinmer railway station</td>
<td>End of Moore Street</td>
<td>Rail reserve</td>
<td>State</td>
<td>6259</td>
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<td>Austinmer</td>
<td>Site of Austinmer jetty*</td>
<td>North of Headland Avenue</td>
<td>Foreshore</td>
<td>Local</td>
<td>6485</td>
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<tr>
<td>Austinmer</td>
<td>“The Outlook”</td>
<td>14 Oceana Parade</td>
<td>Lot 1, DP 231287</td>
<td>Local</td>
<td>61004</td>
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<tr>
<td>Austinmer</td>
<td>“Cintra”</td>
<td>15 Wigram Road</td>
<td>Lot 18, DP 7559</td>
<td>Local</td>
<td>6150</td>
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<tr>
<td>Austinmer</td>
<td>Norfolk Island pines on Headlands Hotel site</td>
<td>Yuruga Street</td>
<td>Lots 87–95, DP 9233</td>
<td>Local</td>
<td>6504</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Norfolk Island pines</td>
<td>Yuruga Street (corner Headlands Avenue)</td>
<td>Lot 1, DP 339004</td>
<td>Local</td>
<td>6144</td>
</tr>
<tr>
<td>Avondale</td>
<td>House, (“Avondale Homestead”)</td>
<td>301 Avondale Road</td>
<td>Lot 224, DP 789384</td>
<td>Local</td>
<td>5916</td>
</tr>
<tr>
<td>Avondale</td>
<td>House (“Mooreland”)</td>
<td>384 Avondale Road</td>
<td>Part Lot 6, DP 3083</td>
<td>Local</td>
<td>5984</td>
</tr>
<tr>
<td>Avondale</td>
<td>House (“Linbrook”)</td>
<td>84 South Avondale Road</td>
<td>Lot 9, DP 3083</td>
<td>Local</td>
<td>5982</td>
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<tr>
<td>Balgownie</td>
<td>Balgownie Community Centre</td>
<td>113 Balgownie Road</td>
<td>Lot 5, Section A, DP 938771</td>
<td>Local</td>
<td>6215</td>
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<tr>
<td>Balgownie</td>
<td>Street front shop</td>
<td>135 Balgownie Road</td>
<td>Lot 2, DP 37904 and Lot 3, DP 584503</td>
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<td>6213</td>
</tr>
<tr>
<td>Balgownie</td>
<td>Balgownie Hotel</td>
<td>141–43 Balgownie Road</td>
<td>Lot 5, DP 872833</td>
<td>Local</td>
<td>61009</td>
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<tr>
<td>Balgownie</td>
<td>Balgownie Public School and residence</td>
<td>Balgownie Road (Corner Chalmers Street)</td>
<td>Part Lot 1, DP 709601</td>
<td>Local</td>
<td>6214</td>
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<tr>
<td>Bellambi</td>
<td>Bellambi Hotel</td>
<td>5–7 Bellambi Lane</td>
<td>Lot 1, DP 657196</td>
<td>Local</td>
<td>6456</td>
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<tr>
<td>Bellambi</td>
<td>Station master’s residence</td>
<td>Brompton Road, corner Bellambi Lane</td>
<td>Lot 1, DP 881773</td>
<td>Local</td>
<td>6359</td>
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<tr>
<td>Bellambi</td>
<td>Bellambi Lake and Sandpit Point</td>
<td>Turner Esplanade</td>
<td>Lot 175, DP 726738; Part Lot 113, DP 751301; Lots 5 and 6, DP 240541; Lots 141 and 157, DP 247217, Lot 2, DP 615377 and Lot 7011, DP 1057474</td>
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<tr>
<td>Berkeley</td>
<td>Site of former “Berkeley House”**</td>
<td>23 Glastonbury Avenue and 191–195 Five Islands Road</td>
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<td>6519</td>
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<tr>
<td>Berkeley</td>
<td>Lake islands</td>
<td>Lake Illawarra (Hooka Island and Goosebury Island)</td>
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<tr>
<td>Brownsville</td>
<td>Former Illawarra Lake Hotel</td>
<td>11 Prince Edward Drive</td>
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<tr>
<td>Brownsville</td>
<td>Brownsville Cemetery, large fig trees and Bunya pine*</td>
<td>33–37 Prince Edward Drive</td>
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<tr>
<td>Brownsville</td>
<td>Osborne Memorial Church of St Luke</td>
<td>35–37 Prince Edward Drive</td>
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<tr>
<td>Brownsville</td>
<td>Church Hall former Episcopalian Church of St Luke</td>
<td>35–37 Prince Edward Drive</td>
<td>Local</td>
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<tr>
<td>Bulli</td>
<td>Norfolk Island pine beach front planting and row of phoenix palms</td>
<td>Bulli Beach, adjacent to Trinity Row and Park Road</td>
<td>Local</td>
<td>6192</td>
<td></td>
</tr>
<tr>
<td>Bulli</td>
<td>Former railway route*</td>
<td>Bulli Colliery to rail bridge embankments</td>
<td>Local</td>
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<tr>
<td>Bulli</td>
<td>Norfolk Island pine beach front planting</td>
<td>Bulli Point, Point Street</td>
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<tr>
<td>Bulli</td>
<td>Site of Captain Westmacott’s homestead</td>
<td>Bulli Point (Sandon Point) Trig Station</td>
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<tr>
<td>Bulli</td>
<td>General cemetery*</td>
<td>Carrington Street</td>
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<tr>
<td>Bulli</td>
<td>Houses</td>
<td>87–101 Farrell Road</td>
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<td>6182</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>8 Fowler Road</td>
<td>Local</td>
<td>6180</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>10 Fowler Road</td>
<td>Local</td>
<td>6181</td>
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<tr>
<td>Bulli</td>
<td>Bulli railway station</td>
<td>Franklin Avenue and Railway Street</td>
<td>Local</td>
<td>6484</td>
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</tr>
<tr>
<td>Bulli</td>
<td>Bulli collieries—includes shaft No 1, shaft No 2 original shaft sinking head frame, old pit top, old furnace shaft and pit town remains*</td>
<td>Hobart Street; Lot 1, DP 430752; Lot 50, DP 1045297; Part Lot 23, DP 751301 and Lot 3, DP 255282</td>
<td>Local</td>
<td>5924</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>28 Park Road</td>
<td>Local</td>
<td>6175</td>
<td></td>
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<tr>
<td>Town</td>
<td>Description</td>
<td>Address</td>
<td>Legal Description</td>
<td>Local Government Area</td>
<td>Local Government Area Code</td>
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<tr>
<td>Bulli</td>
<td>St Joseph’s Roman Catholic Church and former Convent</td>
<td>48–50 Park Road</td>
<td>Lot 1, DP 86818</td>
<td>Local</td>
<td>61078</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>52 Park Road</td>
<td>Part Lot A, DP 164966</td>
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<td>Bulli</td>
<td>House</td>
<td>56 Park Road</td>
<td>Lot 1002, DP 873075</td>
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<td>Bulli</td>
<td>House</td>
<td>60 Park Road</td>
<td>Lot 3, DP 598485</td>
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<td>House</td>
<td>64 Park Road</td>
<td>Lot 1, DP 246899</td>
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<td>Bulli</td>
<td>Memorial obelisk</td>
<td>66 Park Road</td>
<td>Lot 801, DP 774190</td>
<td>Local</td>
<td>6174</td>
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<tr>
<td>Bulli</td>
<td>St Augustine Anglican Church of Australia and cemetery*</td>
<td>66 Park Road</td>
<td>Lot 801, DP 774190</td>
<td>Local</td>
<td>6174</td>
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<tr>
<td>Bulli</td>
<td>Bulli station master’s residence</td>
<td>Park Road</td>
<td>Lot 1, DP 809643</td>
<td>Local</td>
<td>6500</td>
</tr>
<tr>
<td>Bulli</td>
<td>Methodist manse and church</td>
<td>191 Princes Highway</td>
<td>Lot 1, DP 779555 and Lot 1, DP 780740</td>
<td>Local</td>
<td>6355</td>
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<tr>
<td>Bulli</td>
<td>Miners’ cottage</td>
<td>200 Princes Highway</td>
<td>Lot 1, DP 194397</td>
<td>Local</td>
<td>5973</td>
</tr>
<tr>
<td>Bulli</td>
<td>Denmark Hotel and stables</td>
<td>202 Princes Highway</td>
<td>Lot 1, DP 986139</td>
<td>Local</td>
<td>5927</td>
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<tr>
<td>Bulli</td>
<td>Former Joint Stock Bank</td>
<td>203 Princes Highway</td>
<td>Lot 1, DP 799054</td>
<td>Local</td>
<td>5985</td>
</tr>
<tr>
<td>Bulli</td>
<td>House</td>
<td>226 Princes Highway</td>
<td>Lot 1, DP 162072</td>
<td>Local</td>
<td>6445</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>227 Princes Highway</td>
<td>Lot 4, DP 997530</td>
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<td>6446</td>
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<td>Bulli</td>
<td>House</td>
<td>230 Princes Highway</td>
<td>Lot 162, DP 602341</td>
<td>Local</td>
<td>6447</td>
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<td>Bulli</td>
<td>Bulli post office</td>
<td>231 Princes Highway</td>
<td>Lot 1, DP 91869</td>
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<td>Bulli</td>
<td>Bulli Family Hotel</td>
<td>240 Princes Highway</td>
<td>Lot 1, DP 66053</td>
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<td>Bulli</td>
<td>House</td>
<td>242 Princes Highway</td>
<td>Lot 2, DP 161605</td>
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<td>Bulli</td>
<td>House</td>
<td>244 Princes Highway</td>
<td>Lot 21, DP 1016175</td>
<td>Local</td>
<td>6183</td>
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<td>Bulli</td>
<td>Former guest house</td>
<td>300–302 Princes Highway</td>
<td>Lot 2, DP 1138010</td>
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<td>6187</td>
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<tr>
<td>Bulli</td>
<td>House</td>
<td>312 Princes Highway</td>
<td>Lot 5, DP 6793</td>
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<td>Bulli</td>
<td>Former ambulance station</td>
<td>322 Princes Highway</td>
<td>Lot 1, DP 981540</td>
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<td>Location</td>
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<td>Bulli</td>
<td>Former shire council chambers</td>
<td>328 Princes Highway, Lot A, DP 421249</td>
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<tr>
<td>Bulli</td>
<td>Former Sherbrooke Union Church</td>
<td>Princes Highway, Lot 1, DP 772593</td>
<td>Local</td>
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<td>Bulli</td>
<td>WWI memorial</td>
<td>Princes Highway, Lot 2, DP 772593</td>
<td>Local</td>
<td>6444</td>
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<tr>
<td>Bulli</td>
<td>Rail bridge</td>
<td>Over Princes Highway, near Hobart Street Junction, Rail reserve</td>
<td>Local</td>
<td>5988</td>
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<tr>
<td>Bulli</td>
<td>Former Bulli railway guesthouse</td>
<td>1 Railway Street, Lot A, DP 159222</td>
<td>Local</td>
<td>5987</td>
<td></td>
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<tr>
<td>Bulli</td>
<td>Old Mountain Road</td>
<td>North of Rixons Pass Road, Bulli Tops, Road reserve</td>
<td>Local</td>
<td>6517</td>
<td></td>
</tr>
<tr>
<td>Bulli</td>
<td>Boat sheds</td>
<td>Sandon Point, Lot 103, DP 7813</td>
<td>Local</td>
<td>6487</td>
<td></td>
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<tr>
<td>Cataract</td>
<td>Site of former &quot;Biddulph Farm&quot;</td>
<td>Mt Ousley Road intersection with Rixons Pass Road, Lot 30, DP 751301</td>
<td>Local</td>
<td>61064</td>
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<tr>
<td>Cleveland</td>
<td>Tramway alignment (former) (see also under suburb of Horsley)</td>
<td>Cleveland Road and Burringbar Street, running east-west along the southern boundary of lots</td>
<td>Local</td>
<td>61069</td>
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<tr>
<td>Cleveland</td>
<td>House (&quot;Cleveland&quot;)</td>
<td>273 Cleveland Road, Lot 1, DP 194419</td>
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<tr>
<td>Clifton</td>
<td>Cottage</td>
<td>Clifton School Parade, Lot 200, DP 1070345</td>
<td>Local</td>
<td>6133</td>
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<tr>
<td>Clifton</td>
<td>Former school residence</td>
<td>Clifton School Parade, Lot 21, DP 1123807</td>
<td>Local</td>
<td>6134</td>
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<tr>
<td>Clifton</td>
<td>Cliff vegetation and Moranga Park</td>
<td>Lawrence Hargrave Drive, Lot 11, DP 1137408</td>
<td>Local</td>
<td>6347</td>
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<tr>
<td>Clifton</td>
<td>School of Arts</td>
<td>338 Lawrence Hargrave Drive, Lot 1, DP 966733</td>
<td>Local</td>
<td>6132</td>
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<tr>
<td>Clifton</td>
<td>Imperial Hotel</td>
<td>Lawrence Hargrave Drive, Lot 100, DP 118518</td>
<td>Local</td>
<td>6135</td>
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<tr>
<td>Clifton</td>
<td>Stand of Norfolk Island pines</td>
<td>Lawrence Hargrave Drive, Road reserve</td>
<td>Local</td>
<td>6136</td>
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<tr>
<td>Coalcliff</td>
<td>Coalcliff Colliery shaft mine—including coke ovens*</td>
<td>Lawrence Hargrave Drive, Lot 58, DP 1097339</td>
<td>Local</td>
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<tr>
<td>Coalcliff</td>
<td>Coalcliff Colliery jetty mine—including entrance portal*</td>
<td>East of Lawrence Hargrave Drive, Lot 7037, DP 1117499 and Crown land</td>
<td>Local</td>
<td>5922</td>
