2011 No 701

New South Wales

Clarence Valley Local Environmental Plan 2011

under the

Environmental Planning and Assessment Act 1979

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

GIOVANNI CIRILLO
As delegate for the Minister for Planning and Infrastructure

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Clarence Valley Local Environmental Plan 2011

under the

Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Clarence Valley Local Environmental Plan 2011*.

1.1AA Commencement

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

1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in Clarence Valley 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 encourage and enable the sustainable use, development and management of natural and man-made resources, including agricultural land resources and productive rural lands,

(b) to limit dispersed rural settlement,

(c) to provide a mix of housing, including affordable housing, to meet the needs of the community,

(d) to protect areas of high ecological, scientific, cultural or aesthetic value,

(e) to provide adequate access and services to development carried out in accordance with this Plan,

(f) to maintain the character of villages and towns,

(g) to conserve items and areas of environmental and cultural heritage,

(h) to provide a hierarchy of business/retail centres,

(i) to identify land for industrial and business development that provides opportunities for employment,

(j) to protect key infrastructure and ensure adequate integration of infrastructure and development,

(k) to maintain or improve the natural conservation and scenic amenity values of the land, including significant habitat areas and wildlife corridors.

1.3 Land to which Plan applies

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

1.4 Definitions

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

1.5 Notes

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

1.6 Consent authority

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

1.7 Maps

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

(a) approved by the Minister when the map is adopted, and

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

(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 Infrastructure.

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:

Copmanhurst Local Environmental Plan 1990

Grafton Local Environmental Plan 1988

Maclean Local Environmental Plan 2001

Nymboida Local Environmental Plan 1986

Ulmarra Local Environmental Plan 1992

(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.

Note. The *Richmond River Local Environmental Plan 1992* ceases to apply to land to which this Plan applies as a consequence of this Plan.

1.8A Savings provision relating to development applications

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

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

1.9 Application of SEPPs

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

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

State Environmental Planning Policy No 1—Development Standards

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

State Environmental Planning Policy No 60—Exempt and Complying Development

North Coast Regional Environmental Plan

1.9A Suspension of covenants, agreements and instruments

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

(2) This clause does not apply:

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

(b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or

(c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or

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

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

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

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

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

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

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones
RU1 Primary Production
RU2 Rural Landscape
RU3 Forestry
Residential Zones
R1 General Residential
R2 Low Density Residential
R3 Medium Density Residential
R5 Large Lot Residential
Business Zones
B1 Neighbourhood Centre
B2 Local Centre
B3 Commercial Core
B5 Business Development
Industrial Zones
IN1 General 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

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:

(a) the objectives for development, and

(b) development that may be carried out without development consent, and

(c) development that may be carried out only with development consent, and

(d) development that is prohibited.

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

(3) In the Land Use Table at the end of this Part:

(a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and

(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

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

Notes.

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

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

3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).

4 Clause 2.6 requires consent for subdivision of land.

5 Part 5 contains other provisions which require consent for particular development.

2.4 Unzoned land

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

(2) Before granting development consent, the consent authority:

(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and

(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:

(a) with development consent, or

(b) if the Schedule so provides—without development consent,

in accordance with the conditions (if any) specified in that Schedule in relation to that development.

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

2.6 Subdivision—consent requirements

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

Notes.

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

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

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

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

2.7 Demolition requires development consent

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

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

2.8 Temporary use of land

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

(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.

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

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

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

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

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

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

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

Land Use Table

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

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

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

State Environmental Planning Policy (Infrastructure) 2007—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

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

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To prevent dispersed rural settlement.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Horticulture; Viticulture

3 Permitted with consent

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Health consulting rooms; Helipads; Intensive livestock agriculture; Intensive plant agriculture; Neighbourhood shops; Open cut mining; Recreation areas; Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Signage; Veterinary hospitals; Water recreation structures

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 provide land for less intensive agricultural production.
- To prevent dispersed rural settlement.
- To minimise conflict between land uses within the zone and with adjoining zones.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Horticulture; Viticulture

3 Permitted with consent

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Child care centres;

Community facilities; Correctional centres; Crematoria; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Health consulting rooms; Helipads; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Neighbourhood shops; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Signage; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RU3 Forestry

1 Objectives of zone

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

2 Permitted without consent

Uses authorised under the *Forestry Act 1916*

3 Permitted with consent

Depots; Dwelling houses; Environmental facilities; Environmental protection works; Extensive agriculture; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Open cut mining; Recreation areas; Roads; Sawmill or log processing works

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-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Attached dwellings; Boarding houses; Caravan parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Food and drink premises; Group homes; Home businesses; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tourist and visitor accommodation

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-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Semi-detached dwellings; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable serviced apartments while maintaining the medium density residential character and amenity of a locality.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home businesses; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential allotments do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To ensure development is not adversely impacted by environmental hazards.
- To protect areas of vegetation and waterways with conservation value and scenic amenity.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Bed and breakfast accommodation; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Home businesses; Home industries; Horticulture; Information and education facilities; Neighbourhood shops; Recreation areas; Respite day care centres; Roads; Roadside stalls; Viticulture

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 reinforce the neighbourhood centres of Coutts Crossing, Glenreagh, Lawrence and Ulmarra as the locations for commercial premises.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To enable other land uses that are compatible with and do not detract from the viability of retail, business and community uses within the zone.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Dwelling houses; Home industries; Medical centres; Neighbourhood shops; Respite day care centres; Roads; Secondary dwellings; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Bulky goods premises; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Highway service centres; Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water storage facilities; Water treatment facilities; Wharf or boating facilities

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To reinforce and support the central business districts of Maclean, Iluka and Yamba as the commercial centres for these towns.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

- To enable other land uses that are compatible with and do not detract from the viability of retail, business, entertainment and community uses within the zone.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

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

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water storage facilities; Water treatment facilities

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 reinforce Grafton/South Grafton as the major regional business centre in the Clarence Valley that is to accommodate major state and regional services, professional services and provide higher order shopping.
- To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.
- To enable development that promotes high end retail uses and maintains the retail continuity of the streetscape.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

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

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water storage facilities; Water treatment facilities

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To enable light industrial uses which are compatible with the commercial function of the locality.
- To support the nearby commercial centre of Grafton without adversely impacting on the viability of that centre.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Boarding houses; Bulky goods premises; Child care centres; Dwelling houses; Garden centres; Hardware and building supplies; Landscaping material supplies; Liquid fuel depots; Passenger transport facilities; Respite day care centres; Roads; Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Industrial training facilities; Marinas; Mooring pens; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sex services premises; Sewage treatment plants; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water storage facilities; Water treatment facilities; Wharf or boating facilities

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To minimise the environmental impacts of development.
- To allow limited commercial activities that provide direct services to the industrial activities and the associated workforce.

2 Permitted without consent

Extensive agriculture; Home occupations; Home occupations (sex services)

3 Permitted with consent

Depots; Freight transport facilities; General industries; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Restricted premises; Roads; Take away food and drink premises; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Forestry; Function centres; Health services facilities; Helipads; Highway service centres; Information and educational facilities; Marinas; Mooring pens; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Tourist and visitor accommodation; Water recreation structures; Water storage facilities; Wharf or boating facilities

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 enable light industries where they are related to the waterfront industrial and maritime activities permitted in the zone.
- To ensure that development does not detract from the maritime character of small commercial fishing and port facilities on the Clarence River.

2 Permitted without consent

Home occupations; Home occupations (sex services)

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Jetties; Light industries; Neighbourhood shops; Roads; Take away food and drink premises; Waste or resource transfer stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Child care centres; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Helipads; Highway service centres; Information and education facilities; Mooring pens; Mortuaries; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water storage facilities; Water treatment facilities

Zone SP1 Special Activities

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Advertising structures; Community facilities; Environmental protection works; Flood mitigation works; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

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

2 Permitted without consent

Extensive agriculture; Roads

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Advertising structures; Community facilities; Environmental protection works; Flood mitigation works; Markets; Recreation areas

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.
- To enable a range of residential accommodation that is compatible with the provision of tourism uses to assist with the off season viability of tourist-based development.
- To provide for tourist accommodation that does not compromise the environmental, scenic or landscape qualities of the land.
- To enable retail and business premises that complement tourism-based development without eroding the retail hierarchy of the area.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Advertising structures; Amusement centres; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Helipads; Home businesses; Home industries; Information and education facilities; Kiosks; Marinas; Markets; Mooring pens; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Roads; Roadside stalls; Shops; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

4 Prohibited

Hostels; Rural workers' dwellings; Seniors housing; Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.

- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

Advertising structures; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Kiosks; Marinas; Markets; Mooring pens; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Wharf or boating facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Advertising structures; Boat sheds; Car parks; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Kiosks; Marinas; Markets; Mooring pens; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered

clubs; Respite day care centres; Restaurants or cafes; Roads; 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

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect coastal wetlands and littoral rainforests.
- To protect land affected by coastal processes and environmentally sensitive coastal land.
- To prevent development that would adversely affect, or be adversely affected by, coastal processes.

2 Permitted without consent

Nil

3 Permitted with consent

Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Roads

4 Prohibited

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

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To prevent inappropriate development in geologically hazardous areas so as to minimise erosion and other adverse impacts on escarpment areas.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.
- To protect prominent hillsides, ridgelines, other major natural features, riparian areas and water catchment areas.

2 Permitted without consent

Extensive agriculture; Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Camping grounds; Caravan parks; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Home businesses; Home industries; Recreation areas; Roads

4 Prohibited

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

Zone 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.
- To protect riparian lands adjoining natural waterways.

2 Permitted without consent

Aquaculture; Moorings

3 Permitted with consent

Boat launching ramps; Building identification signs; Business identification signs; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Jetties; Water recreation structures

4 Prohibited

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

Zone W2 Recreational Waterways

1 Objectives of zone

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

2 Permitted without consent

Aquaculture; Moorings

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Extractive industries; Flood mitigation works; Jetties; Kiosks; Marinas; Mooring pens; Open cut mining; Recreation facilities (outdoor); Research stations; Water recreation structures; Wharf or boating facilities

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

Moorings

3 Permitted with consent

Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Extractive industries; Flood mitigation works; Jetties; Kiosks; Marinas; Mooring pens; Open cut mining; Port facilities; Research stations; 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 critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and

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

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

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

(3) To be exempt development, the development:

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

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

(c) must not be designated development, and

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

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

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

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

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

(a) be installed in accordance with the manufacturer's specifications, if applicable, and

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

Note. A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.

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

3.2 Complying development

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

The section states that development cannot be complying development if:

(a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or

(b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or

(c) the development is designated development, or

(d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or

(e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or

(f) the development is on land identified as an environmentally sensitive area.

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

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

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

(b) the requirements of this Part,

is complying development.

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

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

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

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

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

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

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

3.3 Environmentally sensitive areas excluded

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

(2) For the purposes of this clause:

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

(a) the coastal waters of the State,

(b) a coastal lake,

(c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,

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

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

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

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

(h) land reserved 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 identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

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

(a) to limit dispersed rural settlement,

(b) to minimise the fragmentation of rural land,

(c) to protect the scenic quality of the rural setting,

(d) to ensure that lot sizes enable practical and efficient lot layout to meet the intended use of the land,

(e) to ensure that lot sizes enable sufficient area for the effective on-site disposal of effluent.

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

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

(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

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,

(c) Zone E3 Environmental Management.

(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.

4.2 Rural subdivision

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

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

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape,

(c) Zone RU4 Primary Production Small Lots,

(d) Zone RU6 Transition.

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

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

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

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

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

4.2A Exceptions to minimum lot sizes for certain rural subdivisions

(1) The objective of this clause is to enable the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of dwelling houses or dual occupancies.

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

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape.

(3) Land to which this clause applies may, with development consent, be subdivided 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, where the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than a dwelling house or a dual occupancy) permitted under the existing development consent for the land.

(4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:

(a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and

(b) the subdivision is necessary for the ongoing operation of the permissible use, and

(c) the subdivision will not increase rural land uses conflict in the locality, and

(d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.

4.2B Erection of dwelling houses and dual occupancies (attached) on land in certain rural, residential and environmental protection zones

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

(a) to minimise unplanned rural residential development,

(b) to enable the replacement of lawfully erected dwelling houses and dual occupancies (attached) in rural, residential and environmental protection zones,

(c) to control rural residential density affected by historical subdivision patterns in Zone R5 Large Lot Residential.

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

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape,

(c) Zone RU3 Forestry,

(d) Zone R5 Large Lot Residential,

(e) Zone E3 Environmental Management.

(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy (attached) on land to which this clause applies, and on which no dwelling house or dual occupancy (attached) has been erected, unless the land is:

(a) a lot that is at least the minimum lot size specified for that land by the Lot Size Map, or

(b) a lot created before this Plan commenced and on which the erection of a dwelling house or dual occupancy (attached) was permissible immediately before that commencement, or

(c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy (attached) would have been permissible if the plan of subdivision had been registered before that commencement, or

(d) an existing holding.

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.

(4) Land ceases to be a lot referred to in subclause (3) (b) or (c), or a holding referred to in subclause (3) (d), if an application for development consent referred to in subclause (3) is not made in relation to that land before the date 10 years after the commencement of this Plan.

(5) Despite subclause (3), development consent may be granted for the erection of a dwelling house or dual occupancy (attached) on land to which this clause applies if:

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

(b) the land would have been a lot or a holding referred to in subclause (3) 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.

(6) In this clause:

existing holding means land that:

(a) was a holding on the relevant date, and

(b) is a holding at the time the application for development consent referred to in subclause (3) is lodged,

whether or not there has been a change in the ownership of the holding since the relevant date, and includes any other land adjoining that land acquired by the owner since the relevant date.

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

relevant date means:

(a) in the case of land to which the *Copmanhurst Local Environmental Plan 1990* applied immediately before the commencement of this Plan—4 June 1971, or

(b) in the case of land to which the *Ulmarra Local Environmental Plan 1992* applied immediately before the commencement of this Plan—5 September 1969, or

(c) in the case of land to which the *Richmond River Local Environmental Plan 1992* applied immediately before the commencement of this Plan—18 February 1970.

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.

4.2C Strata subdivision in certain rural and environmental protection zones

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

(2) This clause applies to land in the following zones 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) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising common property within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

4.3 Height of buildings

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

(a) to maintain the low scale character of towns and villages in the Clarence Valley,

(b) to protect the amenity of neighbouring properties by minimising visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public land.

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

4.4 Floor space ratio

[Not adopted]

4.5 Calculation of floor space ratio and site area

[Not adopted]

4.6 Exceptions to development standards

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

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

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

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

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

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

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

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

(a) the consent authority is satisfied that:

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

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

(b) the concurrence of the Director-General has been obtained.

(5) In deciding whether to grant concurrence, the Director-General must consider:

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

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

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

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2

Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

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

Note. When this Plan was made, it did not include Zone RU4 Primary Production Small Lots, Zone RU6 Transition or Zone E4 Environmental Living.

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

(8) This clause does not allow 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 6.1, 6.2 or 6.3.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

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

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

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

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

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

Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister of Planning is required to take action to enable the designation of the acquiring authority under this Part. Pending the designation of the acquiring authority for

that land, the acquiring authority is to be the authority determined by order of the Minister for Planning and Infrastructure (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

5.2 Classification and reclassification of public land

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

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

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

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

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

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

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

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

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

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

(c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

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

5.3 Development near zone boundaries

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

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

(3) This clause does not apply to:

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

(b) land within the coastal zone, or

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

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

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

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

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

5.4 Controls relating to miscellaneous permissible uses

(1) **Bed and breakfast accommodation**

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 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 50 square metres of floor area.

(3) **Home industries**

If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.

(4) **Industrial retail outlets**

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

(a) 25% 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 10 bedrooms.

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 20 square metres.

(7) **Neighbourhood shops**

If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 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 20 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) 18% of the total floor area of the principal dwelling.

5.5 Development within the coastal zone

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

(a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development,

(b) to implement the principles in the NSW Coastal Policy, and in particular to:

(i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and

(ii) protect and preserve the natural, cultural, recreational and economic attributes of the NSW coast, and

(iii) provide opportunities for pedestrian public access to and along the coastal foreshore, and

(iv) recognise and accommodate coastal processes and climate change, and

(v) protect amenity and scenic quality, and

(vi) protect and preserve rock platforms, beach environments and beach amenity, and

(vii) protect and preserve native coastal vegetation, and

(viii) protect and preserve the marine environment, and

(ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and

(x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and

(xi) protect Aboriginal cultural places, values and customs, and

(xii) protect and preserve items of heritage, archaeological or historical significance.

(2) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority has considered:

(a) existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:

(i) maintaining existing public access and, where possible, improving that access, and

(ii) identifying opportunities for new public access, and

(b) the suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:

(i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and

(ii) the location, and

(iii) the bulk, scale, size and overall built form design of any building or work involved, and

(c) the impact of the proposed development on the amenity of the coastal foreshore including:

(i) any significant overshadowing of the coastal foreshore, and

(ii) any loss of views from a public place to the coastal foreshore, and

(d) how the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected, and

(e) how biodiversity and ecosystems, including:

(i) native coastal vegetation and existing wildlife corridors, and

(ii) rock platforms, and

(iii) water quality of coastal waterbodies, and

(iv) native fauna and native flora, and their habitats,

can be conserved, and

(f) the cumulative impacts of the proposed development and other development on the coastal catchment.

(3) Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority is satisfied that:

(a) the proposed development will not impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore, and

(b) if effluent from the development is disposed of by a non-reticulated system, it will not have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and

(c) the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and

(d) the proposed development will not:

(i) be significantly affected by coastal hazards, or

(ii) have a significant impact on coastal hazards, or

(iii) increase the risk of coastal hazards in relation to any other land.

5.6 Architectural roof features

[Not adopted]

5.7 Development below mean high water mark

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

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

5.8 Conversion of fire alarms

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

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

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

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

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

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

(a) internal alterations to a building, or

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

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

(5) In this clause:

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

5.9 Preservation of trees or vegetation

(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.

(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.

Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.

(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:

(a) development consent, or

(b) a permit granted by the Council.

(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.

(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.

(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.

