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SPECIAL SUPPLEMENT



New South Wales

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—Heritage

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (W97/00064/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—Heritage

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—Heritage*.

2 Aims of plan

This plan aims:

- (a) to identify and conserve the environmental heritage of the City of Shoalhaven, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and
- (d) to ensure that the heritage conservation areas throughout the City of Shoalhaven retain their heritage significance.

3 Land to which plan applies

This plan applies to all land within the City of Shoalhaven under *Shoalhaven Local Environmental Plan 1985*.

4 Amendment of Shoalhaven Local Environmental Plan 1985

Shoalhaven Local Environmental Plan 1985 is amended as set out in Schedule 1.

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(Clause 4)

[1] Clause 2 Aims, objectives etc

Omit “items of the environmental heritage” from clause 2 (2) (h).
Insert instead “heritage items”.

[2] Part 3, Division 4A

Insert after Division 4 of Part 3:

Division 4A Heritage conservation

20C Definitions

In this Division:

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

adaptation, in relation to a building or work, means the modifying of a building or work to suit a proposed compatible use.

alteration, in relation to a building or work, means:

- (a) the making of structural changes to the inside or outside of the building or work, or
- (b) the making of non-structural changes to the detail, fabric, finish or appearance of the outside of the building or work, other than changes resulting from the maintenance of the building or work.

archaeological site means the site of one or more relics.

compatible use, in relation to a building or work, means a use which involves sympathetic change to the culturally significant fabric of the building or work.

conservation, in relation to a building or work, means the preservation, restoration, reconstruction, adaptation or maintenance of the building or work in such a manner as to retain the cultural significance of the building or work.

conservation management plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or

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heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

demolish a heritage item, or a building, work, relic, archaeological site, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, relic, archaeological site, tree or place.

heritage conservation area means land described as a heritage conservation area in Part 2 of Schedule 7 and shown edged heavy black with stippled open sawtooth on the heritage map and includes buildings, works, relics, archaeological sites, trees and places situated on or within the land.

heritage conservation area of State significance means a heritage conservation area identified by an asterisk in Part 2 of Schedule 7.

heritage impact statement means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, relic, archaeological site, tree or place within a 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, relic, tree or place or a component of a building work, relic tree or place specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Part 1 of Schedule 7 and shown on the heritage map.

heritage item of State significance means a heritage item identified by an asterisk in Part 1 of Schedule 7.

heritage map means the series of maps marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 212)”, as amended by the maps or, if any sheets of the maps are specified, by the specified sheets of the maps, marked as follows:

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

maintenance means the ongoing protective care of a heritage item, a place of Aboriginal heritage significance or a building, work, archaeological site, tree or place within a heritage conservation area, including but not limited to the following:

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- (a) repairs to the components of a place where this involves replacing missing or deteriorated fabric to match the existing fabric,
 - (b) repainting previously painted surfaces in colour schemes to the period of construction,
 - (c) repairs to services where this does not involve alterations to or opening up of existing early or significant fabric,
 - (d) excavation of services where this does not impact on areas that, in the opinion of the consent authority, are archaeologically significant,
 - (e) restoration of the components of a place by returning existing fabric to a known earlier location or configuration, by removing accretions or by reassembling existing components without the introduction of new material,
 - (f) gardening where major structural alteration to the garden layout is not involved,

but does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

place of Aboriginal heritage significance means:

- (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, Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as:
 - (i) burial places, and
 - (ii) engraving sites, and
 - (iii) rock art, and
 - (iv) midden deposits, and
 - (v) scarred and sacred trees, and
 - (vi) sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes:
 - (i) a natural feature such as a creek or mountain of long-standing cultural significance, or
 - (ii) an initiation, ceremonial or story place, or
 - (iii) an area of more contemporary cultural significance.

relic means any deposit, object or material evidence:

- (a) that relates to the settlement of the City of Shoalhaven not being Aboriginal habitation, and

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(b) that is more than 50 years old.

vicinity of a heritage item means the extent of land that has a physical or visual relationship to the heritage item and its setting or to the heritage conservation area.

20D Objectives

The objectives of this plan in relation to heritage conservation are:

- (a) to identify and conserve the environmental heritage of the City of Shoalhaven, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and
- (d) to ensure that the heritage conservation areas throughout the City of Shoalhaven retain their heritage significance.