<td></td>
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<tr>
<td>Location</td>
<td>Description</td>
<td>Address Details</td>
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<td>Code</td>
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<tr>
<td>Coalcliff</td>
<td>Tunnel No 8*</td>
<td>Railway Tunnel, Illawarra Line Lot 32, DP 881726</td>
<td>Local 6258</td>
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<tr>
<td>Coledale</td>
<td>Railway station</td>
<td>Coledale Rail reserve</td>
<td>Local 6350</td>
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<td>Coledale</td>
<td>Norfolk Island pines</td>
<td>South Coledale Beach Reserve 88873; Lot 1, DP 519277</td>
<td>Local 6144</td>
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<td>Coledale</td>
<td>Norfolk Island pines</td>
<td>Beach front, Lawrence Hargrave Drive Part Lot 11, DP 752054</td>
<td>Local 6143</td>
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<tr>
<td>Coniston</td>
<td>House</td>
<td>18 Bridge Street Lot C, DP 350897</td>
<td>Local 6227</td>
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<tr>
<td>Coniston</td>
<td>Fort Drummond</td>
<td>Television Avenue Lots 1 and 3, DP 208194</td>
<td>Local 6405</td>
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<td>Corrimal</td>
<td>Ficus obliqua</td>
<td>Bloomfield Park Lot 1, DP 214743</td>
<td>Local 6465</td>
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<td>Corrimal</td>
<td>“Mountain View”</td>
<td>14 Jones Place Lot 126, DP 544292</td>
<td>Local 6201</td>
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<td>Corrimal</td>
<td>Former headmaster’s residence—Corrimal Public School</td>
<td>96 Princes Highway Lot 1, DP 835462</td>
<td>Local 6462</td>
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<tr>
<td>Corrimal</td>
<td>Palm Court Hotel</td>
<td>264–268 Princes Highway Lot 101, DP 1004200</td>
<td>Local 6462</td>
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<tr>
<td>Corrimal</td>
<td>Ziem’s shops and outbuildings</td>
<td>330 Princes Highway Lot 104, DP 1062386</td>
<td>Local 6463</td>
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<tr>
<td>Corrimal</td>
<td>Catholic cemetery*</td>
<td>Princes Highway Lot 1, DP 1037746</td>
<td>Local 6360</td>
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<td>Corrimal</td>
<td>Park</td>
<td>Railway and Duff Parade Lot 4, DP 586795</td>
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<td>Corrimal</td>
<td>War memorial</td>
<td>Railway Street Unknown</td>
<td>Local 6210</td>
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<td>Corrimal</td>
<td>House and garden</td>
<td>45 Underwood Street Lot 6, DP 501963</td>
<td>Local 6208</td>
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<td>Corrimal</td>
<td>Corrimal Public School</td>
<td>Wilga Street Lot 2, DP 835462</td>
<td>Local 6205</td>
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<tr>
<td>Dapto</td>
<td>Memorial wall, Dapto war memorial olympic swimming pool</td>
<td>Bangaroo Avenue Lot 127, DP 242665</td>
<td>Local 61015</td>
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<tr>
<td>Dapto</td>
<td>Fairley’s building (former)</td>
<td>1–11 Bong Bong Road Lot 10, DP 1048264</td>
<td>Local 61021</td>
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<td>Dapto</td>
<td>Military bunker—Mt Brown Reserve</td>
<td>Bright Parade Part Lot 4, DP 223746</td>
<td>Local 61016</td>
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<td>Dapto</td>
<td>Crystal clothing factory (former)</td>
<td>14–16 Marshall Street Lot 112, DP 1007288</td>
<td>Local 61023</td>
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<td>Dapto</td>
<td>Bunya Pine</td>
<td>89 Princes Highway Lot 1, DP 1050533</td>
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<td>Dapto</td>
<td>Dapto Hotel</td>
<td>102–110 Princes Highway Lot 1, Section A, DP 564523</td>
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<td>Description</td>
<td>Address</td>
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<tr>
<td>Dapto</td>
<td>Bunya Pine (Uniting Church grounds)</td>
<td>126–128 Princes Highway</td>
<td>Lot B, DP 157162</td>
<td>Local</td>
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<td>Dapto</td>
<td>House</td>
<td>206 Princes Highway</td>
<td>Lot 121, DP 791202</td>
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<td>Dapto</td>
<td>House</td>
<td>214 Princes Highway</td>
<td>Lot 1, DP 128686</td>
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<td>Dapto</td>
<td>House</td>
<td>222 Princes Highway</td>
<td>Lot A, DP 161286</td>
<td>Local</td>
<td>6338</td>
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<td>Dapto</td>
<td>House “Daisy Bank”</td>
<td>262–268 Princes Highway</td>
<td>Lot 1, DP 416929</td>
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<td>Dapto</td>
<td>“Penrose” (formerly “Penrose Villa”)</td>
<td>480 Princes Highway</td>
<td>Lot 2, DP 608205</td>
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<td>Dapto</td>
<td>Dapto Railway Station</td>
<td>Station Street</td>
<td>Lot 2, DP 856667</td>
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<td>Dapto</td>
<td>Station Master’s residence</td>
<td>1 Station Street</td>
<td>Lot 1, DP 856667</td>
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<td>Dombarton</td>
<td>Railway cutting—Unanderra/Moss Vale railway line</td>
<td>Dombarton</td>
<td>Lot 1, DP 185282</td>
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<td>Dombarton</td>
<td>“Stream Hill” homestead, barn, dairy and feed shed</td>
<td>Sheaffes Road</td>
<td>Lot 23, DP 790915</td>
<td>Local</td>
<td>6323</td>
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<tr>
<td>Fairy Meadow</td>
<td>Balgownie Migrant Workers Hostel</td>
<td>Huts 201, 204 and 210 Cowper Street</td>
<td>Part Lot 1, DP 719865</td>
<td>State</td>
<td>61075</td>
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<td>Fairy Meadow</td>
<td>House</td>
<td>37 Ellengowan Crescent</td>
<td>Lot 2, DP 508798</td>
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<td>6218</td>
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<td>Fairy Meadow</td>
<td>Seafield House and graduation works</td>
<td>Puckey’s Estate, North Beach</td>
<td>MSP 14349</td>
<td>Local</td>
<td>61037</td>
</tr>
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<td>Fairy Meadow</td>
<td>Former North Illawarra council chambers</td>
<td>182 Princes Highway</td>
<td>Lot 1, DP 79280</td>
<td>Local</td>
<td>61031</td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Warrenda and curtilage</td>
<td>240–280 Princes Highway</td>
<td>Lot 101, DP 628238; Lot A, DP 157592 and Lots 6,7 and 9, DP 252601</td>
<td>Local</td>
<td>61072</td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>House</td>
<td>459 Princes Highway</td>
<td>Lot 202, DP 804501</td>
<td>Local</td>
<td>6212</td>
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<tr>
<td>Farmborough Heights</td>
<td>Moreton Bay fig</td>
<td>133 Farmborough Road</td>
<td>Lot 34, DP 19224</td>
<td>Local</td>
<td>6319</td>
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<tr>
<td>Farmborough Heights</td>
<td>House “Non Such” / “Farmborough”</td>
<td>Farmborough Road</td>
<td>Lot 1, DP 628538</td>
<td>Local</td>
<td>6318</td>
</tr>
<tr>
<td>Farmborough Heights</td>
<td>4 Cottages and gardens</td>
<td>End of Farmborough Road</td>
<td>Lot 17, DP 255285</td>
<td>Local</td>
<td>6496</td>
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<tr>
<td>Farmborough Heights</td>
<td>Pit pony stables*</td>
<td>West end of Farmborough Road</td>
<td>Lot 17, DP 255285</td>
<td>Local</td>
<td>6320</td>
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<td>Location</td>
<td>Description</td>
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<td>Lot</td>
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<tr>
<td>Figtree</td>
<td>Group of fig trees</td>
<td>Figtree Villas O’Briens Road</td>
<td>Lot 124, DP 864159</td>
<td>Local 6293</td>
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<td>Figtree</td>
<td>“Greenhills” and “Hillside” and gardens</td>
<td>Princes Highway</td>
<td>Lot 100, DP 1047547</td>
<td>Local 6403</td>
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<tr>
<td>Helensburgh</td>
<td>Metropolitan Colliery*</td>
<td>Helensburgh</td>
<td>MP Lease 25</td>
<td>Local 5921</td>
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<tr>
<td>Helensburgh</td>
<td>Railway tunnel (disused)*</td>
<td>Off Cawley Road</td>
<td>Lot 1, DP 248826</td>
<td>Local 6345</td>
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<tr>
<td>Helensburgh</td>
<td>Cemetery*</td>
<td>Cemetery Road</td>
<td>Lot 7068, DP 93064</td>
<td>Local 6123</td>
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<tr>
<td>Helensburgh</td>
<td>School residence</td>
<td>End of Fletcher Street</td>
<td>Lot 136, DP 752033</td>
<td>Local 6111</td>
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<tr>
<td>Helensburgh</td>
<td>Cottage</td>
<td>12 Foster Street</td>
<td>Lot 294, DP 752033</td>
<td>Local 6108</td>
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<td>Helensburgh</td>
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<td>5 Hay Street</td>
<td>Lot 50, DP 1002294</td>
<td>Local 6118</td>
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<td>Cottage</td>
<td>15 Hay Street</td>
<td>Lot 1, DP 578720</td>
<td>Local 6121</td>
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<td>Helensburgh</td>
<td>“Wildys”</td>
<td>16 Hay Street</td>
<td>Part Lot 4, Section 9, DP 758513</td>
<td>Local 6120</td>
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<tr>
<td>Helensburgh</td>
<td>Residence, former post office</td>
<td>1 High Street</td>
<td>Lot 797, DP 752033</td>
<td>Local 6109</td>
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<tr>
<td>Helensburgh</td>
<td>Company houses</td>
<td>4–10 Junction Street</td>
<td>Lots 688 and 790–792, DP 752033</td>
<td>Local 6114</td>
<td></td>
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<tr>
<td>Helensburgh</td>
<td>Railway tunnels*</td>
<td>Lilyvale siding</td>
<td>Lot 1, DP 815356</td>
<td>Local 6482</td>
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<tr>
<td>Helensburgh</td>
<td>Helensburgh Primary School</td>
<td>Lukin Street</td>
<td>Lot 136, DP 752033</td>
<td>Local 6111</td>
<td></td>
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<td>Helensburgh</td>
<td>Postman’s track</td>
<td>Between Lukin Street and Railway Road reserve</td>
<td>Local 6105</td>
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<tr>
<td>Helensburgh</td>
<td>Residence, former police station</td>
<td>72–74 Parkes Street</td>
<td>Lot 81, DP 806991</td>
<td>Local 6110</td>
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<td>Helensburgh</td>
<td>Hanley’s Hotel</td>
<td>112 Parkes Street (Corner Walker Street)</td>
<td>Lot 1, DP 309398</td>
<td>Local 6115</td>
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<td>Post office</td>
<td>114 Parkes Street (Corner Walker Street)</td>
<td>Lot 2, DP 860357</td>
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<td>Helensburgh</td>
<td>Helensburgh Park and pines</td>
<td>Parkes Street</td>
<td>Crown Land</td>
<td>Local 6124</td>
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<tr>
<td>Helensburgh</td>
<td>Charles Harper monument and park</td>
<td>Parkes Street</td>
<td>Crown Land</td>
<td>Local 6124</td>
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<td>Helensburgh</td>
<td>Garrawarra Hospital, including gates and gatehouse, administration building, kitchen blocks, kitchen and store block, staff cafeteria, nurses hostel and residential houses</td>
<td>Princes Highway Lot 2, DP 840501; Lot 4, DP 851304</td>
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<td>Princes Highway Lot 4 and part of Lot 3, DP 840501; Part of Lot 1, DP 1160404</td>
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<td>Robertson Street Lots 823 and 824, DP 752033</td>
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<td>Corner Tunnel Road Rail reserve and Old Station Road</td>
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<td>End of Tunnel Road Lot 1, DP 248826</td>
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<td>House</td>
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<td>Railway tunnel (disused)*</td>
<td>End of Vera Street Lot 1, DP 248826</td>
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<td>Wollongong Botanic Garden, off Murphys Avenue Lot 3, DP 252694 State</td>
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<td>Sheaffes Road (150m SE of bend in Paynes Road)</td>
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<td>Harry Graham Drive</td>
<td>Lot 2, DP 606150</td>
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<td>19 Eastern Avenue to end of Eirene Street</td>
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<td>Stand of spotted gum</td>
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<td>Streetscape of mature blackbutts and turpentine</td>
<td>Area around Reservoir Street, Norman Street, Meares Avenue and Eireen Street</td>
<td>Road reserve and Lot 14, DP 213805; Lot 1, DP 310077; and Lot 2, DP 617042</td>