(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:

(a) that is or forms part of a heritage item or that is within a heritage conservation area, or

(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,

unless the Council is satisfied that the proposed activity:

(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and

(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.

(8) This clause does not apply to or in respect of:

(a) the clearing of native vegetation:

(i) that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003*, or

(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or

(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or

(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or

(d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying and Spatial Information Act 2002*, or

(e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

Note. Permissibility may be a matter that is determined by or under any of these Acts.

(9) [Not adopted]

5.9AA Trees or vegetation not prescribed by development control plan

(1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.

(2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.

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 Clarence Valley,

(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 consent.

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

5.12 Infrastructure development and use of existing buildings of the Crown

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

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

5.13 Eco-tourist facilities

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

(a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,

(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.

(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.

(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:

(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and

(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and

(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and

(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and indigenous flora and fauna will be minimal, and

(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and

(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and

(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours materials and landscaping with local indigenous flora, and

(h) any infrastructure services to the site will be provided without significant modification to the environment, and

(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and

(j) the development will not adversely affect the agricultural productivity of adjoining land, and

(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:

(i) measures to remove any threat of serious or irreversible environmental damage,

(ii) the maintenance (or regeneration where necessary) of habitats,

(iii) efficient and minimal energy and water use and waste output,

(iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,

(v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

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 on 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 Public utility infrastructure

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

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

6.3 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 this clause has been prepared for the land.

(3) A 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, remnant vegetation, wildlife corridors and native flora and fauna habitats, 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 bush fire, flooding and site contamination and impacts on adjoining agricultural land, 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 uses,

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

(k) measures to conserve Aboriginal cultural heritage on the land.

(4) A development control plan for land identified as "Clarenza Urban Release Area" on the Urban Release Area Map must also provide for the amelioration of land use hazards including the Clarenza Sewage Treatment Works and high voltage electricity transmission lines.

(5) A development control plan for land identified as "Junction Hill Urban Release Area" on the Urban Release Area Map must also provide for all of the following:

(a) measures to minimise the impact on environmentally sensitive land and surrounding land,

(b) landscaping and noise attenuation measures along the rail corridor and road network,

(c) controls to limit hazards for areas in the vicinity of high voltage transmission lines,

(d) measures to prevent land use conflict between agricultural land and potential agricultural effluent re-use areas,

(e) management of constrained sites identified by geotechnical assessment,

(f) augmentation of water and sewerage infrastructure to ensure adequate capacity.

(6) A development control plan for land identified as "West Yamba Urban Release Area" on the Urban Release Area Map must also provide for all of the following:

(a) measures to ensure adequate setback from the overhead electricity lines located in the vicinity of Miles Street,

(b) in relation to any proposed business centre:

(i) details of the scale and location of the centre, and

(ii) controls to ensure the centre is located on an accessible site in close proximity to the existing school in Carrs Drive, and

(iii) controls to ensure the size of the centre does not compromise the commercial hierarchy of Yamba and will result in a commercial area of a size proportional to residential demands.

(7) 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 only for the purpose of creating lots proposed 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.

6.4 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 Additional local provisions

7.1 Acid sulfate soils

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

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

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

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

(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:

(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an

acid sulfate soils management plan is not required for the works, and

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

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

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

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

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

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

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

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

(7) Despite subclause (2), development consent is not required under this clause for the carrying out of works for the purpose of agriculture if:

(a) a contractual arrangement between the Sugar Milling Cooperative and a grower member of that cooperative for the production of sugar cane for milling is in force in respect of the land when the works are carried out, and

(b) the works are not carried out in respect of a major drain identified on the Acid Sulfate Soils Map, and

(c) the works are not carried out on land in Zone E2 Environmental Conservation or Zone E3 Environmental Management or on land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, and

(d) the works are carried out in accordance with an irrigation and drainage management plan that:

(i) is prepared in accordance with the *NSW Sugar Industry Best Practice Guidelines for Acid Sulfate Soils (2005)* approved by the Director-General of the Department of Infrastructure, Planning and Natural Resources on 25 May 2005, and

Note. The *NSW Sugar Industry Best Practice Guidelines for Acid Sulfate Soils (2005)* is available on the Department of Planning and Infrastructure's website.

(ii) is endorsed by the Sugar Milling Cooperative as being appropriate for the land.

(8) In this clause:

Sugar Milling Co-operative means the New South Wales Sugar Milling Co-operative Limited (ACN 051 052 209) or its successor.

7.2 Earthworks

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

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

(b) to allow earthworks of a minor nature without requiring separate development consent.

(2) Development consent is required for earthworks unless:

(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or

(b) the work is ancillary to other development for which development consent has been given.

(3) Before granting development consent for earthworks, the consent authority must consider the following matters:

(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,

(b) the effect of the proposed development on the likely future use or redevelopment of the land,

(c) the quality of the fill or the soil to be excavated, or both,

(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,

(e) the source of any fill material and the destination of any excavated material,

(f) the likelihood of disturbing relics,

(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

(4) Development consent for earthworks for which development consent is required in accordance with this clause must not be granted in relation to work on land identified as "Earthworks Exclusion Area" on the Earthworks Exclusion Map.

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

7.3 Flood planning

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

(a) to minimise the flood risk to life and property associated with the use of land,

(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,

(c) to avoid significant adverse impacts on flood behaviour and the environment.

(2) This clause applies to:

(a) land that is shown 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 to development on land to which this clause applies unless the consent authority is satisfied that the development:

(a) is compatible with the flood hazard of the land, and

(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and

(c) incorporates appropriate measures to manage risk to life from flood, and

(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

(4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause.

7.4 Floodplain risk management

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

(a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level,

(b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.

(2) This clause applies to:

(a) land between the flood planning area and the line indicating the level of the probable maximum flood as shown on the Flood Planning Map, and

(b) land surrounded by the flood planning area,

but does not apply to land subject to the discharge of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

(3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land:

(a) caravan parks,

(b) correctional facilities,

(c) emergency services facilities,

(d) group homes,

(e) hospitals,

(f) residential care facilities.

(g) tourist and visitor accommodation,

(4) In this clause:

probable maximum flood has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.

Note. The ***probable maximum flood*** is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

7.5 Coastal risk planning

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

(a) to avoid significant adverse impacts from coastal hazards,

(b) to enable evacuation of coastal risk areas in an emergency,

(c) to ensure uses are compatible with coastal risks.

(2) This clause applies to land identified as "Coastal Risk" on the Coastal Risk Planning Map.

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

(a) is likely to be adversely affected by the impacts of coastal hazards, and

(b) is likely to cause detrimental increases in coastal risks to other development or properties, and

(c) is likely to alter coastal processes and the impacts of coastal hazards to the detriment of the environment, and

(d) incorporates appropriate measures to manage risk to life from coastal risks, and

(e) avoids or minimises potential adverse effects from the impact of coastal processes and the exposure to coastal hazards, particularly if located seaward of the immediate hazard line, and

(f) makes provision for relocation, modification or removal of the development to adapt to the impact of coastal processes, coastal hazards and sea level rise planning benchmarks for New South Wales.

(4) A word or expression used in this clause has the same meaning as it has in the *NSW Coastal Planning Guidelines: Adapting to Sea Level Rise* (ISBN 978 1 74263 035 9) published by the NSW Government in August 2010, unless it is otherwise defined in this clause.

(5) In this clause, ***coastal hazard*** has the same meaning as it has in the *Coastal Protection Act 1979*.

7.6 Development on land subject to riverbank erosion

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

(a) to avoid significant adverse impacts on development and the environment as a result of riverbank soil erosion,

(b) to ensure land uses are compatible with riverbank erosion processes and risks.

(2) This clause applies to land identified as "Riverbank Erosion Area" on the Riverbank Erosion Planning Map.

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

(a) the proposed development is not likely to adversely affect, or be adversely affected by, riverbank erosion, and

(b) the development is designed, sited and will be managed to avoid any adverse environmental impact from exposure to riverbank erosion or, if that impact cannot be avoided, after having taken into consideration feasible alternatives, the development is designed, sited and will be managed to minimise that impact or to mitigate that impact if that impact cannot be minimised, and

(c) there is no immediate threat to any building from riverbank erosion, and

(d) provision has been made for the relocation, modification or removal of the development if required as a result of a threat to the development from riverbank erosion.

7.7 Drinking water catchment

(1) The objective of this clause is to protect drinking water catchments from the impacts of development by minimising adverse impacts on the quality and quantity of surface water and groundwater entering drinking water storages.

(2) This clause applies to land identified as "Drinking Water Catchment" on the Drinking Water Catchment Map.

(3) Consent must not be granted to the carrying out of development on land to which this clause applies unless the consent authority:

(a) has taken into consideration whether there will be any adverse impact on drinking water quality and flows having regard to the following:

(i) whether there is sufficient distance between the proposed development and waterways that feed into the water supply catchment,

(ii) the on-site use, storage and disposal of any chemicals on the development site,

(iii) the treatment, storage and disposal of wastewater and solid waste generated or used on the development site,

(iv) any other potential adverse impacts on the water quality and quantity within the catchments, and

(b) is satisfied that:

(i) the development is designed, sited and will be managed to avoid any adverse impact on water quality and flows, or

(ii) if that impact cannot be avoided, after having taken into consideration feasible alternatives, the development is designed, sited and will be managed to minimise that impact, or

(iii) if that impact cannot be minimised, the development will be managed to mitigate that impact.

7.8 Essential services

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

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage,

(d) stormwater drainage or on-site conservation,

(e) suitable road access.

7.9 Location of sex services premises

(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.

(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:

(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:

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

(ii) used for the purposes of a child care centre, a community facility, a school or a place of public worship,

(b) the impact the proposed development and its hours of operation would have on any place, likely to be regularly frequented by children:

(i) that adjoins the proposed development, or

(ii) that can be viewed from the proposed development, or

(iii) from which a person can view the proposed development.

7.10 Erection of rural workers' dwellings

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

(a) to ensure adequate provision for existing agricultural and rural industries that genuinely require accommodation for on-site employees on land in Zone RU1 Primary Production and Zone RU2 Rural Landscape,

(b) to enable development for a rural worker's dwelling if there is a genuine need to accommodate an on-site employee due to the nature of the agricultural or rural industry or the location of the land,

(c) to prevent development for a rural worker's dwelling if the agricultural or rural industry does not have the capacity to support the employment of rural workers.

(2) Development consent must not be granted for the erection of a rural worker's dwelling unless the consent authority is satisfied that:

(a) it is ancillary to a dwelling house or dual occupancy on the same lot and will be used as the principal place of residence by persons employed for the purpose of an existing agricultural or rural industry on that lot, and

(b) it will not impair the use of the lot for agricultural or rural industries, and

(c) there is a demonstrated economic capacity of the agricultural or rural industry to support the on-going employment of rural workers, and

(d) there is a demonstrated necessity to provide on-site accommodation via a rural worker's dwelling due either to the nature of the agricultural or rural industry that the workers are employed in or because of the remote or isolated location of the site, and

(e) it will not result in more than one rural worker's dwelling being erected on the lot on which the agricultural or rural industry is carried out.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Use of certain land at 206 Arthur Street, Grafton

(1) This clause applies to the land at 206 Arthur Street, Grafton being Lot 3, DP 746578 and part Lots 2 and 5, Section 126, DP 758470.

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

2 Use of certain land bounded by Milton, Bacon, Alice and Hoof Streets, Grafton

(1) This clause applies to the land bounded by Milton, Bacon, Alice and Hoof Streets, Grafton.

(2) Development for the purpose of animal boarding or training establishments is permitted with consent.

3 Use of certain land at 110 Bent Street, South Grafton

(1) This clause applies to the land at 110 Bent Street, Grafton being Lots 9 and 13–17, Section 16, DP 758914.

(2) Development for the purpose of vehicle repair stations or vehicle sales or hire premises is permitted with consent.

4 Use of certain land at Koala Lane, Townsend

(1) This clause applies to the land at Koala Lane, Townsend being Lot 24, DP 230180.

(2) Development for the purpose of a dwelling house is permitted with consent (except development on land that is within 100 metres of land within Zone E1 National Parks and Nature Reserves or Zone E2 Environmental Conservation).

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.

Cemeteries or burial grounds

(1) Must only be:

(a) the creation of a new grave or monument, or

(b) an excavation or disturbance of land for the purpose of carrying out the conservation or repair of a monument or grave marker.

(2) Must not disturb human remains, relics in the form of grave goods or an Aboriginal place of heritage significance.

Signage

(1) Must not cover mechanical ventilation inlet or outlet vents.

(2) Must relate to a lawful use of the land.

(3) Business identification signs in residential, rural or environment protection zones must comply with the following:

(a) maximum size—0.75m^2,

(b) must not be illuminated,

(c) only 1 sign per premises or, where there are 2 street frontages, only 2 signs per premises,

(d) must be located wholly within property boundaries of the land to which the sign relates, or be flush mounted to the front fence or front wall of a building (so that the sign does not protrude beyond the physical limits of that fence or building).

(4) Business identification signs in business zones must not be illuminated and must comply with the following:

(a) in the case of a suspended under awning sign:

(i) maximum length—2.5m and maximum height—0.5m, and

(ii) maximum size—1.5m^2, and

(iii) must be securely fixed by rigid metal supports, and

(iv) if over a public road, must be at least 2.6m above the ground or pavement level and not to extend beyond awning, and

(v) only 1 sign per premises,

(b) in the case of a flush wall sign:

(i) maximum size—8m^2, and

(ii) must be securely fixed by rigid metal supports, and

(iii) must not project above the top of the wall to which it is attached,

(c) in the case of a top hamper sign:

(i) maximum size—2.5m^2, and

(ii) must be securely fixed by rigid metal supports, and

(iii) must not extend below the level of the head of the doorway or window above which it is attached, and

(iv) must not be more than 3.7m above the ground level (existing).

(5) Business identification signs in industrial zones must comply with the following:

(a) maximum size—8m^2,

(b) must be securely fixed to a building or fence,

(c) must not be illuminated.

(6) Directional signs, name plates, community information signs and law enforcement signs erected by public authorities and erected over a public road must be at least 0.6m from the vertical projection of the kerb line, and suspended at least 2.6m above ground level (existing).

(7) Real estate signs advertising that the premises on which they are displayed are for sale or lease must comply with the following:

(a) maximum size in residential zones—2.5m^2,

(b) maximum size in business or industrial zones—4.5m^2,

(c) must be located wholly within the property boundaries of the land to which the sign relates or, if on the footpath, be flush against the property boundary,

(d) must not be erected on public land.

(8) Building identification signs must comply with the following:

(a) maximum size—0.75m^2,

(b) must not be illuminated,

(c) must be located wholly within the property boundaries of the land to which the sign relates or be flush mounted to the front fence or front wall of a building (so that the sign does not protrude beyond the physical limits of that fence or building),

(d) only 1 sign per premises (or, where there are 2 street frontages, only 2 signs per premises).

(9) Temporary signs must comply with the following:

(a) maximum size—0.75m^2,

(b) the sign must not be erected over a public road,

(c) where the sign is located on a public road reserve, the placement of the sign must not obstruct vehicular and/or pedestrian passage,

(d) the top of the sign must not exceed 2.4m above ground level (existing),

(e) must only announce an event of a religious, educational, cultural, political, social or recreational character or relate to a temporary matter in connection with the event,

(f) must not include advertising of a commercial nature (except for the name of the event's sponsor which is not to exceed 25% of the area of the sign),

(g) must not be displayed earlier than 28 days before the day on which the event is to take place or commence and must be removed within 14 days after the completion of the event,

(h) must not be more than 5 signs per event,

(i) the sign must not be fixed to any building or structure without the permission of the owner (including, in the case of public infrastructure, the permission of the relevant authority).

(10) Signs on motor vehicles must comply with the following:

(a) the sign must be integral part of the vehicle,

(b) the vehicle must be able to be moved lawfully with the sign in place,

(c) the vehicle must not be standing unattended on public land only for the purposes of displaying the sign.

Water recreation structures

(1) Must only be erected on canals and waterways in Yamba that are within Zone R2 Low Density Residential or W2 Recreational Waterways.

(2) Must be structurally adequate.

(3) Jetties (including any pontoons) must have a maximum length of 13m.

(4) Pontoons must have a maximum width of 8m.

Waste storage containers (such as a skip bins) on public land

(1) Only 1 container per property.

(2) Maximum length—3m.

(3) Must be subject to a minimum of $10 million public liability or risk insurance cover.

(4) Maximum of 14 days for container to be on public land, from the date of placement.