20E Protection of heritage items and heritage conservation areas

(1) **When is consent required?**

The following development may be carried out only with development consent:

- (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance,
- (c) altering a heritage item by making structural changes to its interior,
- (d) disturbing or excavating a place of Aboriginal heritage significance or 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 or Aboriginal object being discovered, exposed, moved, damaged or destroyed,
- (e) moving the whole or a part of a heritage item,
- (f) erecting a building on, or subdividing, land on which a heritage item is located or that is within a heritage conservation area.

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(2) **What exceptions are there?**

Development consent is not required by this clause if:

- (a) in the opinion of the consent authority:
 - (i) the proposed development:
 - (A) is of a minor nature or consists of maintenance to the heritage item, place of Aboriginal heritage significance or archaeological site or of a building, work, relic, tree or place within a heritage conservation area, and
 - (B) would not adversely affect the significance of the heritage item, place of Aboriginal heritage significance, archaeological site or heritage conservation area, or
 - (ii) the proposed development consists of conservation works in accordance with a conservation policy or strategy contained in a conservation management plan endorsed by the consent authority, and
- (b) the proponent has notified the consent authority in writing 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 will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:

- (a) the creation of a new grave or monument, or
- (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) **What must be included in assessing a development application?**

The consent authority must not grant consent to development on land on which a heritage item is located, within the vicinity of a heritage item, or within a heritage conservation area, unless it has assessed the impact of the proposed development on the heritage significance of the relevant heritage item or of the heritage conservation area and is satisfied that impact is acceptable.

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(5) **What extra documentation is needed?**

The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan endorsed by the consent authority, if it considers the development proposed should be assessed with regard to such a plan.

(6) The issues to be addressed by the heritage impact statement must include:

- (a) for development that would affect a heritage item:
 - (i) the heritage significance of the item as part of the environmental heritage of the City of Shoalhaven, and
 - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (iii) the measures proposed to conserve the heritage significance of the item and its setting, and
 - (iv) whether any archaeological site would be adversely affected by the proposed development, and
 - (v) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and
- (b) for development that would be carried out in a heritage conservation area:
 - (i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and
 - (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and
 - (iii) the compatibility of the proposed development with any nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

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- (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and
 - (v) whether any landscape or horticultural features would be affected by the proposed development, and
 - (vi) whether any archaeological site would be affected by the proposed development, and
 - (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and
 - (viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

20F Advertised development

The following development is identified as advertised development:

- (a) the demolition of a heritage item or a building, work, relic, archaeological site, tree or place in a heritage conservation area, and
- (b) the carrying out of any development allowed by clause 20L.

20G Development in the vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated.
- (2) This clause extends to development:
 - (a) that may undermine or otherwise cause physical damage to a heritage item, or
 - (b) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

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- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.
- (5) Before granting consent to development that, in the opinion of the consent authority, is likely to have an impact on significant views associated with heritage items, the consent authority must consider a statement addressing the visual impact of the proposed development, including associated landscaping, on the preservation of significant views.

20H Notice of demolition to the Heritage Council

Before granting consent to the demolishing, defacing or damaging of any heritage item of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

20I Development affecting places of Aboriginal heritage significance

Before granting consent to development required by clause 20E that will be carried out in a place of Aboriginal heritage significance, the consent authority must:

- (a) consider the effect on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) except where the proposed development requires the consent of the Director-General of the Department of Environment and Conservation under section 90 of the *National Parks and Wildlife Act 1974*, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

20J Development affecting archaeological sites

- (1) Before granting consent to development required by clause 20E that will be carried out on an archaeological site (whether or not it is also the site of an Aboriginal object), the consent authority must:
 - (a) consider the effect on the heritage significance of any relic known or reasonably likely to be located at the site, and

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- (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.
- (2) This clause does not apply to land which is listed on the State Heritage Register or to which an interim heritage order applies.

20K Development in heritage conservation areas

Before granting consent to the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

20L Conservation incentives

The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise not be allowed by this plan, if:

- (a) the consent authority is satisfied that the retention of the heritage item depends on the granting of consent, and
- (b) the proposed development is in accordance with a conservation management plan that has been endorsed by the consent authority, and
- (c) the conditions of consent to the proposed development would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed development would not significantly adversely affect the amenity of the surrounding area, and
- (f) conditions of consent to the proposed development would enable the general public to have increased access to the heritage item.

20M Milton streetscape

- (1) This clause applies to land at Milton, being Lot 5, DP 78484, Lot 1, DP 112309, Lot 2, DP 153993, Lots C and D, DP 160290, Lot 5, DP 160292, Lots 2, 4, 6, 7, 8, 9 and 10, Section B, DP 975074 and Lot 7, DP 556082, Princes Highway.