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<td>Mt Keira Demonstration School</td>
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<td>State</td>
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</tr>
<tr>
<td>North Wollongong</td>
<td>North Wollongong Hotel (formerly Bode’s Hotel)</td>
<td>3 Flinders Street Lot 1, DP 654485</td>
<td>Local</td>
<td>6273</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>Group of trees (rear of North Wollongong Hotel)</td>
<td>3 Flinders Street Lot 1, DP 654485</td>
<td>Local</td>
<td>6273</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>House</td>
<td>31 Foley Street, North Wollongong Lot 12, DP 614895</td>
<td>Local</td>
<td>6245</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>North Beach Surf Club</td>
<td>Stuart Park, George Hanley Drive Lot 2, DP 228880</td>
<td>Local</td>
<td>61035</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>Group of Norfolk Island pines and Canary Island palms</td>
<td>Stuart Park Lot 2, DP 228880</td>
<td>Local</td>
<td>6283</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>Row of Canary Island date palms</td>
<td>View Street Road reserve Lot 2, DP 614895</td>
<td>Local</td>
<td>6515</td>
</tr>
<tr>
<td>Otford</td>
<td>Shacks and cabins</td>
<td>Bulgo Beach, Royal National Park Lot 2, DP 63741</td>
<td>Local</td>
<td>6483</td>
</tr>
<tr>
<td>Otford</td>
<td>Semi-detached houses</td>
<td>4–7 Lady Carrington Road Lots 4–7, DP 817562</td>
<td>Local</td>
<td>6125</td>
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<tr>
<td>Otford</td>
<td>Former station masters house</td>
<td>40 Lady Carrington Road Lot 2, DP 817561</td>
<td>Local</td>
<td>61029</td>
</tr>
<tr>
<td>Otford</td>
<td>Former railway cottage</td>
<td>42 Lady Carrington Road Lot 1, DP 817561</td>
<td>Local</td>
<td>61001</td>
</tr>
<tr>
<td>Otford</td>
<td>Residence, former post office</td>
<td>120 Otford Road Lot 1, DP 748355</td>
<td>Local</td>
<td>6127</td>
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<tr>
<td>Otford</td>
<td>Former headmaster’s residence</td>
<td>35 Station Road Lot 1, DP 1119060</td>
<td>Local</td>
<td>6126</td>
</tr>
<tr>
<td>Otford</td>
<td>Otford tunnel*</td>
<td>Between Stanwell Park/Otford on disused railway line Lot 1, DP 668532</td>
<td>State</td>
<td>6131</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Historical military museum including break water battery and concrete tank barriers*</td>
<td>Between Eastern Breakwater and North Beach Lot 108, DP 1013971</td>
<td>Local</td>
<td>6302</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Battery observation post</td>
<td>15 Gallipoli Street Lot 2, DP 1008216</td>
<td>Local</td>
<td>6594</td>
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<tr>
<td>Port Kembla</td>
<td>Remains of original ocean baths*</td>
<td>Gloucester Boulevard Lot 7008, DP 1059827</td>
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<tr>
<td>Location</td>
<td>Description</td>
<td>Address Details</td>
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<tr>
<td>Port Kembla</td>
<td>Hill 60*</td>
<td>Hill 60, Fisherman’s Beach, Boilers Point and MM Beach Lot 3, DP 86079; Lots 1 and 3, DP 531524; Lots 1 and 2, DP 614555; Reserve 71700 and 73221; Lot 1, DP 614555; Lot 1, DP 152538 and Lots 7008–7010 and 7048–7050, DP 1052504</td>
<td>61043</td>
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<tr>
<td>Port Kembla</td>
<td>Gun emplacement, tunnels and isolated concrete bunkers*</td>
<td>Illowra Battery, Hill 60, Boilers Point Lot 1, DP 531524; Lot 1, DP 614555 and Lot 2, DP 614555</td>
<td>6417</td>
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<tr>
<td>Port Kembla</td>
<td>Saint Kliment Ohridski, Macedonian Orthodox Church</td>
<td>58–60 Keira Street Lots 8 and 9, Section 3, DP 8703</td>
<td>61012</td>
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<tr>
<td>Port Kembla</td>
<td>Bomb shelter*</td>
<td>59 Military Road Lot 1, DP 1037234</td>
<td>6478</td>
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<tr>
<td>Port Kembla</td>
<td>Former fire station</td>
<td>99 Military Road Lots 13 and 14, Section 3, Local DP 5868</td>
<td>6307</td>
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<tr>
<td>Port Kembla</td>
<td>St Stephen’s Anglican Church of Australia, including rectory and hall</td>
<td>111 Military Road Lots 35 and 36, DP 7804</td>
<td>6305</td>
<td></td>
</tr>
<tr>
<td>Port Kembla</td>
<td>House and shop</td>
<td>Military Road Lot 28, Section 4, DP 7804</td>
<td>6311</td>
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<tr>
<td>Port Kembla</td>
<td>Port Kembla primary school</td>
<td>Military Road Lot 1, DP 811699</td>
<td>6304</td>
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<tr>
<td>Port Kembla</td>
<td>Red Point/Hill 60 landscape*</td>
<td>Off Military Road Lot 3, DP 86079; Lot 1, DP 531524; Lot 1, DP 614555 and Reserve 73221; Lot 2, DP 614555 and Lot 3, DP 531524</td>
<td>6417</td>
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<tr>
<td>Port Kembla</td>
<td>Olympic pool</td>
<td>Olympic Boulevard Lot 2, DP 345786</td>
<td>6431</td>
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<tr>
<td>Port Kembla</td>
<td>Coomaditchy Lagoon and surrounds*</td>
<td>Parkes Street Lot 1, DP 182391</td>
<td>6424</td>
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<td>Port Kembla</td>
<td>Mural</td>
<td>10–14 Wentworth Street Lot N, DP 409769</td>
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<td>Port Kembla</td>
<td>Steel Works Hotel</td>
<td>21–25 Wentworth Street Lot 101, DP 814680</td>
<td>6420</td>
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<td>Port Kembla</td>
<td>Commonwealth Bank</td>
<td>31–33 Wentworth Street Lot 3, Section 6, DP 5868</td>
<td>6308</td>
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<td>Port Kembla</td>
<td>“Guinery”, Port Kembla Hotel</td>
<td>54–58 Wentworth Street Lot 32, Section 2, DP 5868</td>
<td>6421</td>
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<td>Port Kembla</td>
<td>Mural</td>
<td>189–191 Wentworth Street Lot 13, Section 4, DP 5868</td>
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<tr>
<td>Primbee</td>
<td>Vegetated hill and swamp*</td>
<td>Government Road (North of Korrongulla Swamp)</td>
<td>Lot 1, DP 773067</td>
<td>6313</td>
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<tr>
<td>Primbee</td>
<td>Fig tree</td>
<td>Reserve corner James Avenue and Korungulla Avenue, Primbee (Ray Crump Oval)</td>
<td>Lots 159 and 160, DP 9753</td>
<td>61014</td>
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<tr>
<td>Primbee</td>
<td>“Esperanza”</td>
<td>27 Jones Avenue</td>
<td>Lot 3, DP 516595</td>
<td>6423</td>
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<tr>
<td>Russell Vale</td>
<td>South Bulli Colliery*</td>
<td>Broker Street</td>
<td>Lot 31, DP 1006012</td>
<td>5928</td>
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<tr>
<td>Russell Vale</td>
<td>Avenue of planting</td>
<td>Keerong Street</td>
<td>Road reserve</td>
<td>6203</td>
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<tr>
<td>Russell Vale</td>
<td>Moreton Bay fig</td>
<td>Russell Vale Golf Course</td>
<td>Lot 855, DP 1105102</td>
<td>6211</td>
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<td>Russell Vale</td>
<td>Hill figs</td>
<td>Terania Street</td>
<td>Road reserve</td>
<td>6202</td>
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<tr>
<td>Scarborough</td>
<td>Primary school</td>
<td>371–381 Lawrence Hargrave Drive</td>
<td>Lot 29, Section 2, DP 2281</td>
<td>6137</td>
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<tr>
<td>Scarborough</td>
<td>Scarborough Hotel</td>
<td>383 Lawrence Hargrave Drive</td>
<td>Lot 1, DP 982323 and 2281</td>
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<tr>
<td>Scarborough</td>
<td>Police station</td>
<td>393–395 Lawrence Hargrave Drive</td>
<td>Lot 6, Section A, DP 2693</td>
<td>6139</td>
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<tr>
<td>Scarborough</td>
<td>Former mine manager’s residence</td>
<td>430 Lawrence Hargrave Drive</td>
<td>Lot 51, DP 1104365</td>
<td>6140</td>
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<tr>
<td>Scarborough</td>
<td>Miners’ cottages</td>
<td>438, 440, 442–445, 449, 453 and 453A Lawrence Hargrave Drive</td>
<td>Lot 23, DP 740434; Lot 24, DP 740434; Lot 25, DP 740434; Lot 26, DP 740434; Lot 7, Section B, DP 2693; Lot B, DP 431274; Lot C, DP 431274; Lot 90, DP 835584 and Lot 91, DP 835584</td>
<td>6351</td>
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<tr>
<td>Scarborough</td>
<td>Former Anglican church</td>
<td>464 Lawrence Hargrave Drive</td>
<td>Lot 16, Section C, DP 2693</td>
<td>6506</td>
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<tr>
<td>Scarborough</td>
<td>Railway station</td>
<td>Scarborough</td>
<td>Rail reserve</td>
<td>6349</td>
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<tr>
<td>Stanwell Park</td>
<td>Tunnel and old railway alignment*</td>
<td>Chellow Dene Drive</td>
<td>Lot 1, DP 668532</td>
<td>6131</td>
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<tr>
<td>Stanwell Park</td>
<td>“Interbane”</td>
<td>26 Lawrence Hargrave Drive</td>
<td>Lot 100, DP 1012889</td>
<td>6346</td>
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<tr>
<td>Stanwell Park</td>
<td>Wet sclerophyll forest</td>
<td>Old Coast Road, Park Parade, The Drive and Chellow Dene Avenue</td>
<td>Road reserve</td>
<td>6503</td>
</tr>
<tr>
<td>Stanwell Park</td>
<td>Lawrence Hargrave Memorial Park</td>
<td>Otford Drive</td>
<td>Lot 237, DP 5858</td>
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<td>Location</td>
<td>Name</td>
<td>Address Details</td>
<td>Property Details</td>
<td>Type</td>
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<tr>
<td>Stanwell Park</td>
<td>“Hillcrest”</td>
<td>Railway Crescent Part Lot 58, DP 752054</td>
<td>Local</td>
<td>5901</td>
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<tr>
<td>Stanwell Park</td>
<td>St George’s Anglican Church</td>
<td>54 Stanwell Avenue Lot 68, DP 5275</td>
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<td>61003</td>
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<tr>
<td>Stanwell Park</td>
<td>Railway viaduct*</td>
<td>Stanwell Creek Rail reserve</td>
<td>State</td>
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<td>Stanwell Park</td>
<td>“Seabreeze”</td>
<td>45 The Drive Lot 200, DP 601637</td>
<td>Local</td>
<td>6129</td>
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<td>Stanwell Park</td>
<td>House</td>
<td>57 The Drive Lot 137, DP 5275</td>
<td>Local</td>
<td>6128</td>
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<tr>
<td>Stanwell Tops</td>
<td>Former garden of peace</td>
<td>Corner Longview Crescent and Stonehaven Road Lot 1, DP 213038</td>
<td>Local</td>
<td>61002</td>
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<td>Tarrawanna</td>
<td>Farrell Park</td>
<td>Douglas Road, Wallace Road and Ross Street Lot 38, DP 35954</td>
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<td>6221</td>
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<td>Tarrawanna</td>
<td>House “The Ridge”</td>
<td>7–9 Hawthorn Street Lot 34, DP 831285</td>
<td>Local</td>
<td>5986</td>
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<td>Tarrawanna</td>
<td>Corrimal Colliery*</td>
<td>Hawthorn Street Lot 2, DP 793302</td>
<td>Local</td>
<td>6480</td>
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<tr>
<td>Thirroul</td>
<td>Thirroul Baths precinct</td>
<td>Bath Street Part Lot 405, DP 881119</td>
<td>Local</td>
<td>61030</td>
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<tr>
<td>Thirroul</td>
<td>House</td>
<td>10 Cliff Parade, Corner Spray Street Lot 13, DP 5736</td>
<td>Local</td>
<td>6154</td>
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<tr>
<td>Thirroul</td>
<td>“Wyewurk”</td>
<td>3 Craig Street Lot 2, Section 2, DP 5828 Local</td>
<td>5925</td>
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<td>Thirroul</td>
<td>Massandra</td>
<td>16–24 Fords Road Lots 1 and 2, DP 618432 Local</td>
<td>6353</td>
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<tr>
<td>Thirroul</td>
<td>Fig tree (Ficus obliqua)</td>
<td>54–58 Fords Road, on the boundary of No 50 Lot 27, DP 1062555</td>
<td>Local</td>
<td>6492</td>
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<tr>
<td>Thirroul</td>
<td>Fig tree</td>
<td>Hewitts Avenue Part Lot 20 and Part Lot 21, DP 13365 Local</td>
<td>61005</td>
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<tr>
<td>Thirroul</td>
<td>House</td>
<td>1 Lachlan Street Lot 7, DP 5961</td>
<td>Local</td>
<td>6164</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Former Uniting church</td>
<td>2 Lachlan Street Lot 5, DP 1103555</td>
<td>Local</td>
<td>6165</td>
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<tr>
<td>Thirroul</td>
<td>House</td>
<td>6 Lachlan Street Lot B, DP 372549</td>
<td>Local</td>
<td>6168</td>
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<tr>
<td>Thirroul</td>
<td>House</td>
<td>10 Lachlan Street Lot 63, DP 7588</td>
<td>Local</td>
<td>6169</td>
</tr>
<tr>
<td>Thirroul</td>
<td>House</td>