Schedule 3 Complying development

(Clause 3.2)

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

Part 1 Types of development

(When this Plan was made this Part was blank)

Part 2 Complying development certificate conditions

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

General conditions

Any development specified in Part 1 is subject to the same conditions set out in Division 3 of Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

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

Column 1	Column 2
Locality	**Description**
Nil	

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

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

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	**Description**
Nil	

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item No
Alumy Creek	Bridge	Butterfactory Lane	Road reserve	Local	I1
Alumy Creek	Community Hall site	465 Lawrence Road	Lot 258, DP 721126	Local	I2
Alumy Creek	Public School Museum	465 Lawrence Road	Lot 258, DP 721126	Local	I3
Alumy Creek	Alumy Creek Reserve	465 Lawrence Road	Lots 258 and 259, DP 721126	Local	I4
Alumy Creek	Austen's House	348 Lawrence Road	Lot 45, DP 977331	Local	I5
Angourie	Angourie Point Pools	Angourie Reserve	Property 128388	Local	I6
Angourie	Angourie Reserve	Angourie Road and Crown reserve (including Spookys Valley and Angourie Point Pools)	Property 128388	Local	I7
Angourie	Angourie National Park	The Lakes Boulevard	Property 119940	Local	I8
Angourie	Angourie Point	Yuraygir National Park	Property 119894	Local	I9
Ashby	Dry Dock	Clarence River	Reserve 1472–3050 Lot 1, DP123064; Lot 3, DP923588	Local	I10
Ashby	Residence ("Bathgate")	384 Murrayville Road	Lot 1, DP 17850	Local	I11

Suburb	Item name	Address	Property description	Significance	Item No
Ashby	Sarah Phillips headstone	168 Patemans Road	Lot 14, DP 1078938	Local	I12
Banyabba	Old Tenterfield Road	Old Grafton Road between Black Forest Lane and Summerland Way	Banyabba State Forest	Local	I14
Banyabba	Flying Horse Hotel site	4983 Pringles Way	Lot 210, DP 1051740	Local	I13
Baryulgil	The Square	7181 Clarence Way	Lot 5, DP 856073	Local	I18
Baryulgil	Aboriginal cemetery	351 Lionsville Road	Lot 30, DP 752401	Local	I15
Baryulgil	Asbestos Mine site	351 Lionsville Road	Lot 11, DP 752401	Local	I16
Baryulgil	Hall	351 Lionsville Road	Lot 1, DP 328235	Local	I17
Brooms Head	Brooms Head Hall	Brooms Head Road Reserve	Property 114797	Local	I19
Brooms Head	Pine trees	Brooms Head Reserve	Property 114797	Local	I20
Brushgrove	The Triangle (public open space)	Clarence, Donaldson and Woodford Streets	Reserve 97999, Lot 7300, DP 1128868	Local	I21
Brushgrove	Residence (former police station)	5–7 Clarence Street	Lot 2, Section 10, DP 758172	Local	I22
Brushgrove	Brushgrove Hotel	6–8 Clarence Street	Lots 1 and 2, DP 795840	Local	I23
Brushgrove	Residence	12–14 Clarence Street	Lots 7 and 8, Section 1, DP 758172	Local	I24
Brushgrove	Residence (former shops)	15 Clarence Street	Lot 2, DP 665929	Local	I25
Brushgrove	Post Office	34 Clarence Street	Lot 11, DP 592199	Local	I26

Suburb	Item name	Address	Property description	Significance	Item No
Brushgrove	Residence (2 former shops)	40 Clarence Street	Lot 3, Section 3, DP 758172	Local	I27
Brushgrove	Residence (former bank)	2 Donaldson Street	Lot 4, DP 758172	Local	I28
Brushgrove	Group of cottages	26 River Street	Lot 3, Section 6, DP 758172	Local	I29
Brushgrove	Group of cottages	28 River Street	Lot 4, Section 6, DP 758172	Local	I30
Brushgrove	Group of cottages	34 River Street	Lot 7, Section 6, DP 758172	Local	I31
Brushgrove	Group of cottages	36 River Street	Lot 8, Section 6, DP 758172	Local	I32
Brushgrove	Group of cottages	38 River Street	Lot 9, Section 6, DP 758172	Local	I33
Brushgrove	Group of cottages	40 River Street	Lot 10, Section 6, DP 758172	Local	I34
Brushgrove	The Common	Woodford Street	Lot 7009, DP 92606	Local	I35
Brushgrove	Uniting Church	11 Woodford Street	Lot 7, Section 5, DP 758172	Local	I36
Brushgrove	Free Presbyterian Church	13 Woodford Street	Lot 8, Section 5, DP 758172	Local	I37
Carnham	The Gorge	Adjacent to Gorge Road, Heifer Station	Clarence River	Local	I38
Carrs Creek	Orange Grove Cottage	18 Baker Street	Lot 11, DP 1118027; Lot 163, DP 751371	Local	I40
Carrs Creek	Hall (Carrs Creek School of Arts)	189 Drake Street	Lot 10, DP 1118037	Local	I39
Carrs Creek	Public School (former)	193 Drake Street	Lot 1, DP 1038556	Local	I41
Carrs Creek	School residence (former)	193 Drake Street	Lot 1, DP 1038556	Local	I42
Chambigne	Bawden Bridge	Old Grafton to Glen Innes Road over Orara River	Road reserve	Local	I43

Suburb	Item name	Address	Property description	Significance	Item No
Chatsworth Island	Puntmans cottage and ferry approach	Chatsworth Road reserve	Road reserve	Local	I44
Chatsworth Island	CSR Memorial	Chatsworth Road	Road reserve	Local	I45
Chatsworth Island	War memorial	Chatsworth Road	Road reserve	Local	I46
Chatsworth Island	Avenue of trees	Chatsworth Road	Road reserve	Local	I47
Chatsworth Island	Residence ("Glencoe")	Chatsworth Road	Lot 10, DP 1102140	Local	I48
Chatsworth Island	Former Presbyterian Church	1 Chatsworth Road	Lots 1 and 2, DP 392	Local	I49
Chatsworth Island	Residence	7 Chatsworth Road	Lot 8, DP 31960 and Lots 7 and 8, DP 392	Local	I50
Chatsworth Island	General store /Post Office	9 Chatsworth Road	Lot 8, DP 31960; Lots 9 and 10, DP 392	Local	I51
Chatsworth Island	Anglican Church	15 Chatsworth Road	Lots 13 and 14, DP 392	Local	I52
Chatsworth Island	Community hall	17 Chatsworth Road	Lots 15 and 16, DP 392	Local	I53
Chatsworth Island	Residence	27 Chatsworth Road	Lot 2, DP 223663	Local	I54
Chatsworth Island	Residence and shop	29 Chatsworth Road	Lot 1, DP 22413	Local	I55
Chatsworth Island	Residence	35 Chatsworth Road	Lots 28 and 29, DP 392	Local	I56
Chatsworth Island	Residence	39–57 Chatsworth Road	Lot 11, DP 804169	Local	I57
Chatsworth Island	Primary school and residence	136–140 Chatsworth Road	Lot 165, DP 751373	Local	I58

Suburb	Item name	Address	Property description	Significance	Item No
Chatsworth Island	Residence	144 Chatsworth Road	Lot 2, DP 571949	Local	I59
Chatsworth Island	Residence	10 Fig Tree Lane	Lots 32 and 33, DP 392	Local	I60
Chatsworth Island	Residence	114 North Arm Drive	Lot 25, DP 661428	Local	I61
Coaldale	Coaldale-Barretts Creek Memorial Hall	Corner of Coaldale and Lankeys Creek Road	Lot 1, DP 943135; Lot 7004, DP 92929; Lot 17, DP 255115	Local	I63
Coaldale	Roberts Cottage	2634 Coaldale Road	Part Lot 25, DP 751364	Local	I62
Copmanhurst	Church of the Holy Apostles Rectory (former)	3 Cangi Street	Lot 417, DP 805089	Local	I69
Copmanhurst	Copmanhurst and Upper Clarence war memorial	Grafton Street	Lots 1 and 2, Section 25, DP 758290	Local	I71
Copmanhurst	Memorial Hall	Grafton Street	Lots 1 and 2, Section 25, DP 758290	Local	I72
Copmanhurst	Powder Store (former)	7 Prescott Street	Lot B, Section 13, DP 436006	Local	I70
Copmanhurst	CBC Bank (former) and residence	9 Prescott Street	Lot A, DP 436006	Local	I67
Copmanhurst	Public school, residence and saddlery	11 Prescott Street	Lot 2, DP 870095	Local	I66
Copmanhurst	Police Station and residence	12 Prescott Street	Lot 1, Section 24, DP 758290	Local	I64
Copmanhurst	Saleyards (former) and well	14 Stuart Street	Lots 390 and 244, DP 751366	Local	I65
Copmanhurst	Church of the Holy Apostles	26 Sussex Street	Lot 418, DP 805089	Local	I68
Copmanhurst	Rest Point Hotel	59 Grafton Street	Lot 13, DP 1039613	Local	I73

Suburb	Item name	Address	Property description	Significance	Item No
Dalmorton	Police Lock-up and Court House	Old Glen Innes Road	Lot 6, DP 753518 (NPWS)	Local	I74
Dalmorton	Mount Remarkable Gold Mine	Old Glen Innes Road Sheep Station Creek, Parish of Springbrook, County of Gresham	Lot 3, DP753533	Local	I75
Dalmorton	Convict built road tunnel	Old Glen Innes Road	Road reserve	Local	I76
Deep Gully	Grimsby House	805 Summerland Way	Lot 1, DP 196160	Local	I77
Eighteen Mile	Eighteen Mile Station-dingo fence	200 Eighteen Mile Road	Lot 1112, DP 706268	Local	I78
Eighteen Mile	Eighteen Mile Station-sheep dip	487 Eighteen Mile Road	Lot 62, DP 610343	Local	I79
Ewingar	Ewingar Hall	584 Ewingar Road	Lot 631, DP 835486	Local	I81
Ewingar	Bob-tail, Ewingar State Forest	North Ewingar Road	Ewingar State Forest	Local	I80
Ewingar	Forestry camp, Ewingar State Forest	North Ewingar Road	Ewingar State Forest	Local	I82
Fine Flower	Pluck copper smelter and mines site (former)	1 km SW of Fine Flower TSR 49022	Lot 7008, DP 1054452	Local	I83
Glenreagh	Catholic Church	16 Boundary Street	Lot 1, DP 327442	Local	I85
Glenreagh	General Store	47 Coramba Street	Lot 27, DP 6504	Local	I86
Glenreagh	Anglican Church	50 Coramba Street	Lot 5, DP 6506	Local	I84
Glenreagh	School of Arts	62 Coramba Street	Lot 4, Section 6, DP 752843	Local	I88

Suburb	Item name	Address	Property description	Significance	Item No
Glenreagh	Railway Station	Off Sherwood Creek Road	Lot 2, DP 785174	Local	I87
Gordon Brook	Pulganbar mercury smelter (former)	South bank of Pulganbar Creek, corner of Clarence Way and Gordon Brook Road, Pulganbar	Lot 24, DP 752391 and TSR 49024	Local	I89
Grafton	Grafton railway viaduct	Alice Street	Road reserve	Local	I947
Grafton	Dwelling	2 Alice Street	Lot 1, DP 101002; Lot 1, DP 735901	Local	I948
Grafton	Dwelling	6 Alice Street	Lot 2, DP 1042740	Local	I439
Grafton	Dwelling	10 Alice Street	Lot 20B, DP 398837	Local	I440
Grafton	Dwelling ("Abbotsford")	11 Alice Street	Lot 10, Section 18, DP 758470	Local	I90
Grafton	Dwelling ("Smithholme")	12 Alice Street	Lot 3, DP 400439	Local	I441
Grafton	Dwelling ("Bronte")	13 Alice Street	Lot 11, Section 18, DP 758470	Local	I91
Grafton	Dwelling (group value)	14 Alice Street	Lot 2, DP 400439	Local	I442
Grafton	Dwelling	18 Alice Street	Lot 11, DP 606569	Local	I443
Grafton	Dwelling (group value)	23 Alice Street	Lot 14, DP 758470	Local	I444
Grafton	Dwelling	25 Alice Street	Lot 15, DP 758470	Local	I445
Grafton	Dwelling (group value)	27 Alice Street	Lot 1, DP 734205	Local	I446
Grafton	Dwelling (group value)	29 Alice Street	Lot 2, DP 734205	Local	I447
Grafton	Dwelling (group value)	40 Alice Street	Lot 1, DP 199607	Local	I448

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling	47 Alice Street	Lot 1, DP 328707	Local	I449
Grafton	Dwelling	97 Alice Street	Lot 9, DP 238906	Local	I450
Grafton	Dwelling	119 Alice Street	Lot 1, DP 1035349	Local	I451
Grafton	Dwelling (group value)	132 Alice Street	Lot 2, DP 784913	Local	I452
Grafton	Residence	133 Alice Street	Lot 1, DP 124245	Local	I453
Grafton	Dwelling (group value)	134 Alice Street	Lot 5, DP 744164	Local	I454
Grafton	Dwelling (group value)	135 Alice Street	Lot 12, DP 833297	Local	I455
Grafton	Dwelling ("Rosslyn")	137 Alice Street	Lot 4, DP 747096	Local	I92
Grafton	Dwelling (group value)	139 Alice Street	Lot 3, DP 747096	Local	I456
Grafton	Dwelling (group value)	140 Alice Street	Lot 17, DP 758470	Local	I457
Grafton	Dwelling (group value)	141 Alice Street	Lot 2, DP 747096	Local	I458
Grafton	Dwelling (former Tracker Robinson's cottage)	143 Alice Street	Lot 10, DP 758470	Local	I459
Grafton	Dwelling ("Carrington Villa")	144 Alice Street	Lot 1, DP 718451; Lot 15, DP 758470	Local	I460
Grafton	Dwelling (group value)	145 Alice Street	Lot 2, DP 784419	Local	I461
Grafton	Dwelling (group value)	147 Alice Street	Lot 1, DP 784419	Local	I462
Grafton	Dwelling (group value)	149 Alice Street	Lot 1, DP 745101	Local	I463
Grafton	Dwelling	181 Alice Street	Lot 1, DP 783770	Local	I464

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	187 Alice Street	Lot 1, DP 784281	Local	I465
Grafton	Dwelling (group value)	192 Alice Street	Lot 1, DP 703958	Local	I466
Grafton	Dwelling	195 Alice Street	Lot 3, DP 784277	Local	I467
Grafton	Dwelling	103 Arthur Street	Lot 1, DP 782428	Local	I468
Grafton	Dwelling	109 Arthur Street	Lots 1 and 2, DP 780670	Local	I469
Grafton	Memorial Avenue trees	Bacon Street	Road reserve	Local	I470
Grafton	Dwelling	4 Bacon Street	Lot 3, DP 782991	Local	I471
Grafton	Dwelling (group value)	38 Bacon Street	Lot 74, DP 1066020	Local	I472
Grafton	Dwelling (group value)	40 Bacon Street	Lot 1, DP 783532	Local	I473
Grafton	Dwelling (“The Rosary”)	41 Bacon Street	Lot 1, DP 718422	Local	I474
Grafton	Dwelling (group value)	42 Bacon Street	Lot 1, DP 806087	Local	I475
Grafton	Dwelling (group value)	44 Bacon Street	Lot 3, DP 783513	Local	I476
Grafton	Dwelling (group value)	45 Bacon Street	Lot 1, DP 212926	Local	I477
Grafton	Dwelling (group value)	46 Bacon Street	Lot 2, DP 783513	Local	I478
Grafton	Dwelling (group value)	54 Bacon Street	Lot 2, DP 344487	Local	I479
Grafton	Dwelling	60 Bacon Street	Lot 1, DP 311911	Local	I480
Grafton	Dwelling (group value)	64 Bacon Street	Lot A, DP 360121	Local	I481
Grafton	Dwelling (group value)	65–67 Bacon Street	Lot 3, DP 782872	Local	I482

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	69 Bacon Street	Lot 1, DP 781394	Local	I483
Grafton	Dwelling (group value)	95 Bacon Street	Lot 1, DP 196316	Local	I484
Grafton	Dwelling (group value)	96 Bacon Street	Lot 2, DP 350777	Local	I485
Grafton	Dwelling ("Kelso")	100 Bacon Street	Lot 5, DP 667429	Local	I486
Grafton	Dwelling (group value)	101 Bacon Street	Lot 1, DP 770204	Local	I487
Grafton	Masonic Centre (group value)	104 Bacon Street	Lots 1–3, DP 1427	Local	I488
Grafton	Dwelling (group value)	105 Bacon Street	Lot 105, DP 1077112	Local	I489
Grafton	Dwelling (group value)	107 Bacon Street	Lot 11, DP 996957	Local	I490
Grafton	Dwelling	135 Bacon Street	Lot 1, DP 1063727	Local	I491
Grafton	Dwelling (group value)	147 Bacon Street	Lot 2, DP 868616	Local	I492
Grafton	Dwelling (group value)	149 Bacon Street	Lot 1, DP 778851	Local	I493
Grafton	Dwelling ("Orara")	151 Bacon Street	Lot 4, DP 78954	Local	I494
Grafton	Dwelling (group value)	153 Bacon Street	Lot 1, DP 797489	Local	I495
Grafton	Oddfellows Hall	155 Bacon Street	Lot 6, DP 1113868	Local	I496
Grafton	Dwelling	193–195 Bacon Street	Lots 2 and 3, DP 1217	Local	I438
Grafton	Dwelling (group value)	219 Bacon Street	Lot 1, DP 742828	Local	I497
Grafton	Dwelling (group value)	221 Bacon Street	Lot 1, DP 783556	Local	I498
Grafton	Dwelling (group value)	223 Bacon Street	Lot 5, DP 798102	Local	I499

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling	235 Bacon Street	Lot 1, DP 709790	Local	I500
Grafton	Dwelling	1 Bawden Street	Lot 1, DP 779793	Local	I501
Grafton	Dwelling (group value)	2 Bawden Street	Lot 1, DP 331676	Local	I502
Grafton	Dwelling (group value)	3 Bawden Street	Lot 1, DP 798090	Local	I503
Grafton	Dwelling (group value)	21 Bowtell Avenue	Lot 2, DP 403801	Local	I504
Grafton	Dwelling (group value)	29 Bowtell Avenue	Lot 6B, DP 372503	Local	I505
Grafton	Dwelling	39–41 Bowtell Avenue	Lot 2, DP 533309	Local	I506
Grafton	Dwelling (group value)	43 Bowtell Avenue	Lot 1, DP 784468	Local	I507
Grafton	Dwelling (group value)	49 Bowtell Avenue	Lot 104, DP 1104544	Local	I508
Grafton	Dwelling	51 Bowtell Avenue	Lot 1, DP 779634	Local	I509
Grafton	Dwelling (“Dovedale”)	8 Breimba Street	Lot 4, DP 37623	Local	I93
Grafton	Dwelling	46 Breimba Street	Lot 21, DP 607170	Local	I510
Grafton	Grafton rail and ferry wharf site	Clarence River (north bank)	Clarence River	Local	I511
Grafton	SS Induna and Bow Memorial	Clarence River (riverbank)	Clarence River	Local	I133
Grafton	Susan Island	Clarence River	Lot 7021, DP 92919	Local	I512
Grafton	Elizabeth Island	Clarence River	Lot 7010, DP 93045	Local	I513
Grafton	Grafton rail and road bridge over Clarence River	Clarence River	Clarence River	State	I134
Grafton	Grafton railway viaduct	Clarence Street	Road reserve	Local	I514