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- (2) The objectives of this clause are to maintain and enhance the heritage character of the streetscape and to ensure that any development is compatible with the heritage significance of heritage items.
- (3) In deciding whether to grant consent to development of land to which this clause applies, the consent authority must take into account the adequacy of the measures proposed by the applicant to ensure the proposed development will meet the objectives of this clause.

[3] Clauses 31, 32 and 32A

Omit the clauses.

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[4] **Schedule 7**

Omit the Schedule. Insert instead:

Schedule 7 Heritage conservation

(Clause 20C)

Part 1 Heritage items

Note. An asterisk (*) identifies a heritage item of State significance.

Locality	Heritage item	Address	Description
Back Forest	Victorian Weatherboard Farmhouse	235A Back Forest Road	Lot 1 DP 629802
	Berry Estate former Pumping Station	255 Back Forest Road	Lot 221 DP 858302
	Federation Weatherboard Farmhouse and Outbuildings	37 Bailleul Lane (private)	Lot 5 DP 883117
Bamarang	“Bamarang”—Homestead Cemeteries and “Bamarang”—Victorian Sandstone Homestead	72 Bamarang Road	Lot 20 DP 746233
Bangalee	“Weir”—Family Graves	Bangalee Scout Camp Road	Lot 48 DP 751273
Barrengarry	“Cavan”—Dairy Farm Complex	26B Cavan Road	Lot 8 DP 869740
	Barrengarry Store, Post Office and Residence	2167 Moss Vale Road	Lot 11 DP 3237
	“Rosedale”—Victorian Farmhouse and Outbuildings	2240 Moss Vale Road	Lot 101 DP 623325
	* Former Barrengarry School and Schoolmaster’s Residence	2565 Moss Vale Road	Part Lot 86 DP 751262
	“Ascot”—Dairy Farm Complex	49 Upper Kangaroo River Road	Lot 18 DP 773481

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Locality	Heritage item	Address	Description
	“Oakleigh”—(former gatehouse to Barrengarry House)	89 Upper Kangaroo River Road	Lot 1 DP 746459
	* “Barrengarry House”—two storey Victorian Estate Complex, including tree-lined drive and approaches	171 Upper Kangaroo River Road	Lot 1 DP 259769 Part Lot 1 DP 195569
Bawley Point	Relocated Bawley Point Mill Worker’s Cottage	10 Johnston Street	Lot A DP 380422
	Bawley Point Guesthouse and trees	21 Johnston Street	Lot 43 DP 1038219
	1830s Colonial Road	Johnston Street	Lot 7003 DP 1054711
	* “Murramarang”—(former Colonial Estate House)	226 Murramarang Road	Lot 23 DP 571930
	Bawley Point Sawmill and Wharf (former)	Tingira Drive	Lots 120–129 DP 755961 Lot 7004 DP 1057514
Beaumont	Cambewarra Lookout Manager’s Residence and garden	182 Cambewarra Lookout Road	Lot 2 DP 849185
Beecroft Peninsula	Wreck of the “Merimbula”	Currarong Road	Lot 7004 DP 1030104
	* Point Perpendicular Lighthouse Group	Lighthouse Road	Lot 52 DP 837775
Bellawongarah	Former Bellawongarah Church	869 Kangaroo Valley Road	Lots 9 and 10 DP 113374
	Bellawongarah Cemetery	Kangaroo Valley Road	2 hectares of land east of Lot 3 DP 719565
Bendalong	Archaeological Site—Red Head Timber Mill and Wharf	1 Waratah Street	Lot 187 DP 755923
Berry	* Federation Weatherboard Cottage and garden	21 Albany Street	Lot 4 DP 375126

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Locality	Heritage item	Address	Description
	Inter-war Federation style Weatherboard Cottage and fence	23 Albany Street	Lot B DP 350396
	Victorian Georgian style Weatherboard Cottage	25 Albany Street	Lot 61 DP 826592
	Victorian Georgian style Weatherboard Cottage	19 Albert Street	Lot A DP 408003
	Federation Weatherboard Cottage	54 Albert Street	Lot 17 DP 8058 Sec 10
	Victorian Carpenter Gothic style Hall	69 Albert Street	Lot 1 DP 725934
	Former Federation Brick Butcher's Shop	14 Alexandra Street	Lot 1 DP 513688
	Berry School of Arts	19 Alexandra Street	Lot 8 DP 924675
	* Berry Showground Group and trees, including: Victorian Agricultural Pavilion, Rotunda, Poultry Shed, Wood chopping Arena, Cattle yards, Alexandra Street entrances, Sir John Hay Memorial Fountain, Former Berry Municipal Chambers, Araucaria cunninghamii (Hoop Pines), Ficus sp (Figtree), Erythrina sp (Coral trees), Eucalyptus sp (Eucalyptus trees), Magnolia sp (Magnolias),	35 Alexandra Street	Lot 1 DP 940561