<td>227 Lawrence Hargrave Drive Lot 3, Section I, DP 4882 Local</td>
<td>Local</td>
<td>6163</td>
</tr>
<tr>
<td>Thirroul</td>
<td>House</td>
<td>229 Lawrence Hargrave Drive Lot 2, Section I, DP 4882 Local</td>
<td>Local</td>
<td>6166</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Former Methodist church</td>
<td>256 Lawrence Hargrave Drive Lot 12, Section A, DP 4882 Local</td>
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<td>6161</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Former Kings Theatre</td>
<td>264–270 Lawrence Hargrave Drive Lot 100, DP 1104635 Local</td>
<td>Local</td>
<td>6155</td>
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<tr>
<td>Location</td>
<td>Name</td>
<td>Address</td>
<td>Legal description</td>
<td>Local Authority</td>
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<tr>
<td>Thirroul</td>
<td>War memorial WWI (adjacent to former RSL club)</td>
<td>345 Lawrence Hargrave Drive</td>
<td>Part Lot 4, DP 661367</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>Small leafed fig</td>
<td>Lawrence Hargrave Drive</td>
<td>Lot 3, DP 984203</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>Old Railway Barracks</td>
<td>Corner Lawrence Hargrave Drive and Church Street</td>
<td>Rail reserve</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>House (former guest house)</td>
<td>6 Mary Street</td>
<td>Lot 19, Section I, DP 4882</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>House “Oceana”</td>
<td>36 Pass Avenue</td>
<td>Lot 67, DP 10972</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>House</td>
<td>42 Pass Avenue</td>
<td>Lot 70, DP 10972</td>
<td>Local</td>
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<td>Thirroul</td>
<td>House</td>
<td>73 Princes Highway</td>
<td>Lot 1, DP 203068</td>
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<td>Thirroul</td>
<td>Thirroul railway station</td>
<td>Railway Parade</td>
<td>Rail reserve</td>
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<tr>
<td>Thirroul</td>
<td>Houses</td>
<td>2, 4 and 6 Raymond Road</td>
<td>Lot 301, DP 1041575</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>House and garden</td>
<td>58 Redman Avenue</td>
<td>Lot 21, DP 666897</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>Thirroul Public School</td>
<td>5 Roxburgh Avenue</td>
<td>Lot 100, DP 634133</td>
<td>Local</td>
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<td>Thirroul</td>
<td>House</td>
<td>11 Station Street</td>
<td>Lot 6, DP 5544</td>
<td>Local</td>
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<td>Thirroul</td>
<td>“Woodville”</td>
<td>22 Station Street</td>
<td>Lot 100, DP 812519</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>Group of fig and turpentine</td>
<td>12–14 Tasman Parade</td>
<td>Lot 3, DP 544605 and Lot 102, DP 547460</td>
<td>Local</td>
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<tr>
<td>Thirroul</td>
<td>Thirroul Beach Reserve</td>
<td>The Esplanade</td>
<td>Part Lot 405, DP 881119</td>
<td>Local</td>
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<tr>
<td>Unanderra</td>
<td>House “Nudjia”</td>
<td>83 Cummins Street</td>
<td>Lot 23, DP 245683</td>
<td>Local</td>
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<tr>
<td>Unanderra</td>
<td>Berkeley Pioneer Cemetery*</td>
<td>Investigator Drive</td>
<td>Lot 1, DP 195869</td>
<td>Local</td>
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<tr>
<td>Unanderra</td>
<td>Former Unanderra council chambers</td>
<td>Corner Princes Highway and Factory Street</td>
<td>Lot 1, DP 860110</td>
<td>Local</td>
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<tr>
<td>Unanderra</td>
<td>Old Unanderra Public School, formerly Charcoal Public School</td>
<td>Corner Princes Highway and Victoria Street</td>
<td>Part Lot 2, DP 795162</td>
<td>Local</td>
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<tr>
<td>Unanderra</td>
<td>Unanderra station master’s residence</td>
<td>Unanderra Railway Line</td>
<td>Rail reserve</td>
<td>Local</td>
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<tr>
<td>West Wollongong</td>
<td>Former Roger Therry residence</td>
<td>30 Bukari Street</td>
<td>Lot 1, DP 206947</td>
<td>Local</td>
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<tr>
<td>West Wollongong</td>
<td>House</td>
<td>24–26 Mt Keira Road</td>
<td>Lot 5, DP 223847</td>
<td>Local</td>
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<tr>
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<td>Category or Details</td>
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<tr>
<td>West Wollongong</td>
<td>Moreton Bay fig</td>
<td>59 Princes Highway</td>
<td>Lot 1, DP 839750</td>
<td>Local</td>
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<tr>
<td>West Wollongong</td>
<td>Former Mt Keira Inn*</td>
<td>59 Princes Highway</td>
<td>Lot 1, DP 839750</td>
<td>Local</td>
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<td>Windang</td>
<td>Norfolk Island pines</td>
<td>Shellharbour Road</td>
<td>Road reserve</td>
<td>Local</td>
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<td>Wollongong</td>
<td>House</td>
<td>48 Atchison Street</td>
<td>Lot 10, DP 854388</td>
<td>Local</td>
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<td>Wollongong</td>
<td>House</td>
<td>50 Atchison Street</td>
<td>Lot 11, Section 1, DP 7285</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>“Carthona”</td>
<td>52 Atchison Street</td>
<td>Lot 12, Section 1, DP 7285</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>House</td>
<td>54 Atchison Street</td>
<td>Lot 131, DP 1027195</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>“Regentville”</td>
<td>56 Atchison Street</td>
<td>Lot 14, Section 1, DP 7285</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Former cemetery*</td>
<td>Bank Street—Pioneer Rest Park</td>
<td>Unknown</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Crane pedestal</td>
<td>Belmore Basin—Wollongong Harbour</td>
<td>Wollongong Harbour</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>California flats</td>
<td>7–9 Burelli Street</td>
<td>Lot 1, DP 202511</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>St Andrew’s Presbyterian Church and hall</td>
<td>50 Burelli Street</td>
<td>Lot 1, DP 153372</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Wollongong Town Hall and former council chambers (now art gallery)</td>
<td>Burelli Street (Corner of Kembla Street)</td>
<td>Lots 1–7, DP 124277; Lot 1, DP 1103977; Lot 1, DP 1108973; Lots 1–6, DP 1131686 and Lot 1, DP 949697</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Row of Hills Figs</td>
<td>Burelli Street</td>
<td>Road reserve between Kembla Street and Church Street</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>“The Lodge”</td>
<td>22 Campbell Street</td>
<td>Lot 15, DP 741727</td>
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<tr>
<td>Wollongong</td>
<td>“Devlin Cottage”</td>
<td>29 Campbell Street</td>
<td>Lot 9, DP 32545</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Terrace houses</td>
<td>46–56 Campbell Street</td>
<td>Lots 1–6, DP 928978</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Semi-detached house</td>
<td>67–69 Campbell Street</td>
<td>Lot 1, DP 595374</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>75 Campbell Street</td>
<td>Lot 2, DP 884323</td>
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<td>Wollongong</td>
<td>Wollongong Primary School</td>
<td>67A Church Street</td>
<td>Lots 1–7, DP 781988; Lot 1, DP 61915 and Lots 1 and 2, DP 307856</td>
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<tr>
<td>Wollongong</td>
<td>Former Alowrie Terrace</td>
<td>69–71 Church Street</td>
<td>Lot 1, DP 126603 and Lot A, DP 163539</td>
<td>Local</td>
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<tr>
<td>Location</td>
<td>Description</td>
<td>Address</td>
<td>Land Reference</td>
<td>Type</td>
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<tr>
<td>Wollongong</td>
<td>St Michael’s Anglican Church of Australia including church hall and rectory</td>
<td>74 Church Street</td>
<td>Lot 102, DP 1101956</td>
<td>State</td>
</tr>
<tr>
<td>Wollongong</td>
<td>St Michael’s Anglican Church of Australia trees in ground (excluding those west of old rectory)</td>
<td>74 Church Street</td>
<td>Lot 102, DP 1101956</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Canary Island date palms</td>
<td>Church Street—MacCabe Park</td>
<td>Part Lot 12, DP 524803 and Lot 1, DP 227811</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Memorial arch</td>
<td>Church Street—MacCabe Park</td>
<td>Part Lot 12, DP 524803</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Monument</td>
<td>Church Street—MacCabe Park</td>
<td>Part Lot 12, DP 524803</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Smiths Hill Fort</td>
<td>Cliff Road</td>
<td>Lot 69, DP 751299</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Remains of Mt Keira Osborne Wallsend tramway bridge</td>
<td>Cliff Road—Osborne Park</td>
<td>Lot 1, DP 62257</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Railway cuttings and embankments</td>
<td>Cliff Road—Wollongong Foreshore from North Beach to Belmore Basin</td>
<td>Lot 70, DP 751299</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>117 Corrimal Street</td>
<td>Lot 101, DP 827740</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Gravestones</td>
<td>9–11 Crown Street—Andrew Lysaght Park</td>
<td>Lots 1–5 and 7, DP 1091530</td>
<td>Local</td>
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<td>Wollongong</td>
<td>Monument</td>
<td>9–11 Crown Street—Andrew Lysaght Park</td>
<td>Lots 1–5 and 7, DP 1091530</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Former Roman Catholic cemetery*</td>
<td>9–11 Crown Street—Andrew Lysaght Park</td>
<td>Lots 1–5 and 7, DP 1091530</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Flats</td>
<td>10 Crown Street</td>
<td>Lot 90, DP 1024782</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>St Francis Xavier’s Cathedral</td>
<td>24 Crown Street (fronting Harbour Street)</td>
<td>Lot 1, DP 86710</td>
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<tr>
<td>Wollongong</td>
<td>Comelli Bros Building</td>
<td>48–50 Crown Street</td>
<td>Lot 104, DP 841664</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>“Lisborne House”</td>
<td>68–70 Crown Street</td>
<td>Lot 1, DP 782764</td>
<td>Local</td>
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<tr>
<td>Location</td>
<td>Description</td>
<td>Address</td>
<td>Details</td>
<td>Type</td>
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<td>Wollongong</td>
<td>Shops</td>
<td>72–76 Crown Street</td>
<td>Lot 1, DP 127333</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Shop</td>
<td>87 Crown Street</td>
<td>Lot 12, Section 10, DP 759104</td>
<td>State</td>
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<td>Wollongong</td>
<td>Wollongong East post office</td>
<td>91 Crown Street</td>
<td>Lot 25, Section 10, DP 759104</td>
<td>State</td>
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<td>Wollongong</td>
<td>Norfolk Island pine</td>
<td>93 Crown Street</td>
<td>Lot 7, DP 124277</td>
<td>Local</td>
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<td>Wollongong</td>
<td>Wesley Uniting Church</td>
<td>116 Crown Street</td>
<td>Lot 201, DP 731858</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Royal Bank</td>
<td>133 Crown Street</td>
<td>Lot 2, DP 603751</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Shop</td>
<td>151–161 Crown Street (part)</td>
<td>Lot 1, DP 53763</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Row of shops</td>
<td>230–264 Crown Street</td>
<td>Lots 1 and 2, DP 555270; Lots 2–5, DP 27990; Lots 10 and 11, DP 535757 and Lot A, DP 33437</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Former Marcus Clark Building</td>
<td>281–291 Crown Street</td>
<td>Lot 1, DP 927806; Lot 1, DP 1087986; Lot 1, DP 82673 and Lot 1, DP 117019</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>City Pacific International (former Crown Hotel)</td>
<td>309 Crown Street</td>
<td>Lot 1, DP 807229</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Hotel</td>
<td>329 Crown Street</td>
<td>Lot 1, DP 807229</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Group of fig trees</td>
<td>348–352 Crown Street (grounds of Wollongong Hospital)</td>
<td>Lot 95, Section 3, DP 1258</td>
<td>Local</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Nurses’ home</td>
<td>348–352 Crown Street (Wollongong Hospital Site)</td>
<td>Lot 95, Section 3, DP 1258</td>
<td>State</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>366 Crown Street, Wollongong West</td>
<td>Lot B, DP 343680</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Moreton Bay fig</td>
<td>373 Crown Street (adjacent to Masonic Club)</td>
<td>Lot 1, DP 201949</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Moreton Bay fig</td>
<td>Beatson Park, Crown Street</td>
<td>Lot 12, DP 5507</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>12 Edward Street</td>
<td>Lot 7, DP 15904</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>27 Edward Street</td>