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Footpath sign	Clarence Street	Road reserve	Local	I515
Grafton	Coronation Plaque	Clarence Street railway viaduct	Road reserve	Local	I516
Grafton	Dwelling (group value)	5 Clarence Street	Lot 1, DP 2795	Local	I517
Grafton	Dwelling (group value)	10 Clarence Street	Lot 20, DP 8220	Local	I518
Grafton	Dwelling (group value)	12 Clarence Street	Lot 1, DP 710917	Local	I519
Grafton	Dwelling (group value)	26 Clarence Street	Lot 1, DP 781324	Local	I520
Grafton	Dwelling (group value)	27 Clarence Street	Lot 1, DP 782870	Local	I521
Grafton	Dwelling (group value)	28 Clarence Street	Lot A, DP 160258	Local	I522
Grafton	Dwelling (group value)	29 Clarence Street	Lot 2, DP 782870	Local	I523
Grafton	Dwelling (group value)	30 Clarence Street	Lot 1, DP 781296	Local	I524
Grafton	Dwelling (group value)	31 Clarence Street	Lot 1, DP 780547	Local	I525
Grafton	Dwelling	46 Clarence Street	Lot 4, DP 783477	Local	I526
Grafton	Dwelling	60 Clarence Street	Lot 4, DP 1077339	Local	I527
Grafton	Dwelling (group value)	95 Clarence Street	Lot 4, DP 19897	Local	I528
Grafton	Dwelling (group value)	97 Clarence Street	Lot 3, DP 19897	Local	I529
Grafton	Dwelling (group value)	99 Clarence Street	Lot 2, DP 19897	Local	I530
Grafton	Dwelling (group value)	101 Clarence Street	Lot 1, DP 19897	Local	I531

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Grafton Cemetery	Crown Street	Lot 249, DP 751371; Lot 7025, DP 1125140; Lot 1, DP 668332; Lot 1, DP 1121819; Lot 100, DP 669305	Local	I532
Grafton	Showground complex	Dobie Street	Lot 1, DP 662827; Lot 235, DP 751371	Local	I533
Grafton	Showground caretaker's cottage	Dobie Street	Lot 1, DP 662827	Local	I534
Grafton	Fisher's drain	Dobie Street	Lot 1, DP 662827	Local	I535
Grafton	Dwelling	78 Dobie Street	Lot 5, DP 19897	Local	I536
Grafton	Dwelling	106 Dobie Street	Lot 1, DP 999826	Local	I537
Grafton	Dwelling	108 Dobie Street	Lot 1, DP 1098418	Local	I538
Grafton	Dwelling	138 Dobie Street	Lot 1, DP 14306	Local	I539
Grafton	Dwelling (group value)	140 Dobie Street	Lot 2, DP 14306	Local	I540
Grafton	Dwelling (group value)	142 Dobie Street	Lot 3, DP 14306	Local	I541
Grafton	Dwelling (group value)	144 Dobie Street	Lot 4, DP 14306	Local	I542
Grafton	Dwelling (group value)	148 Dobie Street	Lot 6, DP 14306	Local	I543
Grafton	Dwelling (group value)	150 Dobie Street	Lot 7, DP 14306	Local	I544
Grafton	Dwelling (group value)	151 Dobie Street	Lot 1, DP 601830	Local	I545

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	152 Dobie Street	Lot 8, DP 14306	Local	I546
Grafton	Dwelling (group value)	153 Dobie Street	Lot 1, DP 798079	Local	I547
Grafton	Dwelling (group value)	154 Dobie Street	Lot 9, DP 14306	Local	I548
Grafton	Dwelling (group value)	158 Dobie Street	Lot 11, DP 14306	Local	I549
Grafton	Dwelling	209 Dobie Street	Lot A, DP 156297	Local	I550
Grafton	Dwelling (former Hoffman's Vineyard Hotel)	211 Dobie Street	Lot 3, DP 798353	Local	I551
Grafton	Dwelling	219 Dobie Street	Lot 2, DP 798338	Local	I552
Grafton	Dwelling	1 Dovedale Street	Lot 3, DP 14456	Local	I553
Grafton	Dwelling (group value)	7 Dovedale Street	Lot 5, DP 14456	Local	I554
Grafton	Dwelling (group value)	9 Dovedale Street	Lot 9, DP 1083202	Local	I555
Grafton	Dwelling (group value)	11 Dovedale Street	Lot 1, DP 14456	Local	I556
Grafton	Grafton railway viaduct	Duke Street	Road reserve	Local	I557
Grafton	Christ Church Cathedral	Duke Street	Lots 8 and 10, Section 9, DP 758470	State	I96
Grafton	Christ Church Hall	Duke Street	Lot 8, Section 9, DP 758470	State	I98
Grafton	Victorian cottage	Duke Street	Lots D and E, DP 51	State	I100
Grafton	Georgian cottage	Duke Street	Lots F and G, DP 51	State	I99
Grafton	The Deanery	Duke Street	Lot 9, DP 866434	Local	I97

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Crown Prosecutor's Office (former police station)	Duke Street	Lot 1, DP 832009	Local	I95
Grafton	Police inspector's residence (former)	1 Duke Street	Part Lot 701, DP 92920	Local	I94
Grafton	Flats	67 Duke Street	Lot 1, DP 713500	Local	I558
Grafton	Dwelling (group value)	1 Fisher Street	Lot 7, DP 978010	Local	I559
Grafton	Dwelling (group value)	3 Fisher Street	Lot 6, DP 978010	Local	I560
Grafton	Dwelling ("Avoca")	1 Fitzroy Street	Lot 1, DP 840332	Local	I561
Grafton	Dwelling	3 Fitzroy Street	Lot 2, DP 840332	Local	I562
Grafton	Dwelling (group value)	5 Fitzroy Street	Lot 1, DP 1127729	Local	I563
Grafton	Dwelling	6 Fitzroy Street	Lots 1 and 2, DP 782857	Local	I564
Grafton	Dwelling (group value)	7 Fitzroy Street	Lot 1, DP 1065647	Local	I565
Grafton	Dwelling (group value)	8 Fitzroy Street	Lot 4, DP 207989	Local	I566
Grafton	Dwelling (group value)	10 Fitzroy Street	Lot 3, DP 207989	Local	I567
Grafton	Dwelling (group value)	12 Fitzroy Street	Lot 2, DP 207989	Local	I568
Grafton	Dwelling (group value)	14 Fitzroy Street	Lot 1, DP 207989	Local	I569
Grafton	Dwelling ("Lockrannock")	16 Fitzroy Street	Lot 3, DP 1106615	Local	I570
Grafton	Dwelling (group value)	25 Fitzroy Street	Lot 3, DP 2795	Local	I571
Grafton	Dwelling (group value)	31 Fitzroy Street	Lot 7, DP 579120	Local	I572

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling ("Dunnville")	33 Fitzroy Street	Lot 1, DP 1099098	Local	I573
Grafton	Dwelling (group value)	57 Fitzroy Street	Lot 12, DP 628075	Local	I574
Grafton	Shops (group value)	91–95 Fitzroy Street	Lots 23 and 24, DP 111	Local	I575
Grafton	Grafton Hotel (group value)	97 Fitzroy Street	Lot 150, DP 1079812	Local	I576
Grafton	Grafton Club (former)	139 Fitzroy Street	Lot 112, DP 1027843	Local	I577
Grafton	Flats (former Runnymede Hospital)	148 Fitzroy Street	Lot 1, DP 744269	Local	I578
Grafton	Dwelling (group value)	152 Fitzroy Street	Lot 1, DP 1067892	Local	I579
Grafton	Dwelling (group value)	154 Fitzroy Street	Lot 1, DP 782289	Local	I580
Grafton	Dwelling	157 Fitzroy Street	Lot 1, DP 743079	Local	I581
Grafton	Grafton Regional Gallery ("Prentice House")	158 Fitzroy Street	Lot B, DP 359677	Local	I102
Grafton	Dwelling (group value)	159 Fitzroy Street	Lot 1, DP 714626	Local	I582
Grafton	Dwelling (group value)	161 Fitzroy Street	Lot 6, DP 1098017	Local	I583
Grafton	Dwelling ("Girraween")	163–165 Fitzroy Street	Lot 1, DP 709860	Local	I584
Grafton	Dwelling ("Loch Lomond")	167 Fitzroy Street	Lot 1, DP 199745	Local	I585
Grafton	Dwelling (group value)	169 Fitzroy Street	Lot 1, DP 1075221	Local	I586
Grafton	Dwelling ("Argyll")	170 Fitzroy Street	Lot 1, DP 332748	Local	I103
Grafton	Free Kirk Church	172 Fitzroy Street	Lot 1, DP 664189	Local	I587

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling ("Hubbard House")	174 Fitzroy Street	Lot 1B, DP 974209	Local	I588
Grafton	Dwelling ("Hockey House")	177 Fitzroy Street	Lot 10, DP 707086	Local	I589
Grafton	Dwelling (group value)	178 Fitzroy Street	Lot 1, DP 946179	Local	I590
Grafton	Dwelling	182 Fitzroy Street	Lot 1, DP 727961	Local	I591
Grafton	Dwelling (group value)	184 Fitzroy Street	Lot 4, DP 668342	Local	I592
Grafton	Museum ("Schaeffer House")	192 Fitzroy Street	Lot 3, DP 521140	Local	I104
Grafton	Dwelling (group value)	196 Fitzroy Street	Lot 1, DP 743271	Local	I593
Grafton	Dwelling ("Ulverstone")	197 Fitzroy Street	Lots 1 and 2, DP 738000; Lot 2, DP 506485	Local	I105
Grafton	Dwelling (group value)	199 Fitzroy Street	Lot 1, DP 745943	Local	I594
Grafton	Dwelling (group value)	201 Fitzroy Street	Lot 2, DP 346196	Local	I595
Grafton	Dwelling (group value)	202 Fitzroy Street	Lot 1, DP 996400	Local	I596
Grafton	Dwelling	204 Fitzroy Street	Lot 1, DP 778830	Local	I597
Grafton	Dwelling	206 Fitzroy Street	Lot 2, DP 159633	Local	I598
Grafton	Dwelling (group value)	208 Fitzroy Street	Lot 1, DP 159633	Local	I599
Grafton	Dwelling	213 Fitzroy Street	Lot 5, DP 25861	Local	I106
Grafton	Dwelling	222 Fitzroy Street	Lot 8, DP 1097311	Local	I600

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Pioneer Park	Fry Street	Lot 201, DP 1150987; Lot 19A, DP 318372; Lot 1, DP 798328	Local	I601
Grafton	Dwelling (“Dovedale”)	1 Fry Street	Lot 12, DP 1100145	Local	I602
Grafton	Dwelling (group value)	129 Fry Street	Lot 2, DP 15237	Local	I603
Grafton	Dwelling (group value)	131 Fry Street	Lot 5, DP 1083512	Local	I604
Grafton	Dwelling (former Methodist parsonage)	133 Fry Street	Lot 1, DP 712827	Local	I107
Grafton	Dwelling (group value)	135 Fry Street	Lot 1, DP 1123619	Local	I605
Grafton	Dwelling (group value)	137 Fry Street	Lot 1, DP 309236	Local	I606
Grafton	Grafton Free Presbyterian Church	138 Fry Street	Lot 25, DP 778063	Local	I108
Grafton	Dwelling (group value)	140 Fry Street	Lot 24, DP 778063	Local	I607
Grafton	Dwelling	142 Fry Street	Lot 2, DP 667693	Local	I608
Grafton	Dwelling	144 Fry Street	Lot B, DP 936051	Local	I609
Grafton	Dwelling (group value)	145 Fry Street	Lots 1 and 2, DP 732794	Local	I610
Grafton	Dwelling	147 Fry Street	Lot 1, DP 871738	Local	I611
Grafton	Dwelling (“Kinnear”)	214 Fry Street	Lot 2, DP 743617	Local	I612
Grafton	Dwelling (“The Ranch”)	314 Fry Street	Lot 1A, DP 158470	Local	I613

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Industrial complex (former Peters Ice Cream factory)	373 Fry Street	Lot 50, DP 1168048; Lot 4, DP 364220; Lot 1, DP 936595	Local	I614
Grafton	Dwelling	12 Garden Street	Lot 8, DP 1100566	Local	I615
Grafton	Dwelling (former Glyndon Private Hospital)	4 Greaves Street	Lot 13, DP 1048362	Local	I616
Grafton	Grafton Correctional Centre	170 Hoof Street	Lots 1–6, Section 118, DP 758470	State	I109
Grafton	Dwellings (group value)	8–10 Kemp Street	Lot 1, DP 348167	Local	I617
Grafton	Dwelling (group value)	16 Kemp Street	Lot 5, DP 179678	Local	I618
Grafton	Dwelling (group value)	18 Kemp Street	Lot 4, DP 313752	Local	I619
Grafton	Dwelling (group value)	22 Kemp Street	Lot 2, DP 303427	Local	I620
Grafton	Dwelling (group value)	12 Kent Street	Lot 9, DP 12717	Local	I621
Grafton	Dwelling (group value)	14 Kent Street	Lot 1, DP 782843	Local	I622
Grafton	Dwelling (group value)	16 Kent Street	Lot 2, DP 782843	Local	I623
Grafton	Dwelling (group value)	18 Kent Street	Lot 1, DP 713416	Local	I624
Grafton	Dwelling (group value)	22 Kent Street	Lot 2, DP 564774	Local	I625
Grafton	Dwelling (group value)	24 Kent Street	Lot 2, DP 781258	Local	I626
Grafton	Dwelling (group value)	26 Kent Street	Lot 1, DP 781258	Local	I627
Grafton	Dwelling (group value)	28 Kent Street	Lot 1, DP 744400	Local	I628

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	30 Kent Street	Lot 2, DP 780546	Local	I629
Grafton	Dwelling	54 Kent Street	Lot 1, DP 995538	Local	I630
Grafton	Sewage pump station	70 Kent Street	Lot 40, DP 1106899	Local	I631
Grafton	Grafton railway viaduct	Mary Street	Road reserve	Local	I632
Grafton	Dwelling ("Fowey")	1 Mary Street	Lot 1, DP 650134	Local	I633
Grafton	Dwelling (group value)	7 Mary Street	Lot 21, DP 1136853	Local	I634
Grafton	Dwelling (group value)	8 Mary Street	Lot 3, DP 847000	Local	I635
Grafton	Dwelling (group value)	9 Mary Street	Lot B, DP 920320	Local	I636
Grafton	Dwelling	10 Mary Street	Lot 2, DP 1075221	Local	I637
Grafton	Dwelling (group value)	11 Mary Street	Lot A, DP 920320	Local	I638
Grafton	Dwelling	13 Mary Street	Lot 1, DP 920455	Local	I110
Grafton	Dwelling (group value)	24 Mary Street	Lot 11, DP 158928	Local	I639
Grafton	Dwellings	26 Mary Street	Lot 10, DP 158928	Local	I640
Grafton	Dwelling	29 Mary Street	Lot 11, DP 599829	Local	I641
Grafton	Dwelling (group value)	30 Mary Street	Lot 1, DP 997186	Local	I642
Grafton	Dwelling (group value)	33 Mary Street	Lot 5, DP 118158	Local	I643
Grafton	Dwelling (group value)	35 Mary Street	Lot 6, DP 118158	Local	I644
Grafton	Dwelling (group value)	36 Mary Street	Lot 1, DP 358322	Local	I645

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	37 Mary Street	Lot 1, DP 1129786	Local	I646
Grafton	Dwelling (group value)	41 Mary Street	Lot 1, DP 742706	Local	I647
Grafton	Dwelling (group value)	57 Mary Street	Lot 3, DP 37397	Local	I648
Grafton	Dwelling (group value)	59 Mary Street	Lot 4, DP 37397	Local	I649
Grafton	Dwelling (group value)	61 Mary Street	Lot 5, DP 37397	Local	I650
Grafton	Grafton High School and hall	95 Mary Street	Lot 150, DP 1068973	Local	I651
Grafton	Grafton Teachers Centre	97 Mary Street	Lot 150, DP 1068973	Local	I111
Grafton	Dwelling (group value)	108 Mary Street	Lot 1, DP 573610	Local	I652
Grafton	Dwelling (group value)	110 Mary Street	Lot 1, DP 938936	Local	I653
Grafton	Dwelling	120 Mary Street	Lot 11, DP 628354	Local	I654
Grafton	Shop	123 Mary Street	Lot 1, DP 770282	Local	I655
Grafton	Dwelling	129 Mary Street	Lot D, DP 413151	Local	I656
Grafton	Dwelling (“St Elmo”)	131 Mary Street	Lot 5, DP 758470	Local	I657
Grafton	Dwelling (“Emohruo”)	165 Mary Street	Lot 15, DP 219617	Local	I658
Grafton	Dwelling	232 Mary Street	Lot 8, DP 8022	Local	I659
Grafton	Dwelling (former Grafton station master’s residence)	3 Maud Street	Lot 2, DP 501952	Local	I660
Grafton	Dwelling (group value)	5 Maud Street	Lot 2, DP 1113766	Local	I661
Grafton	Dwelling (group value)	6 Maud Street	Lot 2, DP 798141	Local	I662

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	7 Maud Street	Lot 3, DP 904572	Local	I663
Grafton	Dwelling (group value)	9 Maud Street	Lot 9, DP 524	Local	I664
Grafton	Dwelling (group value)	10 Maud Street	Lot 1, DP 798146	Local	I665
Grafton	Dwelling	14 Maud Street	Lot 1, DP 798147	Local	I666
Grafton	Dwelling (group value)	15 Maud Street	Lot 2, DP 339664	Local	I667
Grafton	Dwelling (group value)	21 McHugh Street	Lot 29, DP 770527	Local	I668
Grafton	Dwelling (group value)	25 McHugh Street	Lot 1, DP 782977	Local	I669
Grafton	Dwelling (“Stratham”)	50 McHugh Street	Lot 1, DP 157716	Local	I670
Grafton	Dwelling	20 Morrison Street	Lot 21, DP 242903	Local	I671
Grafton	Dwelling	2 Oliver Street	Lot 1, DP 1044225	Local	I672
Grafton	Dwelling (“Lowestoft”)	3 Oliver Street	Lot 1, DP 782997	Local	I673
Grafton	Dwelling (“Rosebank”)	6 Oliver Street	Lot B, DP 158039	Local	I674
Grafton	Dwelling	27 Oliver Street	Lot 1, DP 782970	Local	I675
Grafton	Dwelling	29 Oliver Street	Lot 1, DP 738636	Local	I676
Grafton	Dwelling (former Presbyterian manse)	111 Oliver Street	Lot 12, DP 1079850	Local	I113
Grafton	St Andrew’s Presbyterian Church	116 Oliver Street	Lot 11, DP 1079850	Local	I112
Grafton	Dwelling	139 Oliver Street	Lot 1, DP 1054094	Local	I677