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Locality	Heritage item	Address	Description
	Photinia serratifolia (Photinia), Callitris macleayana (Cypress), Cinnamomum camphora (Camphor Laurels), Camellia sp (Camellias)		
	Agathis robusta (Kauri Pine)	Alexandra Street	Road reserve in front of Lot 2 DP 17926
	Sandstone War Memorial	Alexandra Street	Lot 26 DP 8058 Sec 5
	Avenue of Remembrance (tree-lined)	Alexandra Street	Road reserve in front of Lot 26 Sec 5 DP 8058
	Berry War Memorial Park	Alexandra Street	Lot 26 DP 8058 Sec 5
	David Berry Memorial Park, including: David Berry Memorial Column and pedestal	Alexandra Street	Part Lot 10 DP 751268
	Araucaria cunninghamii (Hoop Pine)	Alexandra Street	In the road reserve adjacent to Lot A DP 411591
	Harley Hill Cemetery	Beach Road	Lot 1 DP 723973
	Coomanderry Swamp Drainage Channel	190 Coolangatta Road	Lot 5 DP 860111 Lot 2 DP 836097 Lot 6 DP 786106 Lot 12 DP 630628 Part Lot 2 DP 517528 Lot 12 DP 1047067 Lot 3 DP 805443 Lot 1 DP 706777 drainage reserve Lots 21 and 22 DP 1028714

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	* Inter-war Group of Institutional Brick and Weatherboard Buildings and trees	660 Coolangatta Road	Lot 1 DP 131859
	Remnant old growth Eucalypts	George Street	Road reserve of George Street
	Eucalyptus pilularis (Blackbutt)	42 Kangaroo Valley Road	Lot 2 DP 773489
	* Berry General Cemetery	Kangaroo Valley Road	Lot 71 DP 4468
	Syncarpia glomulifera (Turpentine tree)	10 King Street	Lot 23 DP 375126
	Calodendrum capense (Cape Chestnut)	King Street	On the corner of King Street and Victoria Street in the road reserve adjacent to Lot 1 DP 710284
	Roman Catholic Church, including: Grounds, Two storey Brick Convent	80 North Street	Lot 1 DP 86897
	Federation Weatherboard Cottage, including: Brick Stables, Hedge	10 Prince Alfred Street	Lot 1 DP 572830
	Apex Park	12 Prince Alfred Street	Lot 2 DP 572830
	Liriodendron tulipifera (Tulip tree)	20 Prince Alfred Street	Lot 11 DP 816490
	Former Federation Weatherboard Shop	21 Prince Alfred Street	Lot 16 DP 8058 Sec 3
	Former Berry Estate Bakery and Residence	23 Prince Alfred Street	Lot 2 DP 532935
	Federation Weatherboard Cottage	25 Prince Alfred Street	Lot A DP 380097
	Federation Weatherboard Cottage and trees	31 Prince Alfred Street	Lot 3 DP 932362

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Locality	Heritage item	Address	Description
	Federation Weatherboard Cottage and garden	32 Prince Alfred Street	Lot 1 DP 970121
	Araucaria heterophylla (2) (Norfolk Island Pines)	40 Prince Alfred Street	Lot 1 DP 950717
	Georgian style Weatherboard Cottage	43 Prince Alfred Street	Lot 17 DP 8058 Sec 5
	Federation Weatherboard Cottage	47 Prince Alfred Street	Lot 19 DP 8058 Sec 5
	Victorian Georgian style Weatherboard Cottage and trees, including: Araucaria cunninghamii (2) (Hoop Pines), Brachychiton acerifolius (3) (Illawarra Flame Trees)	53 Prince Alfred Street	Lot 56 DP 701877
	Victorian Georgian style Gatekeeper's Cottage	66 Prince Alfred Street	Lot 1 DP 1022140
	Bill's Concrete Horse Trough	Prince Alfred Street	Road reserve on the corner of Prince Alfred Street and the Princes Highway adjacent to Lot 2 DP 572830
	* James Wilson Memorial Fountain	Prince Alfred Street	Road reserve on the corner of Prince Alfred Street and the Princes Highway adjacent to Lot 11 DP 816490
	"Wyndree"—Victorian Georgian style Weatherboard Cottage and garden	A15 Princes Highway	Lot 5 DP 600374
	* "Mananga"—Berry Estate Manager's Farm Complex	A40 Princes Highway	Lot 101 DP 1057897
	Inter-war Weatherboard Californian Bungalow	52 Princess Street	Lot 1 DP 304729