<td>Lot C, DP 151122</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>Site of cokeworks, including remains of coke oven*</td>
<td>Endeavour Drive—Belmore Basin</td>
<td>Part Lot 1, DP 633814</td>
<td>Local</td>
</tr>
<tr>
<td>Location</td>
<td>Feature</td>
<td>Description</td>
<td>Address Information</td>
<td>Local Code</td>
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<tr>
<td>Wollongon</td>
<td>Stone steps</td>
<td>Endeavour Drive—Belmore Basin—connecting Endeavour Drive to Wharf Area</td>
<td>Lot 1, DP 739591 and Part Lot 1, DP 633814</td>
<td>6364</td>
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<tr>
<td>Wollongon</td>
<td>Harbour steps</td>
<td>Endeavour Drive—Belmore Basin—north-eastern side</td>
<td>Lot 1, DP 739591 and Part Lot 1, DP 633814</td>
<td>6418</td>
</tr>
<tr>
<td>Wollongon</td>
<td>Breakwater Light House</td>
<td>Endeavour Drive—End of Breakwater, Wollongon Harbour</td>
<td>Part Lot 1, DP 633814</td>
<td>5906</td>
</tr>
<tr>
<td>Wollongon</td>
<td>Fort</td>
<td>Endeavour Drive—Flagstaff Hill</td>
<td>Lot 2, DP 222318</td>
<td>5933</td>
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<tr>
<td>Wollongon</td>
<td>Lighthouse</td>
<td>Endeavour Drive—Flagstaff Hill</td>
<td>Lot 1, DP 222318</td>
<td>6375</td>
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<tr>
<td>Wollongon</td>
<td>Three guns</td>
<td>Endeavour Drive—Flagstaff Hill</td>
<td>Lot 7024, DP 1072640; Lot 7039–7042, DP 1066112 and Lot 7046, DP 1066112, MSP 2623</td>
<td>6376</td>
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<tr>
<td>Wollongon</td>
<td>Seawall*</td>
<td>Endeavour Drive, Flagstaff Point</td>
<td>Lot 7024, DP 1072640; Lot 7039–7042, DP 1066112 and Lot 7046, DP 1066113 MSP 2623</td>
<td>6344</td>
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<tr>
<td>Wollongon</td>
<td>Ladies' baths</td>
<td>Endeavour Drive, south of Flagstaff Point</td>
<td>Lot 7024, DP 1072640; Lot 7039–7042, DP 1066112 and Lot 7046, DP 1066113 MSP 2623</td>
<td>6373</td>
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<tr>
<td>Wollongon</td>
<td>Nuns' baths</td>
<td>Endeavour Drive, south of Pulpit Rock</td>
<td>Lot 7023, DP 1072640, MSP 2623</td>
<td>6289</td>
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<td>Wollongon</td>
<td>House (former coach house)</td>
<td>10A Flinders Street</td>
<td>Lot 101, DP 579564</td>
<td>6274</td>
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<tr>
<td>Wollongon</td>
<td>Methodist cemetery</td>
<td>Fox Avenue</td>
<td>Lots 55 and 56, DP 751299</td>
<td>6591</td>
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<tr>
<td>Wollongon</td>
<td>Row of Canary Island date palms</td>
<td>Gipps Street (between Corrimal Street and Church Street)</td>
<td>Road reserve</td>
<td>6512</td>
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<tr>
<td>Wollongon</td>
<td>Row of bungalows</td>
<td>69–93 Gladstone Avenue</td>
<td>Lots 1–5, DP 16114; Lot 16, DP 1102983 and Lots 17–23, DP 15363</td>
<td>6377</td>
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<tr>
<td>Wollongon</td>
<td>Old court house</td>
<td>1 Harbour Street (Corner of Cliff Road)</td>
<td>Lot 1, DP 47921</td>
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<td>Location</td>
<td>Name and Address</td>
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<tr>
<td>Wollongong</td>
<td>Site of earliest court house and lock up*</td>
<td>3–9 Harbour Street, Lot 1–4, DP 11509</td>
<td>Local</td>
<td>6407</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>30 Harbour Street, Lot 1, DP 152385</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>32 Harbour Street, Lot 2, Section 1, DP 152385</td>
<td>Local</td>
<td>6593</td>
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<tr>
<td>Wollongong</td>
<td>St Mary’s Convent and secondary girls’ school and chapel</td>
<td>Harbour Street, Lot 100, DP 861791</td>
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<td>6248</td>
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<td>Wollongong</td>
<td>House</td>
<td>15 Jutland Avenue, Lot 81, DP 15363</td>
<td>Local</td>
<td>6379</td>
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<td>Wollongong</td>
<td>“Esslemont”</td>
<td>23 Keira Street, Lot 10, DP 80424</td>
<td>Local</td>
<td>6250</td>
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<td>Wollongong</td>
<td>House</td>
<td>60 Keira Street, Lot 1, DP 170298</td>
<td>Local</td>
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<td>Wollongong</td>
<td>House</td>
<td>62 Keira Street, Lot 1, DP 961439</td>
<td>Local</td>
<td>6252</td>
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<tr>
<td>Wollongong</td>
<td>Shops</td>
<td>122–130 Keira Street, Lot 22, DP 571656 and Lot 89, DP 613770</td>
<td>Local</td>
<td>6254</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>125 Keira Street, Lot B, DP 65920</td>
<td>Local</td>
<td>6253</td>
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<tr>
<td>Wollongong</td>
<td>Shops</td>
<td>131–147 Keira Street, Lot 1 and 2, DP 152849 and Lot 22, DP 538099</td>
<td>Local</td>
<td>6255</td>
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<tr>
<td>Wollongong</td>
<td>Shop</td>
<td>149–153 Keira Street, Lot 704, DP 854202</td>
<td>Local</td>
<td>6266</td>
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<tr>
<td>Wollongong</td>
<td>Illawarra Hotel</td>
<td>160–164 Keira Street, Lot 1, DP 83618</td>
<td>Local</td>
<td>6380</td>
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<tr>
<td>Wollongong</td>
<td>National Mutual Life Assurance Building</td>
<td>163–169 Keira Street, Lot 101, DP 621251</td>
<td>Local</td>
<td>5936</td>
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<tr>
<td>Wollongong</td>
<td>Regent Theatre</td>
<td>197 Keira Street, Lot 1, DP 330961 and Lot 18, DP 6323</td>
<td>State</td>
<td>5937</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>13 Kembla Street, Lot 1, DP 153685</td>
<td>Local</td>
<td>6585</td>
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<tr>
<td>Wollongong</td>
<td>House</td>
<td>60 Kembla Street, Lot A, DP 387316</td>
<td>Local</td>
<td>6387</td>
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<td>Wollongong</td>
<td>Small leafed figs</td>
<td>94 Kembla Street and 105–107 Church Street, Lot 1, DP 152892; Lot 1, DP 5095</td>
<td>Local</td>
<td>6288</td>
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<td>Wollongong</td>
<td>Wollongong railway station group</td>
<td>Lowden Square, Lot 1, DP 1001500</td>
<td>State</td>
<td>6382</td>
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<tr>
<td>Wollongong</td>
<td>Avenue of Norfolk Island pines</td>
<td>Marine Drive, Road reserve</td>
<td>Local</td>
<td>6590</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Three picnic shelters in WA Lang Park</td>
<td>Marine Drive, Lot 7047, DP 1073466 and MSP 2948</td>
<td>Local</td>
<td>6269</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Bandstand and marble plaque commemorating Bass and Flinders’ landing</td>
<td>Market Place—Market Square Park, MSP 405</td>
<td>Local</td>
<td>6271</td>
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<tr>
<td>Location</td>
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<tr>
<td>Wollongong</td>
<td>Illawarra Historical Society museum (former Wollongong post office)</td>
<td>11 Market Street</td>
<td>Lot 10, DP 1107297 Local 5910</td>
<td>Local</td>
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<tr>
<td>Wollongong</td>
<td>WWII Air raid shelter</td>
<td>11 Market Street</td>
<td>Lot 10, DP 1107297 Local 5910</td>
<td>Local</td>
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<td>Wollongong</td>
<td>Congregational Church</td>
<td>33 Market Street</td>
<td>Part Lot 4, Section 2, DP 975294 Local 6390</td>
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<td>Wollongong</td>
<td>Court houses, c1890 and c1975</td>
<td>43 Market Street</td>
<td>Lot 4, Section 3, DP 975294 Local 5911</td>
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<td>Wollongong</td>
<td>Sandstone kerbing</td>
<td>Market Street</td>
<td>Road reserve Local 61039</td>
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<td>Wollongong</td>
<td>Market Square</td>
<td>Bounded by Market Street, Market Place and Harbour Street MSP 405 Local 6386</td>
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<td>Wollongong</td>
<td>House</td>
<td>34 Porter Street</td>
<td>Lot 6, Section 1, DP 11656 Local 6470</td>
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<td>Wollongong</td>
<td>Row of Canary Island date palms</td>
<td>Rawlinson Avenue</td>
<td>Road reserve Local 6287</td>
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<td>Wollongong</td>
<td>Row of workers’ cottages</td>
<td>3–9 Robinson Street</td>
<td>Lots 3–6, DP 26476 Local 6391</td>
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<td>Wollongong</td>
<td>Row of Canary Island date palms</td>
<td>4–40 Robinson Street (Garden Hill)</td>
<td>Road reserve Local 6276</td>
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<td>Wollongong</td>
<td>Row of California bungalows</td>
<td>10–16 Robinson Street</td>
<td>Lot 36, Section 2, DP 1258; Lot 370, DP 1124821; Lots 38 and 39, Section 2, DP 1258 Local 6514</td>
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<td>Wollongong</td>
<td>Monument</td>
<td>1 Smith Street (Corner of Harbour Street)</td>
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<td>Wollongong</td>
<td>“Little Milton”</td>
<td>31–33 Smith Street</td>
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<td>Wollongong</td>
<td>Headmaster’s residence</td>
<td>53 Smith Street</td>
<td>Lots 1–4, DP 781988 and Lot 1, DP 61915 Local 5935</td>
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<td>Wollongong</td>
<td>“Wye Lodge” and Magnolia</td>
<td>63 Smith Street</td>
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<td>Wollongong</td>
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<td>Wollongong</td>
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<td>Wollongong</td>
<td>House</td>
<td>86 Smith Street</td>
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<td>Wollongong</td>
<td>Masonic hall</td>
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<td>Wollongong</td>
<td>“Ken Elm”</td>
<td>90 Smith Street</td>
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<td>Wollongong</td>
<td>Wollongong cemetery, including Nicholle vault</td>
<td>Swan Street</td>
<td>Lots 1–5 and 7–20, Section 38, DP 759104; Crown Land, Folio 12, Volume 460 Closed road, and unlisted parcels within Wollongong Cemetery</td>
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<td>Wombarra</td>
<td>Wombarra general cemetery*</td>
<td>Lawrence Hargrave Drive</td>
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<td>Wombarra</td>
<td>Sawmill*</td>
<td>14–18 Morrison Avenue</td>
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<td>Wombarra</td>
<td>“Aliumar”</td>
<td>129 Morrison Avenue</td>
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<td>“Coral Vale” homestead, hayshed and outbuildings</td>
<td>Smiths Lane</td>
<td>Lot 2360, DP 1009483</td>
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<tr>
<td>Wongawilli</td>
<td>Coral Vale Kitchen building (former)</td>
<td>60 Smiths Lane</td>
<td>Lot 202, DP 1017684</td>
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<tr>
<td>Wongawilli</td>
<td>Anglican Church (former)</td>
<td>Wongawilli Road</td>
<td>Lot 3, DP 18020</td>
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<td>Wongawilli</td>
<td>Wongawilli Colliery*</td>
<td>Wongawilli Road</td>
<td>Part Lot 14, DP 255284; Lot 1, DP 321054 and Part Lot 244, Part Lot 255 and Part Lot 258, DP 751278</td>
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<td>Wongawilli</td>
<td>Wongawilli Community Hall</td>
<td>Wongawilli Road</td>
<td>Part Lot 42, DP 751278</td>
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<td>Wongawilli</td>
<td>Wongawilli Mine manager’s cottage (former) and tennis court</td>
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<td>Part Lot 14, DP 255284</td>
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<td>Wongawilli</td>
<td>Cabbage Palms and Moreton Bay Figs</td>
<td>40 Wongawilli Road</td>
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<td>Woonona</td>
<td>Woonona Industrial Co-operative Society</td>
<td>20–22 Ball Street</td>
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<td>House</td>
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<td>Woonona</td>
<td>Woonona infants school</td>
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<td>Woonona</td>
<td>House</td>
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<td>Woonona</td>
<td>Ivycliff</td>
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<td>Woonona</td>
<td>Norfolk Island pines</td>
<td>Mitchell Road</td>
<td>Road reserve</td>
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<td>Woonona</td>
<td>Bulli police station and court house</td>
<td>329–331 Princes Highway</td>
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Woonona
Former Vista Theatre
335–339 Princes Highway
Lot 2, DP 196949
Local 61008