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	141 Oliver Street	Lot 1, DP 743220	Local	I678
Grafton	Dwelling	143 Oliver Street	Lot 1, DP 998361	Local	I679
Grafton	Dwelling	146 Oliver Street	Lot 3, DP 358440	Local	I680
Grafton	Theatre ("The Criterion")	149 Oliver Street	Lot 1, DP 978009	Local	I681
Grafton	Dwelling	151 Oliver Street	Lot 2, DP 978009	Local	I682
Grafton	Dwelling (group value)	153 Oliver Street	Lot B, DP 162186	Local	I683
Grafton	Dwelling (group value)	155 Oliver Street	Lot A, DP 162186	Local	I684
Grafton	Baptist Church	158 Oliver Street	Lot 11, DP 758470	Local	I685
Grafton	Dwelling ("Telarah")	289 Oliver Street	Lot 1, DP 657317	Local	I114
Grafton	Dwelling	27 Orara Street	Lot 101, DP 1146480	Local	I686
Grafton	Grafton railway viaduct	Pound Street	Road reserve	Local	I687
Grafton	King George V plaque	Pound Street	Road reserve	Local	I688
Grafton	Volckers Memorial	Pound Street	Road reserve	Local	I689
Grafton	Dwelling	1 Pound Street	Lot 1, DP 12717	Local	I690
Grafton	Dwelling	4 Pound Street	Lot 1, DP 782845	Local	I691
Grafton	Dwelling ("Clarenden")	13 Pound Street	Lot 1, DP 817474	Local	I692
Grafton	Dwelling	14 Pound Street	Lot 4, DP 781258	Local	I693
Grafton	Dwelling	31 Pound Street	Lot 4, DP 783118	Local	I694

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Educational establishment ("Dunvegan")	47 Pound Street	Lot 100, DP 851143	Local	I115
Grafton	Dwelling (group value)	155 Pound Street	Lot 1, DP 781239	Local	I695
Grafton	Dwellings	156–158 Pound Street	Lot 1, DP 57863	Local	I696
Grafton	Dwelling (group value)	157 Pound Street	Lot 1, DP 199617	Local	I697
Grafton	Dwelling (group value)	159 Pound Street	Lot 1, DP 779252	Local	I698
Grafton	Dwelling (group value)	163 Pound Street	Lot 1, DP 784461	Local	I699
Grafton	Dwelling	164 Pound Street	Lot 41, DP 1026114	Local	I700
Grafton	Dwelling (group value)	166 Pound Street	Lot 40, DP 1026114	Local	I701
Grafton	Dwelling	172 Pound Street	Lot 1, DP 196956	Local	I702
Grafton	Dwellings	174–178 Pound Street	Lot 5, DP 1087138	Local	I703
Grafton	Dwelling (group value)	180 Pound Street	Lot 2, DP 308064	Local	I704
Grafton	Dwelling (group value)	182 Pound Street	Lot 1, DP 308064	Local	I705
Grafton	Dwelling (group value)	187 Pound Street	Lot 2, DP 306806	Local	I706
Grafton	Dwelling (group value)	189 Pound Street	Lot 31, DP 1035413	Local	I707
Grafton	Dwelling (group value)	191 Pound Street	Lot 30, DP 1035413	Local	I708
Grafton	Dwelling (group value)	193 Pound Street	Lot 1, DP 196392	Local	I709
Grafton	Dwelling	194 Pound Street	Lot 6A, DP 392434	Local	I710
Grafton	Dwelling (group value)	197 Pound Street	Lot 1, DP 7452794	Local	I711

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	199 Pound Street	Lot 1, DP 197539	Local	I712
Grafton	Dwelling (group value)	200 Pound Street	Lot 4, DP 6476	Local	I713
Grafton	Dwelling (group value)	201 Pound Street	Lot 4, DP 508184	Local	I714
Grafton	Dwelling (group value)	202 Pound Street	Lot 30, DP 669304	Local	I715
Grafton	Village Green Hotel	230 Pound Street	Lot 2, DP 390208	Local	I716
Grafton	Dwelling (group value)	238 Pound Street	Lot 3, DP 662775	Local	I717
Grafton	Dwelling (group value)	242 Pound Street	Lot 4, DP 730692	Local	I718
Grafton	Dwelling (group value)	246 Pound Street	Lot 1, DP 780657	Local	I719
Grafton	Bunya Pine Tree	264–268 Pound Street	Lot 1 DP 431537	Local	I950
Grafton	Racecourse kiosk	Powell Street	Lot 7005, DP 1056990	Local	I720
Grafton	Dwelling	149 Powell Street	Lot 1, DP 331809	Local	I721
Grafton	Dwelling	156 Powell Street	Lot 1, DP 780733	Local	I722
Grafton	Dwelling	162 Powell Street	Lot 1, DP 780734	Local	I723
Grafton	Dwelling	217 Powell Street	Lot 1, DP 713290	Local	I724
Grafton	Grafton railway viaduct	Prince Street	Road reserve	Local	I725
Grafton	The Barn (“T J Ford Pavilion”), Grafton Showground	Prince Street	Lot 1, DP 662827	Local	I116
Grafton	Flood gauges	Prince Street	Lot 7001, DP 1054597	Local	I726

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Memorial Park	Prince Street	Lots 4–6 and 10, DP 758470; Part Lot 701, DP 92920; Lot 702, DP 92916; Lot 7001, DP 1054597	Local	I727
Grafton	Water fountain, Memorial Park	Prince Street	Lot 1, DP 1093926	Local	I728
Grafton	Palm trees	Prince Street	Road reserve	Local	I729
Grafton	Clock tower	Prince and Pound Streets (intersection of)	Road reserve	Local	I117
Grafton	Offices (former Pullen's Store and Warehouse)	3–7 Prince Street	Lot 5, Section 4, DP 23; Lot 1, DP 973918; Lot 6, DP 664187	Local	I119
Grafton	Offices (former Northern Rivers County Council)	17 Prince Street	Lot 11, DP 1099939	Local	I118
Grafton	Offices	25 Prince Street	Lot 1, DP 70468	Local	I730
Grafton	Commonwealth Bank building	30 Prince Street	Lots 13 and 14, DP 111; Lot 1, DP 922441	Local	I731
Grafton	Parapet	33 Prince Street	Lot 1, DP 199453	Local	I732
Grafton	Grafton Chambers	35 Prince Street	Lot 2, DP 1100996	Local	I733
Grafton	Shops	38 Prince Street	Lot 50, DP 602555; Lots 1–3, DP 17929	Local	I734
Grafton	Offices and restaurant (former CBC Bank)	39 Prince Street	Lot 2, DP 61328	Local	I120

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Shops and offices ("Dougherty House")	46–48 Prince Street	Lot 2, DP 327609	Local	I735
Grafton	Parapet	60 Prince Street	Lot 2, DP 161595	Local	I736
Grafton	Shops ("Cartmills Building")	63–69 Prince Street	Lot 1, DP 544356; Lot 2, DP 158836	Local	I737
Grafton	Shops ("Hall Building")	83–87 Prince Street	Lots 20 and 21, DP 1083786	Local	I738
Grafton	Shop	89 Prince Street	Lot 1, DP 743028	Local	I739
Grafton	Weileys Hotel (former)	90 Prince Street	Lot A, DP 63113 and Lot B, DP 65762	Local	I740
Grafton	Grafton Fire Station	94 Prince Street	Lot 11, Section 32, DP 758470	Local	I741
Grafton	Saraton Theatre	97–101 Prince Street	Lot 22, DP 1115455	State	I121
Grafton	Uniting Church	126 Prince Street	Lot 4, DP 828933	Local	I742
Grafton	Shop and residence	187 Prince Street	Lot 200, DP 844622	Local	I743
Grafton	Girl Guides Hall	201 Prince Street	Lot 23, DP 758470	Local	I744
Grafton	Grafton Ambulance Station	201A Prince Street	Lots 4 and 22, DP 758470	Local	I745
Grafton	European Hotel (former)	207 Prince Street	Lot 2, DP 37919	Local	I746
Grafton	Dwelling	223 Prince Street	Lot 1, DP 362814	Local	I747
Grafton	Dwelling	239 Prince Street	Lot 1, DP 334736	Local	I748
Grafton	Dwelling	241 Prince Street	Lot 6, DP 17691	Local	I749

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling	259 Prince Street	Lot 81, DP 710015	Local	I750
Grafton	Dwelling	261 Prince Street	Lot 82, DP 710015	Local	I751
Grafton	Dwelling	263 Prince Street	Lot 6, DP 230564	Local	I752
Grafton	Grafton railway viaduct	Queen Street	Road reserve	Local	I753
Grafton	Dwelling (“Itala”)	1 Queen Street	Lot 1, DP 736979	Local	I754
Grafton	Dwelling	6 Queen Street	Lot 1, DP 302451	Local	I755
Grafton	Dwelling	27 Queen Street	Lot 1, DP 799630	Local	I756
Grafton	Dwelling (group value)	35 Queen Street	Lot 6, DP 38771	Local	I757
Grafton	Dwelling	37 Queen Street	Lot 42, DP 1139439	Local	I758
Grafton	Dwelling	45 Queen Street	Lot 2, DP 323015	Local	I759
Grafton	Dwellings (“Campbell’s House”)	58–60 Queen Street	Lot 2, DP 37019	Local	I122
Grafton	Dwellings	59–61 Queen Street	Lot 20, DP 1067805	Local	I760
Grafton	Dwelling	62 Queen Street	Lot 1, DP 37019	Local	I761
Grafton	Dwelling (group value)	63 Queen Street	Lot 3, DP 737787	Local	I762
Grafton	Dwelling (group value)	66 Queen Street	Lot 1, DP 732994	Local	I763
Grafton	Dwelling	67 Queen Street	Lot 1, DP 784254	Local	I764
Grafton	Dwelling (group value)	82 Queen Street	Lot 1, DP 196855	Local	I765
Grafton	Dwelling (group value)	84 Queen Street	Lot 1, DP 995040	Local	I766

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling (group value)	92 Queen Street	Lot 2, DP 517209	Local	I767
Grafton	Dwelling (group value)	94 Queen Street	Lot 1, DP 517209	Local	I768
Grafton	Dwelling	96A Queen Street	Lot 41, DP 719965	Local	I769
Grafton	Dwelling (group value)	98 Queen Street	Lot 3, DP 629419	Local	I770
Grafton	Dwelling ("The Gables")	106 Queen Street	Lot 2, DP 531364	Local	I771
Grafton	Dwelling	132 Queen Street	Lot 1, DP 330496	Local	I772
Grafton	Dwelling	134 Queen Street	Lot 2, DP 330496	Local	I773
Grafton	Dwelling (group value)	148 Queen Street	Lot 15, Section 92, DP 758470	Local	I774
Grafton	Dwelling (group value)	150 Queen Street	Lot 1, DP 745530	Local	I775
Grafton	Dwelling (group value)	152 Queen Street	Lot 1, DP 707137	Local	I776
Grafton	Dwelling (group value)	158 Queen Street	Lot 1, DP 780735	Local	I777
Grafton	Dwelling (group value)	160 Queen Street	Lot 3, DP 780732	Local	I778
Grafton	Dwelling (group value)	162 Queen Street	Lot 201, DP 834173	Local	I779
Grafton	Dwelling ("Amandale")	164 Queen Street	Lot 200, DP 834173	Local	I780
Grafton	Dwelling (group value)	172 Queen Street	Lot 15, DP 758470	Local	I781
Grafton	Dwelling (group value)	174 Queen Street	Lot 2A, DP 397471	Local	I782
Grafton	Dwelling	176 Queen Street	Lot 1, DP 515828	Local	I783
Grafton	Albion Hotel	201 Queen Street	Lot A, DP 904084	Local	I784

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling	204 Queen Street	Lot 2, DP 400843	Local	I785
Grafton	Dwelling (group value)	206 Queen Street	Lot 8, DP 871610	Local	I786
Grafton	Dwelling (group value)	208 Queen Street	Lot 7, DP 871610	Local	I787
Grafton	Dwelling (group value)	4 Reserve Street	Lot A, DP 191251	Local	I788
Grafton	Dwelling (group value)	13 Reserve Street	Lot 19, DP 524	Local	I789
Grafton	Dwelling	15 Reserve Street	Lot 18, DP 524	Local	I790
Grafton	Dwelling (group value)	16 Reserve Street	Lot 5, DP 207868	Local	I791
Grafton	Dwelling	6 Turf Street	Lot 9, DP 632025	Local	I792
Grafton	Dwelling	12 Turf Street	Lot 1, DP 997078	Local	I793
Grafton	Dwelling	41 Turf Street	Lot 5, DP 734016	Local	I794
Grafton	Dwelling (group value)	43 Turf Street	Lot 1, DP 798243	Local	I795
Grafton	Dwelling	45 Turf Street	Lots 1 and 2, DP 719397	Local	I796
Grafton	Dwelling (group value)	47 Turf Street	Lot 1, DP 798154	Local	I797
Grafton	Dwelling (group value)	49 Turf Street	Lot 1, DP 798095	Local	I798
Grafton	Dwelling	57 Turf Street	Lot 5, DP 185885	Local	I799
Grafton	Dwelling	71 Turf Street	Lot 1, DP 632387	Local	I800
Grafton	Dwelling	78 Turf Street	Lot 41, DP 737019	Local	I801
Grafton	Dwelling	126 Turf Street	Lot 11, DP 833297	Local	I802
Grafton	Sandstone kerb	Victoria Street	Road reserve	Local	I803

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Roman Catholic presbytery	5 Victoria Street	Lot 4, DP 876947	Local	I804
Grafton	St Mary's Church	7 Victoria Street	Lot 4, DP 876947	Local	I805
Grafton	Flats (former St Mary's College)	9 Victoria Street	Lot 3, DP 876947	Local	I806
Grafton	Dwelling	12 Victoria Street	Lot 1, DP 998523	Local	I807
Grafton	Flats ("Lormont")	16 Victoria Street	Lot 1, DP 156614	Local	I808
Grafton	Dwelling (group value)	28 Victoria Street	Lot 1, DP 986069	Local	I809
Grafton	Dwelling (group value)	30 Victoria Street	Lot 2, DP 998697	Local	I810
Grafton	Offices	31 Victoria Street	Lot 21, DP 556054	Local	I811
Grafton	Dwelling (group value)	32 Victoria Street	Lot 2, DP 872077	Local	I812
Grafton	Dwelling ("McWilliam Lodge")	33 Victoria Street	Lot 3, DP 866434	Local	I813
Grafton	Dwelling	34 Victoria Street	Lot 1, DP 799125	Local	I814
Grafton	Dwelling and gas lamp ("Bishopsholme")	35 Victoria Street	Lot 4, DP 866434	Local	I815
Grafton	Dwelling (group value)	36 Victoria Street	Lot 2, DP 559559	Local	I816
Grafton	Dwelling (group value)	38 Victoria Street	Lot 1, DP 559559	Local	I817
Grafton	Grafton Courthouse site (former)	51 Victoria Street	Lot 1, DP 832009	Local	I123
Grafton	Grafton Court House	53 Victoria Street	Lot 701, Section 4, DP 92920	Local	I124

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Offices ("Fitzgerald Building")	54 Victoria Street	Lot 18, DP 111	Local	I125
Grafton	Offices ("Foott, Law and Company")	56 Victoria Street	Lot 17, DP 111	Local	I126
Grafton	Grafton Post Office	57 Victoria Street	Lot 248, DP 751371	Local	I127
Grafton	Post Office Hotel	58 Victoria Street	Lots 15 and 16, DP 111	Local	I128
Grafton	Roches Family Hotel	85 Victoria Street	Lot 20, DP 866448	Local	I818
Grafton	Dwelling	87 Victoria Street	Lot 6, DP 23	Local	I819
Grafton	Dwelling	93 Victoria Street	Lots 3 and 4, DP 912543	Local	I820
Grafton	Dwelling ("Istria")	95 Victoria Street	Lot 1, DP 912543	Local	I129
Grafton	Dwelling	97 Victoria Street	Lot 1, DP 195968	Local	I821
Grafton	Dwelling (group value)	102 Victoria Street	Lot 3, DP 1099959	Local	I822
Grafton	Dwelling (group value)	104 Victoria Street	Lot 1, DP 905480	Local	I823
Grafton	Dwelling (group value)	106 Victoria Street	Lot 1, DP 133038	Local	I824
Grafton	Dwelling (group value)	114 Victoria Street	Lot 2, DP 159494	Local	I825
Grafton	Dwelling (former Argyle Hotel)	116 Victoria Street	Lot 8A, DP 161454	Local	I826
Grafton	Dwelling (group value)	117–119 Victoria Street	Lots 7 and 8, DP 359	Local	I827
Grafton	Dwelling (group value)	121 Victoria Street	Lot 6, DP 359	Local	I828
Grafton	Dwelling (group value)	132 Victoria Street	Lot 1, DP 195626	Local	I829

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling	133 Victoria Street	Lot 11, DP 846839	Local	I830
Grafton	Dwelling	137 Victoria Street	Lot 1, DP 833552	Local	I130
Grafton	Dwelling	140 Victoria Street	Lot 61, DP 711367	Local	I831
Grafton	Dwelling	142 Victoria Street	Lot 2, DP 181	Local	I832
Grafton	Dwelling (group value)	146 Victoria Street	Lot 1, DP 196852	Local	I833
Grafton	Dwelling ("Arcola"), including house, stables, garden and fence	150 Victoria Street	Lot 2, DP 101002	State	I131
Grafton	Grafton railway viaduct	Villiers Street	Road reserve	Local	I834
Grafton	Convent	2 Villiers Street	Lots 2 and 3, DP 876947	Local	I835
Grafton	Dwelling (group value)	16 Villiers Street	Lot 1, DP 995323	Local	I836
Grafton	Dwelling (group value)	18 Villiers Street	Lot 2, DP 1097971	Local	I837
Grafton	Dwelling	24 Villiers Street	Lot 1, DP 709752	Local	I838
Grafton	Dwelling	26 Villiers Street	Lot 1, DP 797184	Local	I839
Grafton	Dwelling (group value)	28 Villiers Street	Lot 1, DP 136571	Local	I840
Grafton	Dwellings	30–32 Villiers Street	Lot 1, DP 196326	Local	I132
Grafton	Dwelling ("Ravensford")	36 Villiers Street	Lot 1, DP 998330	Local	I841
Grafton	Dwelling	47 Villiers Street	Lot 9, DP 758470	Local	I842
Grafton	Dwelling ("Mintara")	57 Villiers Street	Lot 1, DP 1086125	Local	I843

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Dwelling ("Lemnos")	67 Villiers Street	Lot 1, DP 196905	Local	I844
Grafton	Dwelling (group value)	123 Villiers Street	Lot 1, DP 369042	Local	I845
Grafton	Dwelling (group value)	125 Villiers Street	Lot 1, DP 119692	Local	I846
Grafton	Dwelling (group value)	127 Villiers Street	Lot 1, DP 906961	Local	I847
Grafton	Dwelling (group value)	129 Villiers Street	Lot 5, DP 1085165	Local	I848
Grafton	Dwelling (group value)	133 Villiers Street	Lot 2, DP 529390	Local	I849
Grafton	Dwelling (group value)	135 Villiers Street	Lot 8, DP 651126	Local	I850
Grafton	Dwelling (group value)	137 Villiers Street	Lot 1, DP 22915	Local	I851
Grafton	Dwelling	149 Villiers Street	Lots 100 and 101, DP 1143581	Local	I852
Grafton	Dwelling (group value)	153 Villiers Street	Lot 1, DP 359966	Local	I853
Grafton	Dwelling (group value)	155 Villiers Street	Lot 2, DP 719255	Local	I854
Grafton	Dwelling (group value)	157 Villiers Street	Lot 1, DP 711512	Local	I855
Grafton	Dwelling (group value)	159 Villiers Street	Lot 2, DP 361547	Local	I856
Grafton	Dwelling (group value)	163 Villiers Street	Lot 2, DP 449936	Local	I857
Grafton	Dwelling (group value)	164 Villiers Street	Lot 1, DP 780628	Local	I858
Grafton	Dwelling (group value)	175 Villiers Street	Lot B, DP 409460	Local	I859
Grafton	Dwelling (group value)	179 Villiers Street	Lot 1, DP 780687	Local	I860

Suburb	Item name	Address	Property description	Significance	Item No
Grafton	Street trees—Brachychiton, Ficus or Jacaranda trees over 3 metres in height	All road reserves throughout Grafton	Road reserves	Local	I135
Harwood	Residence	3 Church Street	Lot 12, DP 859558	Local	I136
Harwood	Residence	86 Martins Point Road	Lot 1, DP 565575	Local	I137
Harwood	Tram tracks	Mill Street	Road reserve	Local	I138
Harwood	School residence and school	Morpeth Street	Lot 1, DP 818005	Local	I139
Harwood	Residence	18 Morpeth Street	Lot 40, DP 800537	Local	I140
Harwood	Tram tracks	Old Pacific Highway	Road reserve	Local	I141
Harwood	Sportsfield and grandstand	Petticoat Lane	Lot 92, DP 665552	Local	I142
Harwood	Water Brigade Hall	River Street	Lots 168 and 169, DP 751373, being Reserve 44087	Local	I143
Harwood	War Memorial	River Street	Road reserve	Local	I144
Harwood	Trees	River Street	Road reserve	Local	I145
Iluka	Ferry landing site	Bundjalung National Park	Bundjalung National Park	Local	I146
Iluka	Soldiers Memorial Hall	2 Charles Street	Lot 41, DP 751379	Local	I147
Iluka	War Memorial	Crummy Park, adjacent to Memorial Hall, 2 Charles Street	Lot 7013, DP 1053777	Local	I148
Iluka	Residence	9 Charles Street	Lot 3, DP 563584	Local	I149

Suburb	Item name	Address	Property description	Significance	Item No
Iluka	Crane block and break wall	Clarence River	Banks of Clarence River south of village (Crown Land)	Local	I150
Iluka	Cemetery	Elizabeth Street	Lot 7006, DP 1001075	Local	I151
Iluka	Sea stack	Iluka Bluff	Bundjalung National Park	Local	I152
Iluka	Tram tracks	Iluka Bluff	Bundjalung National Park	Local	I153
Iluka	Iluka Post Office	90–92 Queen Street	Lot 2, DP 748039	Local	I154
Iluka	Residence	14 Riverview Street	Lot 2, DP 1109757	Local	I155
Iluka	Cricket pitch	80 Riverview Street	Lot 80, DP 727778	Local	I156
Iluka	Residence	93 Spencer Street	Lot 10, Section 16, DP 758535	Local	I157
James Creek	Residence, “Highfield”	35 James Creek Road	Lot 3, DP 1093910	Local	I158
James Creek	Residence	112 James Creek Road	Lot 183, DP 751388	Local	I159
James Creek	Flood gates	Near 112 James Creek Road	Lot 197, DP 751388	Local	I160
James Creek	Residence	580 Yamba Road	Lot 1811, DP 1079120	Local	I161
Junction Hill	Waghorn’s slab house	Pine Street	Lot 32, DP 833533	Local	I162
Koolkhan	Power station (former)	Boneyard Lane	Lot 17, DP 835765	Local.	I163
Lawrence	Baptist Church (former)	9 Bridge Street	Lot 21, DP 839199	Local	I164
Lawrence	School of Arts Building	10 Bridge Street	Lot 10, Section 3, DP 758604	Local	I165
Lawrence	War Memorial and Park	Bridge Street	Lot 9, Section 3, DP 758604	Local	I166

Suburb	Item name	Address	Property description	Significance	Item No
Lawrence	Baptist Manse (former)	2 Bridge Street	Lot 14, Section 3, DP 564 and road reserve	Local	I167
Lawrence	Residence	11 Bridge Street	Lot 2, DP 568938	Local	I168
Lawrence	Sportsmans Creek Bridge	21–27 Bridge Street	Lot 6, Section 1, DP 564	Local	I169
Lawrence	Lawrence Cemetery	Casino Road	Lots 1–8, Section 51, DP758604	Local	I170
Lawrence	Anglican Church	63–71 High Street	Lots 6–8, Section 16, DP 758604	Local	I171
Lawrence	Bluff Point ferry	152 Main Road	Clarence River crossing	Local	I172
Lawrence	Lawrence Museum	2 Merton Street	Lot 11, DP1034955	Local	I173
Lawrence	Post Office /residence	29–31 Rutland Street	Lots 1 and 2, DP 111009	Local	I174
Lawrence	Police Station	33–37 Rutland Street	Lot 299, DP 822835	Local	I175
Lawrence	Memorial baths remains	Off Rutland Street	Lot 7016, DP 1113865	Local	I176
Lawrence	Residence	6 Stuart Lane	Lot 2, Section 62, DP 758604	Local	I177
Lawrence	Cricket canteen	Ward Street	Lot 11, DP 112792	Local	I178
Lionsville	Bancroft Stamper Battery	Boundary of 1054 Lionsville Road, Washpool Creek, and 1030 Lionsville Road, Ewingar State Forest	Lot 95, DP 752369	Local	I179
Lionsville	Bassetti grave	1030 Lionsville Road	Lot 100, DP 726573	Local	I180
Lionsville	Cemetery	351 Lionsville Road	Lot 11, DP 752369	Local	I181

Suburb	Item name	Address	Property description	Significance	Item No
Lionsville	Cricket pitch	Lionsville Road	Lot 7, DP 752369	Local	I182
Lionsville	Lionsville Hotel site	Near Donarra Creek, 1030 Lionsville Road	Within Lionsville archaeological site	Local	I183
Lionsville	Lionsville village archaeological site	Near Donarra Creek, 1030 Lionsville Road	Various lots bounded by North Street, Ogilvie Street, Donarra Street and Ewingar State Forest	Local	I184
Lower Southgate	Doust Park	Lawrence Road	Lot 7306, DP 1142017, being Reserve 88524	Local	I186
Lower Southgate	War memorial	Lawrence Road	Lot 7306, DP 1142017, being Reserve 88524	Local	I189
Lower Southgate	Foley's Butter Factory building (former)	Riverbank Road	Lots 5 and 6, DP 758920	Local	I187
Lower Southgate	River Light	Riverbank Road	Riverbank opposite Lot 11, Section 1, DP 758920	Local	I188
Lower Southgate	Blanch's drain	Adjacent to 259 Riverbank Road	Lot 2, DP 611180	Local	I185
Maclean	Residence	22 Alexander Street	Lot 2, DP 340155	Local	I190
Maclean	Residence	12 Argyle Street	Lot 1, DP 959164	Local	I191
Maclean	Memorial cairn	Bent, Taloumbi and Harwood Streets, Herb Stanford Park	Lot 7020, DP 1113927	Local	I192
Maclean	Showground and Pavilion	Cameron Street	Lot 7301, DP 1133705	Local	I193

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Punt and former Ashby ferry (both stationary)	Cameron Street and Pacific Highway (corner of), Ferry Park	Lot 434, DP 823599	Local	I194
Maclean	Maclean Fine Arts Building	12 Cameron Street	Lot 7301, DP 1133705	Local	I195
Maclean	Maclean Cemetery	14–20 Cameron Street	Lots 431–433, DP 834006; Lot 1, DP 1112123; Lot 1, Section 25, DP 758631	Local	I196
Maclean	Uniting Church and former church hall	3A Church Street	Lots 6 and 7 Section 5, DP 758631	Local	I197
Maclean	Dwelling (group value)	5 Church Street	Lot 21, DP 1054408	Local	I198
Maclean	Dwelling (group value)	12 Church Street	Lot 4, DP 912461	Local	I199
Maclean	Dwelling (group value)	12A Church Street	Lot 3, DP 912461	Local	I200
Maclean	Residence	21 Church Street	Lot 2, DP 563060	Local	I201
Maclean	Residence	23 Church Street	Lot 1 DP 563060	Local	I202
Maclean	Dwelling (group value)	24 Church Street	Lot A, DP 937442	Local	I203
Maclean	Dwelling (group value)	26 Church Street	Lot B, DP 932541	Local	I204
Maclean	Dwelling (group value)	28 Church Street	Lot 2, DP 386369	Local	I205
Maclean	Dwelling (group value)	30 Church Street	Lot 1, DP 386369	Local	I206
Maclean	Residence	2 Clarence Street	Lot 2, DP 625612	Local	I207
Maclean	Residence	3 Clarence Street	Lot 3, DP 215469	Local	I208

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Professional consulting rooms (former shop)	14 Clyde Street	Lot 1, DP 417654	Local	I209
Maclean	Flats	18–20 Clyde Street	Lots 1–3, DP 796928	Local	I210
Maclean	Residence	22 Clyde Street	Lot 1, DP 316002	Local	I211
Maclean	Dwelling (group value)	24 Clyde Street	Lot 41, DP 1053146	Local	I213
Maclean	Brickworks site (“Pages”)	84 Farlows Lane	Lots 119 and 120, DP 751388	Local	I214
Maclean	Dwelling (group value)	15 Grafton Street	Lot 1, DP 321053	Local	I215
Maclean	Dwelling (group value)	17 Grafton Street	Lot 2, DP 321053	Local	I216
Maclean	Stone Cottage Museum	19–21 Grafton Street	Lot 8, Section,19 DP 758631	Local	I217
Maclean	Residence (“The Gables”)	2B Howard Street	Lot 5, DP 235925	Local	I218
Maclean	Residence	10 John Street	Lot 2, DP 515170	Local	I219
Maclean	Residence (“Hillcrest”)	Jubilee Street	Lots 61 and 62, DP 1036148	Local	I220
Maclean	Dwelling (group value)	13 McLachlan Street	Lot 7, DP 193168	Local	I221
Maclean	Dwelling (group value)	15 McLachlan Street	Lot 21, DP 845366	Local	I222
Maclean	Court House	McNaughton Place	Lots 3 and 7, Section 1A, DP 758631	Local	I223
Maclean	Police Station	McNaughton Place	Lot 6, Section 1A, DP 758631	Local	I224
Maclean	Dwelling (group value)	4 Morven Street	Lot 64, DP 627	Local	I225

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Dwelling (group value)	5 Morven Street	Lot 2, DP 1122555	Local	I226
Maclean	Dwelling (group value)	9 Morven Street	Lot 2, DP 346021	Local	I227
Maclean	Gaelic street sign	Oban Street	Road reserve	Local	I228
Maclean	Dwelling (group value)	1 Oban Street	Lot A, DP 349486	Local	I229
Maclean	Residence	3 Oban Street	Lots 3 and 4, Section 1, DP 1666	Local	I240
Maclean	Dwelling (group value)	7 Oban Street	Lot 7, Section 1, DP 1666	Local	I231
Maclean	Dwelling (group value)	8 Oban Street	Lot 1, DP 331040	Local	I232
Maclean	Dwelling (group value)	9 Oban Street	Lot 8, Section 1, DP 1666	Local	I233
Maclean	Residence	10 Oban Street	Lot 1, DP 519160; Lot 1, DP 944020	Local	I241
Maclean	Dwelling (group value)	11 Oban Street	Lot 9, Section 1, DP 1666	Local	I235
Maclean	Dwelling (group value)	12 Oban Street	Lots 20 and 21, DP 667085	Local	I236
Maclean	Residence	14 Oban Street	Lot 1, DP 961180	Local	I242
Maclean	Dwelling (group value)	15 Oban Street	Lots 11 and 12, Section 1, DP 1666	Local	I238
Maclean	Dwelling (group value)	16 Oban Street	Lot 1, DP 974917	Local	I239
Maclean	War Memorial	River and Short Streets	Road reserve	Local	I243
Maclean	Office building	6 River Street	Lot 1, DP 177120	Local.	I244
Maclean	Shop and residence	8 River Street	Lot 1, DP 799272	Local	I245

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Shop	12 River Street	Lot 2, DP 325894	Local	I246
Maclean	Shop facade	14 River Street	Lot 7, DP 13714	Local	I247
Maclean	Shop facade	16 River Street	Lot 8, DP 13714	Local	I248
Maclean	Maclean Hotel	28 River Street	Lot 2, DP 603403	Local	I249
Maclean	Office building ("Conroy and Stewart")	30 River Street	Lot 100, DP 711006	Local	I250
Maclean	Post Office	46 River Street	Lot 1, DP 774885	Local	I251
Maclean	Residence	65 River Street	Lot 1, DP 533016	Local	I252
Maclean	Residence	78 River Street	Lot 1, DP 361835	Local	I253
Maclean	Residence	103 River Street	Lot 2, DP 392761	Local	I254
Maclean	Shop	151 River Street	Lot 21, DP 818102	Local	I255
Maclean	Clarence Hotel	173 River Street	Lot 2, DP 522060; Lot 1, DP 796975	Local	I256
Maclean	Shop	185–187 River Street	Lot 112, DP1021435	Local	I257
Maclean	Offices ("Woolitji House")	203 River Street	Lot 202, DP 1055904	Local	I258
Maclean	Offices	207 River Street	Lot 1, DP 796971	Local	I259
Maclean	Cafe and restaurant	215 River Street	Lot 1, DP 177086	Local	I260
Maclean	Shop	217 River Street	Lot 1, DP 314743	Local	I261
Maclean	Former theatre facade	221–225 River Street	Lots 18 and 19, DP 13558	Local	I262

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Footpath engraving	221–225 River Street	Road reserve in front of Lots 18 and 19, DP 13558	Local	I263
Maclean	Shop	227 River Street	Lot 1, DP 796931	Local	I264
Maclean	Offices	229 River Street	Lot 21, DP 13558	Local	I265
Maclean	Facades to shops group	243 River Street	SP 63193	Local	I266
Maclean	Facades to shops group	245 River Street	Lot 1, DP 611496	Local	I267
Maclean	Fire station	251 River Street	Lot 32, DP 13558	Local	I268
Maclean	Shop (former drill hall)	259 River Street	Lot 79, DP 13075	Local	I269
Maclean	Doctor’s surgery	265 River Street	Lot 87, DP 13075	Local	I270
Maclean	Shop (former Baptist Church)	267 River Street	Lot 1, DP 796851	Local	I271
Maclean	Flats	3 Short Street	Lot 1, DP 321784	Local	I272
Maclean	Residence	4 Short Street	Lot 86, DP 13075	Local	I273
Maclean	Residence	5 Short Street	Lot 101, DP 702870	Local	I274
Maclean	McFarlane Bridge	Over South Arm of the Clarence River		Local	I275
Maclean	Trees	Stanley Street	Road reserve	Local	I276
Maclean	Dwelling (group value)	12 Stanley Street	Lot 1, DP 957764	Local	I277
Maclean	Dwelling (group value)	13 Stanley Street	Lot 1, DP 170664	Local	I282
Maclean	Residence	16 Stanley Street	Lot 3, DP 311927	Local	I284

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Duplex (former brewery)	17–19 Stanley Street	SP 15264	Local	I285
Maclean	Dwelling (group value)	24 Stanley Street	Lot 1, DP 384495	Local	I279
Maclean	Residence	36 Stanley Street	Lot 1, DP 386844	Local	I286
Maclean	Dwelling (group value)	40 Stanley Street	Lot 1, DP 796841	Local	I280
Maclean	Dwelling (group value)	44A Stanley Street	Lot B, DP 419263	Local	I281
Maclean	Dwelling (group value)	10 Taloumbi Street	Lot 3, DP 386424	Local	I287
Maclean	Residence	16 Taloumbi Street	Lot 10, DP 1027851	Local	I289
Maclean	Dwelling (group value)	27 Taloumbi Street	Lot 11, DP 1087292	Local	I290
Maclean	Dwelling (group value)	31 Taloumbi Street	Lot 1, DP 547957	Local	I291
Maclean	Dwelling (group value)	33a Taloumbi Street	Lot 2, DP 547957	Local	I292
Maclean	Former operating theatre, Maclean Hospital	23 Union Street	Lot 110, DP 1168362	Local	I293
Maclean	Pinnacle Rock Lookout	Wharf Street	Part Lot 7039, DP 1115009	Local	I294
Maclean	Dwelling (group value)	1 Wharf Street	Lot 102, DP 702870	Local	I295
Maclean	Dwelling (group value)	3 Wharf Street	Lot 1, DP 317367	Local	I296
Maclean	Dwelling (group value)	5A Wharf Street	Lot 1, DP 416054	Local	I297
Maclean	Baptist Manse (former)	5A Wharf Street	Lot 2, DP 416054	Local	I301
Maclean	Residence	7 Wharf Street	Lot 1, DP 796850	Local	I302
Maclean	Presbyterian Manse (former)	8 Wharf Street	Lot 11, DP 853183	Local	I305