Woonona
Former Friendly Society Hall
353 Princes Highway
Lot B, DP 154486
Local 6452

Woonona
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Woonona
Woonona Uniting church
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Woonona
Woonona Bulli School of Arts
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Woonona
House
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Woonona
Pendlebury Rest Park
Corner Princes Highway and Gray Street
Lot 1, DP 956545 and Lots 1 and 2, DP 911694
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Woonona
Rixons Pass Road—walls
Rixons Pass
Road reserve
Local 6518

Woonona
House
19 Russell Street
Lot B, DP 164727
Local 6189

Woonona
House
24 York Road
Lot 1, DP 529997
Local 6458

Yallah
House
Princess Highway
Lot 1, DP 156657
Local 6437

Note. **” Indicates an archaeological site or a heritage site with an archaeological component.

### Part 2 Heritage Conservation Areas

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<tr>
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<td><strong>Identification on Heritage Map</strong></td>
<td><strong>Significance</strong></td>
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<td>Austinmer—Moore Street and The Grove</td>
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<tr>
<td>Brownsville—Hore Street, Prince Edward Drive and Brownsville Avenue</td>
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<tr>
<td>Bulli—commercial centre and railway, Princes Highway, Railway Street, Station Street, Park Road, Stokes Lane, Quilkey Place</td>
<td>Marked with a red outline and red diagonal hatch</td>
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<tr>
<td>Garrawarra Hospital—Helensburgh, Princes Highway</td>
<td>Marked with a red outline and red diagonal hatch</td>
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Wollongong Local Environmental Plan 2009 [NSW]

<table>
<thead>
<tr>
<th>Local Environmental Plan</th>
<th>Marked with</th>
<th>Local/Kembla Heights Mining Village—Harry Graham Drive and Soldiers Road</th>
<th>Local/Market Street—Wollongong, Market Street</th>
<th>Local/North Beach Precinct and Belmore Basin—Wollongong</th>
<th>Local/Old Bulli—Princes Highway</th>
</tr>
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<tbody>
<tr>
<td>Illawarra Escarpment Landscape Area</td>
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<td>Kembla Heights Mining Village—Harry Graham Drive and Soldiers Road</td>
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<tr>
<td>Market Street—Wollongong, Market Street</td>
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<tr>
<td>North Beach Precinct and Belmore Basin—Wollongong</td>
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</tr>
<tr>
<td>Old Bulli—Princes Highway</td>
<td>a red outline and red diagonal hatch</td>
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Schedule 6 Pond-based and tank-based aquaculture

(Clause 5.19)

Part 1 Pond-based and tank-based aquaculture

Division 1 Site location requirements

1 Conservation exclusion zones

1 Conservation exclusion zones

(1) Must not be carried out on the following land, except to the extent necessary to gain access to water:

(a) land declared an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016,

(b) vacant Crown land,

(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

(2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned:

(a) land declared as an aquatic reserve under the Marine Estate Management Act 2014,

(b) land declared as a marine park under the Marine Estate Management Act 2014.

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

Division 2 Operational requirements

2 Species selection

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

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

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

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

5 Outlets from culture ponds etc

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

6 Definition

In this Division:

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

Part 2 Extensive pond-based aquaculture

Division 1 Site location requirements

7 Conservation exclusion zones

(1) Must not be carried out on the following land, except to the extent necessary to gain access to water:

(a) land declared an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,

(b) vacant Crown land,

(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

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

8 Flood liability

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

Division 2 Operational requirements

9 Species selection

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

10 Pond design

(1) Must not require the construction of new ponds, water storages, dams or buildings.
(2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers.

(3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.

11 Culture water

Must use freshwater.

Dictionary

Note. The Act and the Interpretation Act 1987 contain definitions and other provisions that affect the interpretation and application of this Plan.

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

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

(a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

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

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

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

Acid Sulfate Soils Map means the Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map.

Active Street Frontages Map means the Wollongong Local Environmental Plan 2009 Active Street Frontages Map.

advertisement has the same meaning as in the Act.

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

advertising structure has the same meaning as in the Act.

Note. The term is defined as a structure used or to be used principally for the display of an advertisement. Advertising structures are a type of signage—see the definition of that term in this Dictionary.

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

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

*Note.*

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

*agriculture* means any of the following:

(a) aquaculture,

(b) extensive agriculture,

(c) intensive livestock agriculture,

(d) intensive plant agriculture.

*Note.*

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

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

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

*Note.*

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

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

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

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

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

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

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

*Note.*

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

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

*artisan food and drink industry* means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following:
(a) a retail area for the sale of the products,
(b) a restaurant or cafe,
(c) facilities for holding tastings, tours or workshops.

Note. See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.
Artisan food and drink industries are a type of light industry—see the definition of that term in this Dictionary.

attached dwelling means a building containing 3 or more dwellings, where:
(a) each dwelling is attached to another dwelling by a common wall, and
(b) each of the dwellings is on its own lot of land, and
(c) none of the dwellings is located above any part of another dwelling.

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

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

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

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

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

battle-axe lot means a lot that has access to a road by an access laneway.

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:
(a) meals are provided for guests only, and
(b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and
(c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.
Bed and breakfast accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

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

Note. Bee keeping is a type of extensive agriculture—see the definition of that term in this Dictionary.
**biodiversity** or **biological diversity** means the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems.

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

**Note.**

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

**boarding house** means a building that:

(a) is wholly or partly let in lodgings, and

(b) provides lodgers with a principal place of residence for 3 months or more, and

(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and

(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

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

**Note.**

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

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

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

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

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

**Note.**

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

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

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

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

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.
**building identification sign** means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

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

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

(a) a building wall, or

(b) the outside face of any balcony, deck or the like, or

(c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

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

**Note.**
The term is defined as follows:

**bush fire hazard reduction work means:**

(a) the establishment or maintenance of fire breaks on land, and

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

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

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

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

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

**business identification sign** means a sign:

(a) that indicates:

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

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

**business premises** means a building or place at or on which:
(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or

(b) a service is provided directly to members of the public on a regular basis,

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

Note.

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

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

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

(a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:

   (i) dwellings that are permitted on rural land, and

   (ii) dwellings that are used for caretaker or staff purposes, or

(b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

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

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

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

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

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

Note.

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

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

**centre-based child care facility** means:
(a) a building or place used for the education and care of children that provides any one or more of the following:

(i) long day care,

(ii) occasional child care,

(iii) out-of-school-hours care (including vacation care),

(iv) preschool care, or

(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

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

but does not include:

(c) a building or place used for home-based child care or school-based child care, or

(d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or

(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children’s parents are using the facility, or

(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

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

Classified road has the same meaning as in the Roads Act 1993.