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Free Presbyterian Church	8–10 Wharf Street	Lot 11, DP 853183	Local	I303
Maclean	Dwelling (group value)	9 Wharf Street	Lot B, DP 331596	Local	I299
Maclean	Residence	11 Wharf Street	Lot A, DP 331596	Local	I304
Maclean	Residence	12 Wharf Street	Lot 12, DP 853183	Local	I306
Maclean	Dwelling (group value)	14 Wharf Street	Lot A, DP 388476	Local	I307
Maclean	Dwelling (group value)	16 Wharf Street	Lot B, DP 388476	Local	I308
Maclean	Dwelling (group value)	18 Wharf Street	Lot 1, DP 379653	Local	I309
Maclean	Residence	19 Wharf Street	Lot 1, DP 204306	Local	I312
Maclean	Dwelling (group value)	20 Wharf Street	Lot 2, DP 379653	Local	I310
Maclean	Dwelling (group value)	22 Wharf Street	Lot 3, DP 951079	Local	I311
Maclean	Masonic Lodge	23 Wharf Street	Lot 1, DP 805290	Local	I313
Maclean	Dwelling (group value)	31 Wharf Street	Lot 2, DP 721373	Local	I314
Maclean	Dwelling (group value)	33A Wharf Street	Lot 11, DP 1046650	Local	I315
Maclean	Dwelling (group value)	33B Wharf Street	Lot 11, DP 1046650	Local	I316
Maclean	Residence	34 Wharf Street	Lot 2, DP 340210	Local	I318
Maclean	Dwelling (group value)	35 Wharf Street	Lot 1, DP 826969	Local	I317
Maclean	Dwelling (group value)	36 Wharf Street	Lot 1, DP 219644	Local	I319
Maclean	Dwelling (group value)	38 Wharf Street	Lot 2, DP 219644	Local	I320

Suburb	Item name	Address	Property description	Significance	Item No
Maclean	Anglican Rectory (former)	44 Wharf Street	Lot 4, Section 11, DP 758631	Local	I321
Maclean	Maclean Public School	Woodford Street	Lot 1, DP 796977	Local	I322
Maclean	Residence	5 Woodford Street	Lot 2, DP 512409	Local	I323
Maclean	Dwelling (group value)	12 Woodford Street	Lot 3, DP 515170	Local	I324
Maclean	Dwelling (group value)	13 Woodford Street	Lot 24, DP 627	Local	I325
Maclean	Catholic Church, convent and rectory	27 Woodford Street	Lot 4, Section 9, DP 758631	Local	I326
Maclean	Residence	38 Woodford Street	Lot 76, DP 13179	Local	I327
Maclean	Residence	51 Woodford Street	Lot 2, DP 350425	Local	I328
Moleville Creek	Grinding groove	Moleville Rocks, Clarence River	Lot 93, DP 751363	Local	I329
Moleville Creek	Recreation reserve	Moleville Rocks Road, Moleville Rocks	Lot 93, DP 751363	Local	I330
Mountain View	Arboretum	Clarence Way	Lot 7016, DP 92921	Local	I331
Mylneford	Cemetery	344 Mylneford Road	Lot 7304, DP 1144212, being Reserve D1005480	Local	I332
Mylneford	First Falls Crossing	North and South Banks of the Clarence River adjacent to 344 Mylneford Road	Clarence River	Local	I333
Nymboida	Hydro-electric Power Station	Armidale Road	Lot 1, DP 175941	Local	I334

Suburb	Item name	Address	Property description	Significance	Item No
Nymboida	Nymboida Coal Mines	330 Coalmine Road	Portions 58 and 79 and Part Lot 1, DP 813613 Parish of Nymboida	Local	I335
Nymboida	Goolang and Blaxlands Creeks, Fossil Wood Deposits		Parishes of Koukandowie, Blaxland and Nymboida	Local	I336
Palmers Island	Palmers Island Village site	36 River Road	Lot 22, DP 1122186	Local	I337
Palmers Island	Residence (Wynyabbie House)	797 Yamba Road	Lot 21, DP 838061	Local	I338
Palmers Island	Residence	858 Yamba Road	Lot 1, DP 109044	Local	I339
Palmers Island	Residence	976 Yamba Road	Lot 4, DP 592835	Local	I340
Palmers Island	Silo	1096–1130 Yamba Road	Lot 20, DP 714069	Local	I341
Palmers Island	Residence	1096–1130 Yamba Road	Lot 20, DP 714069	Local	I342
Pillar Valley	Public Well	Road Reserve adjacent to 1391 Wooli Road	Road Reserve adjacent to Lot 71, DP 807364	Local	I343
Ramornie	Meat works site	Off Gwydir Highway	Part Portions 4 and 8, DP 752846	Local	I344
Ramornie	Homestead and Barn	Ramornie Station Road	Lots 1 and 2, DP 752846	Local	I345
Romiaka Island	Oyster Channel Bridge	Yamba Road	Road reserve	Local	I346
Romiaka Island	Farm buildings (other than silo)	1200 Yamba Road, Palmers Channel	Lots 184–187, DP 751388	Local	I347
Romiaka Island	Silo	1200 Yamba Road	Lot 187, DP 751388	Local	I348
Shark Creek	Shark Creek Bridge	Pacific Highway	Road reserve	Local	I349

Suburb	Item name	Address	Property description	Significance	Item No
Shark Creek	Pioneers Memorial	Shark Creek Road	Lot 108, DP 751372	Local	I350
Solferino	Solferino village archaeological site	Ewingar State Forest Solferino Road	Lot 94, DP 752369	Local	I351
Solferino	Wells	Ewingar State Forest Solferino Road	Lot 94, DP 752369	Local	I352
Southgate	School residence (former)	34 School Lane	Lot 256, DP 46072	Local	I353
Southgate	School (former)	32 School Lane	Lot 257, DP 46072	Local	I354
Southgate	Bakery (former) and residence	1147 Lawrence Road	Lots 18 and 19, DP 1329	Local	I355
Southgate	Hall (former)	1145 Lawrence Road	Lots 15–17, DP 1329	Local	I356
Southgate	Southgate Hotel (former)	1143 Lawrence Road	Lot 14, DP 1329	Local	I357
South Arm	Residence	25 South Arm School Road	Lot 28, DP 751392; Lot 29, DP 1120825	Local	I358
South Grafton	Dwelling (group value)	27 Armidale Street	Lot 14, DP 664172	Local	I861
South Grafton	Dwelling (group value)	37 Armidale Street	Lot 1, DP 438410	Local	I862
South Grafton	Dwelling	117 Armidale Street	Lot 2, DP 24818	Local	I863
South Grafton	South Grafton Cemetery	Bent Street	Lot 7012, DP 1054591	Local	I864
South Grafton	Dwelling (group value)	22 Bent Street	Lot 1, DP 208191	Local	I865
South Grafton	Grafton City Railway Station Group	25–31 Bent Street		State	I372

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	Grafton City Railway Station, refreshment room furniture	25–31 Bent Street		State	I949
South Grafton	Grafton Community College (former railway superintendent's office)	25–31 Bent Street	Lots 1 and 3, DP 1006129	Local	I866
South Grafton	Dwelling ("Uloom")	28 Bent Street	Lot 7, DP 717381	Local	I867
South Grafton	Dwelling	32 Bent Street	Lot 4, DP 738129	Local	I868
South Grafton	Dwelling	34–36 Bent Street	Lot 4, DP 733423	Local	I869
South Grafton	Dwelling (group value)	38 Bent Street	Lot 2, DP 737308	Local	I870
South Grafton	Dwelling (group value)	42 Bent Street	Lot 100, DP 1150403	Local	I871
South Grafton	Dwelling (group value)	48 Bent Street	Lot 1, DP 714630	Local	I872
South Grafton	Dwelling (group value)	50 Bent Street	Lot 1, DP 734178	Local	I873
South Grafton	Dwelling (group value)	52 Bent Street	Lot 1, DP 743897	Local	I874
South Grafton	Riverside Church (former St Matthew's Church)	54–56 Bent Street	Lot 90, DP 1111415	Local	I875
South Grafton	Dwelling (group value)	58 Bent Street	Lot 91, DP 1111415	Local	I876
South Grafton	Dwelling ("Tara")	133 Bent Street	Lot 1, DP 313536	Local	I877
South Grafton	South Grafton Brickworks	Brickworks Road	Lot A, DP 369178	Local	I878
South Grafton	Dwelling (group value)	98 Cambridge Street	Lot 1, DP 743914	Local	I879

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	Dwelling (group value)	103 Cambridge Street	Lot 171, DP 860428	Local	I880
South Grafton	Dwelling	104 Cambridge Street	Lot 1, DP 780441	Local	I881
South Grafton	Dwelling (group value)	105 Cambridge Street	Lot B, DP 362897	Local	I882
South Grafton	Dwelling (group value)	107 Cambridge Street	Lot A, DP 362897	Local	I883
South Grafton	Dwelling ("Urara")	110 Cambridge Street	Lot 1, DP 780509	Local	I884
South Grafton	Dwelling	114 Cambridge Street	Lot 1, DP 741758	Local	I885
South Grafton	Dwelling ("Coorela")	124–126 Cambridge Street	Lots 1 and 2, DP 780562	Local	I886
South Grafton	The Tin Bridge	Federation Street	Road reserve	Local	I887
South Grafton	Dwelling (group value)	30 Federation Street	Lot 13, DP 650843	Local	I888
South Grafton	Dwelling (group value)	32 Federation Street	Lot 13, DP 664175	Local	I889
South Grafton	Dwelling (group value)	50 Federation Street	Lot 18, DP 11466	Local	I890
South Grafton	Dwelling (group value)	52 Federation Street	Lots 16 and 17, DP 11466	Local	I891
South Grafton	Factory door	12 New Street	Lot 204, DP 1156976	Local	I892
South Grafton	Lillypool Road dip	289 Old Lillypool Road	Lot 1, DP 343791	Local	I893
South Grafton	Dwelling	42 Ridge Street	Lot 1, DP 946710	Local	I894
South Grafton	Rushforth Road water reservoir	Rushforth Road	Lot 4, DP 608114; Lots 11–14, DP 711802; Lot 1, DP 704277	Local	I895
South Grafton	Railway timber viaduct	Ryan Street	Road reserve	Local	I896

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	William Small Memorial	Ryan Street (intersection)	Road reserve	Local	I897
South Grafton	Royal Hotel	170 Ryan Street	Lot 1, DP 782909	Local	I898
South Grafton	Dwelling	177 Ryan Street	Lot 1, DP 779700	Local	I899
South Grafton	Dwelling ("Dallinga"	279 Ryan Street	Lots 1 and 2, DP 197033	Local	I900
South Grafton	Dwelling ("Rathgar")	44 Schwinghammer Street	Lot 21, DP 787630	Local	I901
South Grafton	Trees	Skinner Street	Road reserve	Local	I902
South Grafton	Commercial building ("Clarence Chambers")	3–13 Skinner Street	Lots 14 and 21, DP 547066; Lot 1, DP 781228	Local	I903
South Grafton	Shops	27 Skinner Street	Lot 1, DP 195208	Local	I359
South Grafton	Shop ("The Emporium")	29–31 Skinner Street	Lot 3, DP 65177	Local	I361
South Grafton	Shops and restaurant (former Sweden's Shops)	30–34 Skinner Street	Lot 1, DP 738877	Local	I904
South Grafton	Shop and offices (former Bank of NSW)	37 Skinner Street	Lot 2, DP 65177	Local	I362
South Grafton	Shop ("Central Hardware")	39–43 Skinner Street	Lot 1, DP 65177	Local	I363
South Grafton	Shop	45–47 Skinner Street	Lot 1, Section 6, DP 782969	Local	I364
South Grafton	Shops	48–50 Skinner Street	Lot 2, DP 943321	Local	I905
South Grafton	Shop	49–51 Skinner Street	Lot 2, DP 547066	Local	I906
South Grafton	South Grafton Community Bank building	62 Skinner Street	Lot 1, DP 943321	Local	I907

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	St Patrick's Church	72 Skinner Street	Lot 1, DP 710159	Local	I368
South Grafton	Post Office Hotel	75 Skinner Street	Lot 1, DP 783365; Lot 1, DP 742320	Local	I365
South Grafton	New School of Arts	77–81 Skinner Street	Lot 1, DP 1039206; Lot 2, DP 736139; Lot 1, Section 7A, DP 758914	Local	I366
South Grafton	Post Office	83–85 Skinner Street	Lot 1, DP 736139	Local	I367
South Grafton	Southampton dip	Southampton Road	Lot 110, DP 751385	Local	I908
South Grafton	Dwelling (group value)	23 Spring Street	Lot 3, DP 601371	Local	I909
South Grafton	Dwelling (group value)	24–26 Spring Street	Lot 12, DP 1153556	Local	I910
South Grafton	Dwelling (group value)	25 Spring Street	Lot 2, DP 601371	Local	I911
South Grafton	Dwelling (group value)	27 Spring Street	Lot 1, DP 601371	Local	I912
South Grafton	Dwelling (group value)	28 Spring Street	Lot 1, DP 602372	Local	I913
South Grafton	Dwelling (group value)	31 Spring Street	Lots 3 and 4, DP 783197	Local	I914
South Grafton	Dwelling (group value)	47 Spring Street	Lot 1, DP 783063	Local	I915
South Grafton	Shops and flats	55–59 Spring Street	Lot 51, DP 790819	Local	I916
South Grafton	Dwelling (former Orara Shire Council Chambers)	68 Spring Street	Lot 13, DP 758914	Local	I917
South Grafton	Great Northern Hotel	76–78 Spring Street	Lots 1, 8 and 9, DP 323751	Local	I918

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	South Grafton Council Chambers (former)	86 Spring Street	Lot 4, Section 7A, DP 758914	Local	I919
South Grafton	Dwelling	107 Spring Street	Lot 41, DP 872930	Local	I920
South Grafton	Lane Park	Through Street	Lot X, DP 33661	Local	I921
South Grafton	Water trough, Lane Park	Through Street	Lot X, DP 33661	Local	I922
South Grafton	Dwelling (former South Grafton station master's house)	27 Through Street	Lot 1, DP 832916	Local	I923
South Grafton	Dwelling	28A Through Street	Lot 1, DP 526215	Local	I924
South Grafton	Dwelling (group value)	34 Through Street	Lot 1, DP 741338	Local	I925
South Grafton	Dwelling	35 Through Street	Lot 112, DP 618313	Local	I926
South Grafton	Dwelling (group value)	36 Through Street	Lot 1, DP 714747	Local	I927
South Grafton	Dwelling ("McKittrick House")	47 Through Street	Lot 3, DP 1418	Local	I928
South Grafton	Dwelling ("Page House")	69 Through Street	Lot 2, DP 783029	Local	I929
South Grafton	Dwelling ("Clarence House")	71 Through Street	Lot 3, DP 783029	Local	I371
South Grafton	Flats	72 Through Street	Lot 1, DP 782927	Local	I930
South Grafton	Dwelling (group value)	75 Through Street	Lot 5, DP 783029	Local	I931
South Grafton	Dwelling (group value)	80 Through Street	Lot 1, DP 86939	Local	I932
South Grafton	Walkers Marina Hotel	90 Through Street	Lot 20, DP 803507	Local	I370

Suburb	Item name	Address	Property description	Significance	Item No
South Grafton	Dwelling	112 Through Street	Lots 2 and 3, DP 192757	Local	I933
South Grafton	Gum tree (Eucalyptus seeana)	144 Washpool Road	Road reserve	Local	I934
South Grafton	Dwelling (former South Grafton CWA Rooms)	9 Wharf Street	Lot 5, DP 703754	Local	I935
South Grafton	Dwelling	22 Wharf Street	Lot 1, DP 713376	Local	I936
South Grafton	Australian Hotel	27 Wharf Street	Lot 1, DP 438252	Local	I937
South Grafton	Dwelling (group value)	43 Wharf Street	Lot 17, Section 5, DP 758470	Local	I938
South Grafton	Dwelling (group value)	45 Wharf Street	Lot 1, DP 716357	Local	I939
South Grafton	Dwelling (group value)	48 Wharf Street	Lot 6A, DP 362375	Local	I940
South Grafton	South Grafton Fire Station	64 Wharf Street	Lot 29, DP 758914	Local	I941
South Grafton	St Stephen's Presbyterian Church	69 Wharf Street	Lot 11, DP 758914	Local	I942
South Grafton	Street trees—Brachychiton, Ficus or Jacaranda trees over 3 metres in height	All road reserves throughout South Grafton	Road reserves	Local	I943
Sportsmans Creek	Weir	Sportsmans Creek	Sportsman Creek	Local	I373
Stockyard Creek	McKee's dairy and bails (former)	564 Stockyard Creek Road (located behind the Fern Glen School site)	Lot 159, DP 751366	Local	I374
Swan Creek	Green Family Memorial Gates	1 Greens Lane	Lot 1, DP 198810	Local	I944
Swan Creek	Livingstone's House	25 Livingstone Lane	Lot 12, DP 863869	Local	I945