Note.
The term is defined as follows:

classified road means any of the following:
(a) a main road,
(b) a highway,
(c) a freeway,
(d) a controlled access road,
(e) a secondary road,
(f) a tourist road,
(g) a tollway,
(h) a transitway,
(i) a State work.

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

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

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

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

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

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

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

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

commercial premises means any of the following:
(a) business premises,
(b) office premises,
(c) retail premises.

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

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

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

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

**Council** means the Wollongong City Council.

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

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

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

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

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

*Note.*

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

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

*Note.*

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

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

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

**designated State public infrastructure** means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:
(a) State and regional roads,
(b) bus interchanges and bus lanes,
(c) land required for regional open space,

(d) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

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

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

**Note.**

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

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

**Note.**

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

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

**Note.**

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

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

**dwelling house** means a building containing only one dwelling.

**Note.**

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

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

(a) a centre-based child care facility,

(b) home-based child care,

(c) school-based child care.

**earthworks** means excavation or filling.

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

**eco-tourist facility** means a building or place that:

(a) provides temporary or short-term accommodation to visitors on a commercial basis, and

(b) is located in or adjacent to an area with special ecological or cultural features, and

(c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.
Note. See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities. Eco-tourist facilities are not a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

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

(a) a school, or

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

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

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

**emergency services organisation** means any of the following:

(a) Ambulance Service of New South Wales,

(b) Fire and Rescue NSW,

(c) NSW Rural Fire Service,

(d) NSW Police Force,

(e) State Emergency Service,

(f) New South Wales Volunteer Rescue Association Incorporated,

(g) New South Wales Mines Rescue Brigade established under the Coal Industry Act 2001,

(h) an accredited rescue unit within the meaning of the State Emergency and Rescue Management Act 1989.

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

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

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

**estuary** has the same meaning as in the Water Management Act 2000.

Note. The term is defined as follows:

**estuary** means:

(a) any part of a river whose level is periodically or intermittently affected by coastal tides, or

(b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or

(c) anything declared by the regulations (under the Water Management Act 2000) to be an estuary,

but does not include anything declared by the regulations (under the Water Management Act 2000) not to be an estuary.
excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

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

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

does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

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

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

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

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

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

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

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

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

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

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

Note. Feedlots are a type of intensive livestock agriculture. Intensive livestock agriculture does not include extensive agriculture. See the definitions of those terms in this Dictionary.
**fill** means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

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

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

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

(a) still photography, or

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

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

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

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

**Note.**

The term is defined as follows:

**Definition of “fish”**

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

(2) *Fish* includes:

(a) oysters and other aquatic molluscs, and

(b) crustaceans, and

(c) echinoderms, and

(d) beachworms and other aquatic polychaetes.

(3) *Fish* also includes any part of a fish.

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

**flood mitigation work** means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.
flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard.

Flood Planning Map means the Wollongong Local Environmental Plan 2009 Flood Planning Map.

floodway area has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the New South Wales Government in 2005.

Note. The term means those areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with the naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Wollongong Local Environmental Plan 2009 Floor Space Ratio Map.

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

(a) a restaurant or cafe,

(b) take away food and drink premises,

(c) a pub,

(d) a small bar.

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

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest bay or river.

foreshore building line means the line shown as the foreshore building line on the Foreshore Building Line Map.

Foreshore Building Line Map means the Wollongong Local Environmental Plan 2009 Foreshore Building Line Map.

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

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

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

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

Note. Funeral homes are a type of business premises—see the definition of that term in this Dictionary.
garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following:

(a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,

(b) pets and pet supplies,

(c) fresh produce.

Note.

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

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

Note.

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

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

(a) the area of a mezzanine, and

(b) habitable rooms in a basement or an attic, and

(c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

(d) any area for common vertical circulation, such as lifts and stairs, and

(e) any basement:

(i) storage, and

(ii) vehicular access, loading areas, garbage and services, and

(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

(g) car parking to meet any requirements of the consent authority (including access to that car parking), and

(h) any space used for the loading or unloading of goods (including access to it), and

(i) terraces and balconies with outer walls less than 1.4 metres high, and

(j) voids above a floor at the level of a storey or storey above.

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

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

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

Note.

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

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

(a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

(b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

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

Note.

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

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

(a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

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

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

Note.

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

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

Note.

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

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

(a) to human health, life or property, or

(b) to the biophysical environment.

Note.

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

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

(a) to human health, life or property, or

(b) to the biophysical environment.

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

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

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

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

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

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

(a) a medical centre,

(b) community health service facilities,

(c) health consulting rooms,

(d) patient transport facilities, including helipads and ambulance facilities,

(e) hospital.

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

(a) a hazardous storage establishment,

(b) a liquid fuel depot,

(c) an offensive storage establishment.

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

(a) hazardous industry, or

(b) offensive industry.

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

Note.
Heavy industries are a type of industry—see the definition of that term in this Dictionary.
**Height of Buildings Map** means the Wollongong Local Environmental Plan 2009 Height of Buildings Map.

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

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

(a) a terminal building, or

(b) facilities for the parking, storage or repair of helicopters.

**Note.**

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

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

(a) shown on the Heritage Map as a heritage conservation area, and

(b) the location and nature of which is described in Schedule 5,

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

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

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

(a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and

(b) an assessment of the impact that proposed development will have on that significance, and

(c) proposals for measures to minimise that impact.

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

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

**heritage management document** means:

(a) a heritage conservation management plan, or

(b) a heritage impact statement, or

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

**Heritage Map** means the Wollongong Local Environmental Plan 2009 Heritage Map.

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

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

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

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

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

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

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

home-based child care means:

(a) a family day care residence (within the meaning of the Children (Education and Care Services) National Law (NSW)), or

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

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

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

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

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

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or

(d) the exhibition of any signage (other than a business identification sign), or

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

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

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

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

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

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,

(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,

(d) the exhibition of any signage (other than a business identification sign),

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

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

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

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

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

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,

(c) the display of goods, whether in a window or otherwise, or

(d) the exhibition of any signage (other than a business identification sign), or

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

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

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

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or

(c) the exhibition of any signage, or
(d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,
but does not include a home business or sex services premises.

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

**Note.**

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

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

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

**Note.**

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

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

(a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of
them, and

(b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

**Note.**

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

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

(a) comprises rooms or self-contained suites, and

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

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

Illawarra Escarpment Map means the Wollongong Local Environmental Plan 2009 Illawarra Escarpment Map.

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

industrial retail outlet means a building or place that:
(a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural industry, and
(b) is situated on the land on which the industry or rural industry is located, and
(c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,
but does not include a warehouse or distribution centre.

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

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

industry means any of the following:
(a) general industry,
(b) heavy industry,
(c) light industry,
but does not include:
(d) rural industry, or
(e) extractive industry, or
(f) mining.

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

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following:
(a) dairies (restricted),
(b) feedlots,
(c) pig farms,
(d) poultry farms,

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

Note.

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

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

(a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),

(b) horticulture,

(c) turf farming,

(d) viticulture.

Note.

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

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

*Key Sites Map* means the Wollongong Local Environmental Plan 2009 Key Sites Map.

*kiosk* means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

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

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

*Land Application Map* means the Wollongong Local Environmental Plan 2009 Land Application Map.

*Land Reclassification (Part Lots) Map* means the Wollongong Local Environmental Plan 2009 Land Reclassification (Part Lots) Map.

*Land Reservation Acquisition Map* means the Wollongong Local Environmental Plan 2009 Land Reservation Acquisition Map.

*Land Zoning Map* means the Wollongong Local Environmental Plan 2009 Land Zoning Map.

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

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

Note.

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

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

(a) high technology industry,
(b) home industry,

(c) artisan food and drink industry.

Note.

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

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

Note.

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

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

Note.

Livestock processing industries are a type of rural industry—see the definition of that term in this Dictionary.

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

Note.

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

Lot Size Map means the Wollongong Local Environmental Plan 2009 Lot Size Map.

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

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

(a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,

(b) any facility for providing fuelling, sewage pump-out or other services for boats,

(c) any facility for launching or landing boats, such as slipways or hoists,

(d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,

(e) any berthing or mooring facilities.

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

Note.

Markets are a type of retail premises—see the definition of that term in this Dictionary.
**mean high water mark** means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

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

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

**mezzanine** means an intermediate floor within a room.

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

**mine subsidence district** means a mine subsidence district proclaimed under section 15 of the **Mine Subsidence Compensation Act 1961**.

**mining** means mining carried out under the **Mining Act 1992** or the recovery of minerals under the **Offshore Minerals Act 1999**, and includes:

(a) the construction, operation and decommissioning of associated works, and

(b) the rehabilitation of land affected by mining.

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

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

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

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

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

**moveable dwelling** has the same meaning as in the **Local Government Act 1993**.

**Note.**
The term is defined as follows:

**moveable dwelling** means:

(a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or

(b) a manufactured home, or

(c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the **Local Government Act 1993**) for the purposes of this definition.

**multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.
Note.
Multi dwelling housing is a type of *residential accommodation*—see the definition of that term in this Dictionary.

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

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

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

*Natural Resource Sensitivity—Biodiversity Map* means the Wollongong Local Environmental Plan 2009 Natural Resource Sensitivity—Biodiversity Map.

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

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

Note. See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.
Neighbourhood shops are a type of *shop*—see the definition of that term in this Dictionary.

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

Note. See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets.
Neighbourhood supermarkets are a type of *shop*—see the definition of that term in this Dictionary.

*nominated State heritage item* means a heritage item that:

(a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and

(b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

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

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

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

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

Note.

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

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

Note.

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

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

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

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

Note.

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

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

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

people who are socially disadvantaged means:

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

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

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

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

Note.

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

place of public worship means a building or place used for the purpose of religious worship by a congregation or
religious group, whether or not the building or place is also used for counselling, social events, instruction or
religious training.
**plant nursery** means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

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

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

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

**port facilities** means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*:

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

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

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

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

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

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

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

**Note.**
Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary.
**public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

**public authority** has the same meaning as in the Act.

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

**Note.**

The term is defined as follows:

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

1. a public road,
2. land to which the *Crown Lands Act 1989* applies,
3. a common,
4. land subject to the *Trustees of Schools of Arts Enabling Act 1902*,
5. 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 Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act:

1. railway, road transport, water transport, air transport, wharf or river undertakings,
2. undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

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

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

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

1. a children’s playground,
2. an area used for community sporting activities,
3. a public park, reserve or garden or the like,

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

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

**recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racetracks and motor racing tracks.
recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

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

registered club means a club that holds a club licence under the Liquor Act 2007.

relevant Commonwealth body, in relation to flight paths and airport noise, means the Department or other body of the Commonwealth having responsibility for airports.

relic has the same meaning as in the Heritage Act 1977.

Note.
The term is defined as follows:

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

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance.

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

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

(a) attached dwellings,

(b) boarding houses,

(c) dual occupancies,

(d) dwelling houses,

(e) group homes,

(f) hostels,

(g) multi dwelling housing,

(h) residential flat buildings,

(i) rural workers’ dwellings,

(j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,
but does not include tourist and visitor accommodation or caravan parks.

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

(a) meals and cleaning services, and

(b) personal care or nursing care, or both, and

(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

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

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

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

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

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

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

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

**restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

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

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

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

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

(a) (Repealed)

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

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

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

Riparian Land Map means the Wollongong Local Environmental Plan 2009 Riparian Land Map.

road means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road.

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

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

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

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

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

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

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

**Note.**

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

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

**Note.**

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

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

**Note.**

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

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

**Note.**

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

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

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

**secondary dwelling** means a self-contained dwelling that:

(a) is established in conjunction with another dwelling (the *principal dwelling*), and

(b) is on the same lot of land as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

**Note.** See clause 5.4 for controls relating to the total floor area of secondary dwellings.

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

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

**Note.**

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

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

**Note.**

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

**seniors housing** means a building or place that is:
(a) a residential care facility, or

(b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or

(c) a group of self-contained dwellings, or

(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for:

(e) seniors or people who have a disability, or

(f) people who live in the same household with seniors or people who have a disability, or

(g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

**Note.**

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

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

(a) the ancillary sale by retail of spare parts and accessories for motor vehicles,

(b) the cleaning of motor vehicles,

(c) installation of accessories,

(d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),

(e) the ancillary retail selling or hiring of general merchandise or services or both.