Suburb	Item name	Address	Property description	Significance	Item No
Swan Creek	Dwelling ("Kincross")	Swan Lane and Pacific Highway (corner of)	Lot 1, DP 657567	Local	I946
Taloumbi	Station Blaze Trees	1099–1101 Brooms Head Road	Lot 191, DP 751372	Local	I375
Taloumbi	Station Hoop Pine trees	1099–1101 Brooms Head Road	Lot 191, DP 751372	Local	I376
Townsend	Residence	3 Jubilee Street	Lot 1, DP 501255	Local	I377
Trenayr	Grafton Agricultural Research and Advisory Station	Experiment Farm Lane	Lot 209, DP 751371	Local	I378
Trenayr	Grafton Agricultural Research and Advisory Station—administration building	Experiment Farm Lane	Lot 209, DP 751371	Local	I379
Trenayr	Grafton Agricultural Research and Advisory Station—Bunyip Swamp	Experiment Farm Lane	Lot 209, DP 751371	Local	I380
Trenayr	Grafton Agricultural Research and Advisory Station—farm buildings	Experiment Farm Lane	Lot 209, DP 751371	Local	I381
Trenayr	Grafton Agricultural Research and Advisory Station—manager's residence	Experiment Farm Lane	Lot 209, DP 751371	Local	I382

Suburb	Item name	Address	Property description	Significance	Item No
Trenayr	Grafton Agricultural Research and Advisory Station—rainforest remnant	Experiment Farm Lane	Lot 209, DP 751371	Local	I383
Trenayr	Grafton Agricultural Research and Advisory Station—workers' cottages	Experiment Farm Lane	Lot 209, DP 751371	Local	I384
Tucabia	Tucabia Well	Angourie Street	Lot 7 DP902431	Local	I437
Tullymorgan	Former school buildings and other structures	1069 Jackybulbin Road, Tullymorgan Reserve	Lot 58, DP 751382	Local	I385
Tullymorgan	Bails and tank ("Arndilly")	662 Tullymorgan Road	Lot 21, DP 751382	Local	I386
Tyndale	Shed and cane barracks	18 Gallaghers Road	Lot 2, DP 210874; Lot 19, DP 1007618	Local	I387
Tyndale	Residence	2742 Pacific Highway	Lot 40, DP 1095984	Local	I388
Tyndale	Residence	2860 Pacific Highway	Lot 2, DP 586049	Local	I389
Tyndale	Residence	3121 Pacific Highway	Lot 1, DP 518888; Lot 1, DP 232301	Local	I390
Ulgundahi and Corolama Islands	Ulgundahi Island and Corolama Island	Clarence River by North Arm	Lots 180 and 199, DP 751373	State	I391
Ulmarra	Court House (former)	16 River Street	Lot 1, DP 199572	Local	I392

Suburb	Item name	Address	Property description	Significance	Item No
Ulmarra	Lower Ulmarra former school residence and school building	1708 Pacific Highway	Lot 407, DP 751390	Local	I393
Upper Copmanhurst	Copmanhurst Cemetery	2616 Clarence Way	Lot 1, DP 668347; Lot 1, DP 1121518; Lot 1, DP 724244; Lot 1, DP 668346; Lot 1, DP 1122999; Part Lot 7021, DP 1050488	Local	I394
Upper Copmanhurst	Residence and Shop "Davey's Store" (former)	2363 Clarence Way	Lot 24, DP 1098618; Lot 2, DP 377612	Local	I395
Upper Copmanhurst	St John of the Cross Church	Clarence Way	Lot 2, DP 129152	Local	I396
Upper Copmanhurst	Newbold Grange complex, house, detached kitchen, stucco-walled extension, timber school house, farm outbuildings, garden and dam	Upper Copmanhurst	Lot 1, DP 753528	Local	I397
Warregah Island	Residence ("Andersons")	315 Warregah Island Road	Lot 1, DP 1077538	Local	I398
Winegrove	Newbold Lookout	3135 Clarence Way, Newbold	Part Lot 217, DP 751366	Local	I399
Woodford Island	Woodford Leigh School	3701 Lawrence Road	Lot 49, DP 751392	Local	I400
Woodford Island	Smalls Cemetery	South Arm School Road reserve	Lot 1, DP 995802	Local	I401
Woodford Island	South Arm Schoolhouse	179 South Arm School Road	Lots 1 and 2, DP 554895	Local	I402
Woody Head	Hall	Bundjalung National Park	Lot 54, DP 751379	Local	I403

Suburb	Item name	Address	Property description	Significance	Item No
Woody Head	Hammond's cottage	Bundjalung National Park	Lot 4, DP 361040	Local	I404
Woombah	Former Woombah School	43 Adams Street	Lot 2, DP 568278	Local	I405
Yamba	Flinders Park	Clarence and Queen Streets	Lots 1 and 1A, Section 1, DP 759130; Lot 7031, DP 1128361; Lots 7307–7308, DP 1147276, being Reserve 85724	Local	I406
Yamba	Commercial group	7 Clarence Street	Lot 4, DP 301363	Local	I407
Yamba	Commercial group	9 Clarence Street	SP 61686	Local	I408
Yamba	Commercial group	11 Clarence Street	SP 7946	Local	I409
Yamba	Commercial group	13 Clarence Street	Lot 1, DP 169823	Local	I410
Yamba	Milepost	Fred Phillips Park	Road reserve	Local	I411
Yamba	Calyspso Van Park	Harbour Street	Lot 202, DP 727454; Lot 7032, DP 751395; Lot 266, DP 822794, being Reserve 81523	Local	I412
Yamba	Surf life saving club building	Main Beach	Lots 125 and 139, DP 751395; Lot 180, DP 41513	Local	I413
Yamba	Rock pool	Main Beach	Crown coastal reserve	Local	I414
Yamba	Flagpole	Norfolk Park, River Street	Lot 2, DP 1000916, being Reserve 58617	Local	I415

Suburb	Item name	Address	Property description	Significance	Item No
Yamba	CWA William Agar Memorial Park	Ocean Street	Reserve Lot 1, DP 1117350	Local	I416
Yamba	Light House precinct, including 2 boatman's cottages	Pilot and Clarence Streets (reserve fronting)	Lots 272–274, DP 48539; Lot 1, DP 90838; Lot 1, DP 802768	Local	I417
Yamba	Pacific Hotel (only with respect to columns and 1950s facade fronting Pilot Street)	16 Pilot Street	Lot 1, DP 554606	Local	I418
Yamba	War Memorial	Queen Street	Road reserve	Local	I419
Yamba	Storey House Museum	River Street	Lot 184, DP 704231	Local	I420
Yamba	Sign	Rocky Laurie Drive	Road reserve	Local	I421
Yamba	Yamborra Cottages	Rocky Laurie Drive	Lot 182, DP 44782	Local	I422
Yamba	Norfolk Pines	Wooli Street	Road reserve	Local	I423
Yamba	Residence (former school house) and 2 Norfolk Island pine trees	44 Wooli Street	Lot 5, Section 9, DP 759130	Local	I424
Yamba	Police Station	45 Wooli Street	Lots 3, Section 5, DP 759130	Local	I425
Yamba	Kearns boatshed	Yamba Road reserve	Lot 7041, DP 1023320	Local	I426
Yamba	Gantry wall	Yamba Road, Clarence River	Crown land	Local	I427
Yulgilbar	Yulgilbar River Crossing	Low level bridge over Clarence River	Clarence River	Local	I435
Yulgilbar	Penrose's House site	Lionsville Road	Lot 9, DP 752369	Local	I433
Yulgilbar	Big House	300 Lionsville Road	Lot 2, DP 752401	Local	I428

Suburb	Item name	Address	Property description	Significance	Item No
Yulgilbar	Laundry cottage	300 Lionsville Road	Lot 2, DP 752401	Local	I431
Yulgilbar	Sketch House	300 Lionsville Road in grounds of Big House	Lot 2, DP 752401	Local	I434
Yulgilbar	Hamilton Graves	351 Lionsville Road, Baryulgil	Lot 30, DP 752369	Local	I429
Yulgilbar	Homestead	351 Lionsville Road, Baryulgil	Part Lot 1, DP 752401	Local	I430
Yulgilbar	Ogilvie Vault	351 Lionsville Road, Baryulgil	Part Lot 1, DP 752401	Local	I432
Yulgilbar	Yulgilbar Station	351 Lionsville Road, Baryulgil	Multiple lots	Local	I436

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map	Significance
Brushgrove	Shown by a heavy red line and hatched in red and labelled “C1”	Local
Chatsworth Island	Shown by a heavy red line and hatched in red and labelled “C2”	Local
Grafton	Shown by a heavy red line and hatched in red and labelled “C3”	Local
Harwood	Shown by a heavy red line and hatched in red and labelled “C4”	Local
Lawrence	Shown by a heavy red line and hatched in red and labelled “C5”	Local
Maclean	Shown by a heavy red line and hatched in red and labelled “C6”	Local
South Grafton	Shown by a heavy red line and hatched in red and labelled “C7”	Local
Ulmarra	Shown by a heavy red line and hatched in red and labelled “C8”	Local
Yamba	Shown by a heavy red line and hatched in red and labelled “C9”	Local

Dictionary

(Clause 1.4)

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

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 Clarence Valley Local Environmental Plan 2011 Acid Sulfate Soils Map.

advertisement has the same meaning as in the Act.

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

advertising structure has the same meaning as in the Act.

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

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

affordable housing has the same meaning as in the Act.

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

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

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

agriculture means any of the following:

(a) aquaculture,

(b) extensive agriculture,

(c) intensive livestock agriculture,

(d) intensive plant agriculture.

Note. Part 6 of the *Plantations and Reafforestation Act 1999* provides that exempt farm forestry within the meaning of that Act is not subject to the *Environmental Planning and Assessment Act 1979*.

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

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

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

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

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

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

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

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

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

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

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

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

(a) each dwelling is attached to another dwelling by a common wall, and

(b) each of the dwellings is on its own lot of land, and

(c) none of the dwellings is located above any part of another dwelling.

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

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

backpackers' accommodation means a building or place that:

(a) provides temporary or short-term accommodation on a commercial basis, and

(b) has shared facilities, such as a communal bathroom, kitchen or laundry, and

(c) provides accommodation on a bed or dormitory-style basis (rather than by room).

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

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

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

(a) meals are provided for guests only, and

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

(c) dormitory-style accommodation is not provided.

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

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

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

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

biodiversity means biological diversity.

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

Note. The term is defined as follows:

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

(a) genetic diversity—the variety of genes (or units of heredity) in any population,

(b) species diversity—the variety of species,

(c) ecosystem diversity—the variety of communities or ecosystems.

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 the vertical distance between ground level (existing) and 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.

bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

(a) a large area for handling, display or storage, and

(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,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

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

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.

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

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

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

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

but does not include:

(c) a building or place used for home-based child care, or

(d) an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or

(e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

(g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or

(h) a service that is concerned primarily with the provision of:

  (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or

  (ii) private tutoring, or

(i) a school, or

(j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

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 the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

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

(a) cutting down, felling, thinning, logging or removing native vegetation,

(b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

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

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

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

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

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

Coastal Risk Planning Map means the Clarence Valley Local Environmental Plan 2011 Coastal Risk Planning Map.

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

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

Note. The term is defined as follows:

coastal zone means:

(a) the area within the coastal waters of the State as defined in Part 10 of the *Interpretation Act 1987* (including any land within those waters), and

(b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and

(c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

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

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 Clarence Valley Council.

crematorium means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

Crown reserve means:

(a) a reserve within the meaning of Part 5 of the *Crown Lands Act 1989*, or

(b) a common within the meaning of the *Commons Management Act 1989*, or

(c) lands within the meaning of the *Trustees of Schools of Arts Enabling Act 1902*,

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

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

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

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

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

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

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

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

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

(a) State and regional roads,

(b) 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.

Drinking Water Catchment Map means the Clarence Valley Local Environmental Plan 2011 Drinking Water Catchment Map.

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

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

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

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

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

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

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

dwelling house means a building containing only one dwelling.

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

earthworks means excavation or filling.

Earthworks Exclusion Map means the Clarence Valley Local Environmental Plan 2011 Earthworks Exclusion Map.

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.

extensive agriculture means any of the following:

(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,

(b) the grazing of livestock for commercial purposes,

(c) bee keeping,

(d) a dairy (pasture-based).

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

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

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

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

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

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

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

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

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

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

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

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

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

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

(a) still photography, or

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

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

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

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

Note. The term is defined as follows:

Definition of "fish"

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

(2) ***Fish*** includes:

(a) oysters and other aquatic molluscs, and

(b) crustaceans, and

(c) echinoderms, and

(d) beachworms and other aquatic polychaetes.

(3) ***Fish*** also includes any part of a fish.

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

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

flood planning area means the land shown as "Flood planning area" on the Flood Planning Map.

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

Flood Planning Map means the Clarence Valley Local Environmental Plan 2011 Flood Planning Map.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Clarence Valley Local Environmental Plan 2011 Floor Space Ratio Map. [Not adopted. See clause 4.4]

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

(a) a restaurant or cafe,

(b) take away food and drink premises,

(c) a pub.

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

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

Note. The term is defined as follows:

forestry operations means:

(a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or

(b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or

(c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or

(d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

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

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

funeral 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, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any 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 Clarence Valley Local Environmental Plan 2011 Height of Buildings Map.

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

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

(a) a terminal building, or

(b) facilities for the parking, storage or repair of helicopters.

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

heritage conservation area means an area of land of heritage significance:

(a) shown on the Heritage Map as a heritage conservation area, and

(b) the location and nature of which is described in Schedule 5,

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

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Division of the Government Service 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 Clarence Valley Local Environmental Plan 2011 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 dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

(a) the service is licensed within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*,

(b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

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

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

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or

(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or

(d) the exhibition of any signage (other than a business identification sign), or

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

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

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

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

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

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,

(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,

(d) the exhibition of any signage (other than a business identification sign),

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

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

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

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

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

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or

(c) the display of goods, whether in a window or otherwise, or

(d) the exhibition of any signage (other than a business identification sign), or

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

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

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

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or

(c) the exhibition of any signage, or

(d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

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

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

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

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

(a) day surgery, day procedures or health consulting rooms,

(b) accommodation for nurses or other health care workers,

(c) accommodation for persons receiving health care or for their visitors,

(d) shops, kiosks, restaurants or cafes or take-away food and drink premises,

(e) patient transport facilities, including helipads, ambulance facilities and car parking,

(f) educational purposes or any other health-related use,

(g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),

(h) chapels,

(i) hospices,

(j) mortuaries.

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

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

(a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and

(b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

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

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

(a) comprises rooms or self-contained suites, and

(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

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

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

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

industrial retail outlet means a building or place that:

(a) is used in conjunction with an industry or rural industry, and

(b) is situated on the land on which the industry or rural industry is located, and

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

but does not include a warehouse or distribution centre.

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

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

industry means any of the following:

(a) general industry,

(b) heavy industry,

(c) light industry,

but does not include:

(d) rural industry, or

(e) extractive industry, or

(f) mining.

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

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

(a) dairies (restricted),

(b) feedlots,

(c) piggeries,

(d) poultry farms,

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

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

intensive plant agriculture means any of the following:

(a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),

(b) horticulture,

(c) turf farming,

(d) viticulture.

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

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

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

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

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

Land Application Map means the Clarence Valley Local Environmental Plan 2011 Land Application Map.

Land Reservation Acquisition Map means the Clarence Valley Local Environmental Plan 2011 Land Reservation Acquisition Map.

Land Zoning Map means the Clarence Valley Local Environmental Plan 2011 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.

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, derived principally from surrounding districts, 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.

Lot Size Map means the Clarence Valley Local Environmental Plan 2011 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 the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

Meaning of "native vegetation"

(1) ***Native vegetation*** means any of the following types of indigenous vegetation:

(a) trees (including any sapling or shrub, or any scrub),

(b) understorey plants,

(c) groundcover (being any type of herbaceous vegetation),

(d) plants occurring in a wetland.

(2) Vegetation is ***indigenous*** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.

(3) ***Native vegetation*** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

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 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.

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.

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

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

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

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

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

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except

where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

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

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

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

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

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

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

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

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

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*:

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

(b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,

(c) wharves for commercial fishing operations,

(d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,

(e) sea walls or training walls,

(f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

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

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

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

Note. The term is defined as follows:

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

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

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

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

public authority has the same meaning as in the Act.

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

Note. The term is defined as follows:

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

(a) a public road, or

(b) land to which the *Crown Lands Act 1989* applies, or

(c) a common, or

(d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or

(e) a regional park under the *National Parks and Wildlife Act 1974*.

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

public utility infrastructure, in relation to an urban release area, includes infrastructure for any of the following:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

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

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

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

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

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

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

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

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

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

registered club means a club that holds a club licence under the *Liquor Act 2007*.

relic has the same meaning as in the *Heritage Act 1977*.

Note. The term is defined as follows:

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

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance.

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

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

(a) attached dwellings,

(b) boarding houses,

(c) dual occupancies,

(d) dwelling houses,

(e) group homes,

(f) hostels,

(g) multi dwelling housing,

(h) residential flat buildings,

(i) rural workers' dwellings,

(j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,

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

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

(a) meals and cleaning services, and

(b) personal care or nursing care, or both, and

(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

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

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

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

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

resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of

recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

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

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

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, takeaway 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 sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

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

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

(a) bulky goods premises,

(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,

(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.

Riverbank Erosion Planning Map means the Clarence Valley Local Environmental Plan 2011 Riverbank Erosion Planning 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.

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 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, 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.

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

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

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

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

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

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

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

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

Note. The term is defined as follows:

swimming pool means an excavation, structure or vessel:

(a) that is capable of being filled with water to a depth of 300 millimetres or more, and

(b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

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

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

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

telecommunications facility means:

(a) any part of the infrastructure of a telecommunications network, or

(b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or

(c) any other thing used in or in connection with a telecommunications network.

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

temporary structure has the same meaning as in the Act.

Note. The term is defined as follows:

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

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 Clarence Valley Local Environmental Plan 2011 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.

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

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

waste or resource management facility means any of the following:

(a) a resource recovery facility,

(b) a waste disposal facility,

(c) a waste or resource transfer station,

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

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

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

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

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

(a) retention structures, and

(b) treatment works, and

(c) irrigation schemes.

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

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

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

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

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

water supply system means any of the following:

(a) a water reticulation system,

(b) a water storage facility,

(c) a water treatment facility,

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the

water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

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

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

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

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

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

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

wetland means:

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

(b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

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.