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

**Note.**

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

**sewage reticulation system** means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

(a) pipelines and tunnels, and

(b) pumping stations, and

(c) dosing facilities, and

(d) odour control works, and

(e) sewage overflow structures, and
(f) vent stacks.

**Note.**

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

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

**Note.**

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

**sewerage system** means any of the following:

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

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

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

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

**Note.**

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

**shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

**Note.**

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

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

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

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

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

**Note.** The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.
site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

small bar means a small bar within the meaning of the Liquor Act 2007.

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

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

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

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

(a) a large area for handling, display or storage, or

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

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

Note. Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies. Specialised retail premises are a type of retail premises—see the definition of that term in this Dictionary.

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

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

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

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

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Sun Plane Protection Map means the Wollongong Local Environmental Plan 2009 Sun Plane Protection Map.
swimming pool has the same meaning as in the *Swimming Pools Act 1992*.

**Note.**

The term is defined as follows:

**swimming pool** means an excavation, structure or vessel:

(a) that is capable of being filled with water to a depth of 300 millimetres or more, and

(b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

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

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

**Note.**

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

**Tallawarra Power Station Buffer Area Map** means the Wollongong Local Environmental Plan 2009 Tallawarra Power Station Buffer Area Map.

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

**Note.**

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

telemcommunications facility means:

(a) any part of the infrastructure of a telecommunications network, or

(b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or

(c) any other thing used in or in connection with a telecommunications network.

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

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

**Note.**

The term is defined as follows:

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

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

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

**Note.**

Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.
tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

(a) backpackers’ accommodation,
(b) bed and breakfast accommodation,
(c) farm stay accommodation,
(d) hotel or motel accommodation,
(e) serviced apartments,
but does not include:
(f) camping grounds, or
(g) caravan parks, or
(h) eco-tourist facilities.

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

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

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

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

underground mining means:

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

but does not include open cut mining.

urban release area means an area of land shown hatched and lettered “Urban Release Area” on the Urban Release Area Map.

Urban Release Area Map means the Wollongong Local Environmental Plan 2009 Urban Release Area Map.

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

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

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

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

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

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

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

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

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

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

Waste or resource management facility means any of the following:

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

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

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

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

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

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

Note.
Water recycling facilities are a type of sewerage system—see the definition of that term in this Dictionary.
**water reticulation system** means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

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

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

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

**water supply system** means any of the following:

(a) a water reticulation system,

(b) a water storage facility,

(c) a water treatment facility,

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

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

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

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

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

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

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

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

**wetland** means:

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

(b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.
**wharf or boating facilities** means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities:

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

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

**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.

**Wollongong city centre** means the land identified on the Wollongong City Centre Map.

**Wollongong City Centre Map** means the Wollongong Local Environmental Plan 2009 Wollongong City Centre Map.

**Wollongong Innovation Campus Map** means the Wollongong Local Environmental Plan 2009 Wollongong Innovation Campus Map.
## Historical notes

The following abbreviations are used in the Historical notes:

<table>
<thead>
<tr>
<th>Abbreviation</th>
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### Table of amending instruments

**Wollongong Local Environmental Plan 2009 (2010-76).** LW 26.2.2010. Date of commencement, on publication on LW, cl 1.1A.

This Plan has been amended by Sch 1 to this Plan and as follows:

#### 2010

   - Date of commencement, on publication on LW, cl 2.

2. **State Environmental Planning Policy (Standard Instrument) Amendment (Miscellaneous) 2010.** LW 30.4.2010.
   - Date of commencement, on publication on LW, cl 2.

   - Date of commencement of Sch 2.110, 9.7.2010, sec 2 (2).

   - Date of commencement, on publication on LW, cl 2.

5. **Wollongong Local Environmental Plan 2009 (Amendment No 6).** LW 5.11.2010.
   - Date of commencement, on publication on LW, cl 2.

6. **Wollongong Local Environmental Plan 2009 (Amendment No 5).** LW 12.11.2010.
   - Date of commencement, on publication on LW, cl 2.

7. **Wollongong Local Environmental Plan 2009 (Amendment No 1).** LW 19.11.2010.
   - Date of commencement, on publication on LW, cl 2.

   - Date of commencement, on publication on LW, cl 2.

#### 2011

   - Date of commencement, on publication on LW, cl 2.

    - Date of commencement, 1.3.2011, cl 2.

    - Date of commencement of Sch 2, 25.6.2011, **Standard Instrument (Local Environmental Plans) Order 2006 (155),** cl 9 (1).

12. **Wollongong Local Environmental Plan 2009 (Amendment No 8).** LW 6.5.2011.
    - Date of commencement, on publication on LW, cl 2.

13. **Wollongong Local Environmental Plan 2009 (Amendment No 9).** LW 1.7.2011.
    - Date of commencement, on publication on LW, cl 2.


(390) Wollongong Local Environmental Plan 2009 (Amendment No 7). LW 29.7.2011. Date of commencement, on publication on LW, cl 2.


2012


(208) Wollongong Local Environmental Plan 2009 (Amendment No 11). LW 25.5.2012. Date of commencement, on publication on LW, cl 2.


2013


(265) Wollongong Local Environmental Plan 2009 (Amendment No 13). LW 7.6.2013. Date of commencement, on publication on LW, cl 2.


(641) Wollongong Local Environmental Plan 2009 (Amendment No 14). LW 8.11.2013. Date of commencement, on publication on LW, cl 2.


2014

(225) Wollongong Local Environmental Plan 2009 (Amendment No 17). LW 17.4.2014. Date of commencement, on publication on LW, cl 2.

(351) Wollongong Local Environmental Plan 2009 (Amendment No 15). LW 6.6.2014. Date of commencement, on publication on LW, cl 2.


(433) Wollongong Local Environmental Plan 2009 (Amendment No 18). LW 4.7.2014. Date of commencement, on publication on LW, cl 2.


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Date of commencement, 3.4.2018, cl 2.

Wollongong Local Environmental Plan 2009 (Amendment No 37). LW 29.3.2018.
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Date of commencement, 31.8.2018, cl 2.

Date of commencement of Sch 1.1 and 1.2, 31.8.2018, cl 2 (1).

Date of commencement, on publication on LW, cl 2.
Wollongong Local Environmental Plan 2009 [NSW]

Table of amendments

No reference is made to certain amendments made consequential on the amendment of the Standard Instrument (Local Environmental Plans) Order 2006.

Cl 1.1A Rep 2010 (162), Sch 1.7 [1].
Cl 1.3 Am 2014 (351), Sch 1 [1].
Cl 1.8 Am 2010 (162), Sch 1.7 [2] [3]; 2014 (351), Sch 1 [2].
Cl 1.8A Am 2015 (280), cl 5 (1)
Cl 1.9 Am 2016 (310), Sch 4.39.
Cl 1.9A Am 2011 (363), Sch 29 [1].
Cl 2.6BB Ins 2010 (162), Sch 1.7 [4].
Cl II 2.6A, 2.6B Rep 2010 (162), Sch 1.7 [1].

Land Use Table Am 2010 (162), Sch 1.7 [5]; 2011 (28), Sch 1.10 [1]; 2011 (363), Sch 29 [2]–[29]; 2012 (25), Sch 1 [1]; 2013 (586), cl 4; 2014 No 74, Sch 3.53; 2017 (493), Sch 1.1 [1] [2]; 2018 (488), Sch 1.1 [1]; 2019 (137), Sch 6 [1]; 2019 No 1, Sch 2.42 [1] [2].

Cl 3.1 Am 2010 (162), Sch 1.7 [6].
Cl 3.2 Am 2010 (162), Sch 1.7 [7]; 2011 (28), Sch 1.10 [2].
Cl 3.3 Am 2011 (363), Sch 29 [30].
Cl 4.1AA Ins 2011 (363), Sch 29 [31].
Cl 4.1A Ins 2012 (25), Sch 1 [2].
Cl 4.1B Ins 2018 (255), Sch 1 [1].
Cl 4.2A Am 2015 (280), cl 5 (2).
Cl 4.2B Am 2011 (363), Sch 29 [32] [33]; 2014 (351), Sch 1 [3]; 2016 No 27, Sch 2.58.
Cl 4.6  
Am 2011 (363), Sch 29 [34] [35].

Cl 5.1  
Am 2011 (390), Sch 2 [1]; 2012 (319), Sch 1 [1]–[3]; 2017 (94), cl 5; 2018 (48), Sch 1 [1].

Cl 5.3  
Am 2010 (162), Sch 1.7 [8] [9].

Cl 5.4  
Am 2011 (363), Sch 29 [36] [37]; 2018 (406), Sch 1.155 [1] [2].

Cl 5.9  
Am 2011 (363), Sch 29 [38].

Cl 5.13  
Ins 2011 (363), Sch 29 [39].

Cl 6.1  
Am 2011 (363), Sch 29 [40].

Cl 6.2A  
Ins 2018 (48), Sch 1 [2].

Cl 7.1  
Am 2010 No 59, Sch 2.110.

Cl 7.3  
Am 2014 (351), Sch 1 [4].

Cl 7.9  
Subst 2012 (25), Sch 1 [3].

Cl 7.11  
Am 2017 (493), Sch 1.2 [1].

Cl 7.12  
Am 2015 (316), Sch 2.20.

Cl 7.13  
Am 2018 (255), Sch 1 [2].

Cl 7.18  
Ins 2014 (433), Sch 1 [1].

Cl 7.19  
Ins 2018 (255), Sch 1 [3].

Cl 8.1  
Am 2014 (433), Sch 1 [2].

Cl 8.5  
Rep 2014 (433), Sch 1 [3].

Sch 1  
Am 2010 (76), Sch 1, cl 8 [3]; 2011 (363), Sch 29 [41]; 2012 (25), Sch 1 [4]; 2013 (265), cl 4; 2018 (255), Sch 1 [4] [5]; 2018 (488), Sch 1.2; 2018 (589), cl 4.

Sch 2  
Am 2010 (162), Sch 1.7 [10]; 2015 (349), cl 4.

Sch 3  
Am 2010 (162), Sch 1.7 [11]; 2011 (363), Sch 29 [42].

Sch 4  
Am 2010 (461), Sch 1 [1] [2]; 2010 (641), Sch 1; 2010 (712), Sch 1; 2012 (208), Sch 1 [1]–[3]; 2013 (641), Sch 1 [1].

Sch 5  
Am 2011 (390), Sch 2 [2]; 2012 (25), Sch 1 [5] [6]; 2014 (351), Sch 1 [5]; 2015 (764), cl 5; 2018 (33), cl 5; 2018 (255), Sch 1 [6]; 2019 (147), cl 5.

Dictionary  
Am 2013 (641), Sch 1 [2]; 2014 (351), Sch 1 [6]; 2018 (255), Sch 1 [7].

Maps  
Am 2010 (461), cl 4; 2010 (623), cl 4; 2010 (633), cl 4; 2010 (712), cl 4; 2011 (15), cl 4; 2011 (229), cl 4; 2011 (336), cl 4; 2011 (390), cl 4 (2); 2012 (25), cl 4; 2012 (319), cl 4 (1); 2013 (641), cl 4; 2014 (225), cl 4; 2014 (351), cl 4; 2014 (433), cl 4; 2015 (280), cl 4; 2015 (295), cl 4; 2015 (384), cl 4; 2015 (470), cl 4; 2015 (471), cl 4; 2015 (582), cl 4; 2015 (731), cl 4; 2015 (764), cl 4; 2016 (42), cl 4; 2016 (507), cl 4; 2017 (94), cl 4; 2017 (203), cl 4; 2017 (255), cl 4; 2017 (681), cl 4; 2018 (33), cl 4; 2018 (48), cl 4; 2018 (119), cl 4; 2018 (255), cl 4; 2018 (599), cl 4; 2019 (147), cl 4; 2019 (378), cl 4.