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Locality	Heritage item	Address	Description
	Inter-war Weatherboard and Fibro Cottage	54 Princess Street	Lot 18 DP 8058 Sec 8
	Inter-war Brick Residence, including: Doctor's Surgery, Garden	65 Princess Street	Lot 8 DP 8058 Sec 3 Lot 9 DP 8058 Sec 4
	* Former two storey Anglican Rectory and garden	68 Princess Street	Lot 20 DP 840778
	* St Lukes Anglican Church, including: Memorial Gates, Trees, including Araucaria heterophylla (Norfolk Island Pine)	68A Princess Street	Lot 21 DP 840778
	Quercus virginiana (American Live Oak)	Princess Street	Lot 1012 DP 872963
	* Colonial style Weatherboard Store (former Wilson and Co Store)	1 Pulman Street	Lot 1 DP 724944
	* Araucaria heterophylla (2) (Norfolk Island Pines)	1 Pulman Street	Lot 1 DP 724944
	* Colonial Weatherboard Cottage (former Curate's Cottage)	3 Pulman Street	Lot 23 DP 1017132
	* "Lynstowe"—Colonial style Weatherboard Cottage	11 Pulman Street	Lot 20 DP 5270
	Farmhouse and Broughton Creek Grist Mill (former Tindal's Farm)	13 Pulman Street	Lot 1 DP 629875
	* Pulman's Weatherboard Farmhouse	30 Pulman Street	Lot 21 DP 772051
	Federation Weatherboard Cottage	50 Queen Street	Lot 1 DP 530751

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	* Mid-twentieth century Residence, including: Pool, Garden	60–62 Queen Street	Lots 3 and 4 DP 355525
	Relocated Federation Weatherboard Cottage	65 Queen Street	Lot 10 DP 8058 Sec 10
	Inter-war Spanish Mission style Bungalow and garden	66 Queen Street	Lot 1 DP 619195
	Victorian Georgian style Weatherboard Residence	78 Queen Street	Lot 2 DP 270250
	Federation Weatherboard Cottage	81 Queen Street	Lot A DP 369043
	Former Federation Blacksmith's Shop, including: Cinnamomum camphora (Camphor Laurel)	83 Queen Street	Lot B DP 369043
	Two storey Federation Residence and garden	89 Queen Street	Lot B DP 400209
	Inter-war Art Deco style Shop	102 Queen Street	Lot 1011 DP 872963
	Two storey Victorian Italianate style Shop	105 Queen Street	Lot 1 DP 778335
	Two storey Victorian Free Classical style Shop	110 Queen Street	Lot 2 DP 209665
	Inter-war Weatherboard Shop	114–118 Queen Street	Lot 1 DP 121360 Lot X DP 418264
	Two storey Victorian Hotel and Detached Kitchen, including: Acmena smithii (2) (Lilly Pilly)	120 Queen Street	Lot 1 DP 578257
	* Former CBC Bank, including: Fence, Trees	122 Queen Street	Lot 1 DP 742700

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	Federation Weatherboard Shop	131 Queen Street	Lot 1 DP 1009635
	* Former E S and A Bank and garden	135 Queen Street	Lot 1 DP 221105
	* Victorian Free Classical style Post Office	137 Queen Street	Lot 64 DP 751268
	* Two storey Victorian Rendered Brick Shop	Queen Street	Lot 7 DP 825542
	Toona australis (Australian Red Cedar)	11 Station Road	Lot 55 DP 701877
	* Berry Railway Station Group, including: Victorian Georgian style Stationmaster's Cottage, Ilex cornuta (Chinese Holly), Gardenia thunbergia (Gardenia)	34 Station Road	Lot 2 DP 1001740
	* David Berry Hospital Complex, including: Gatehouse, Stained glass window, Garden, Trees, Remnant rainforest	85 Tannery Road,	Part DP 924054
	* "Woodside Park"—Dairy Farm Complex and Gatehouse	94A Tannery Road	Lot 2 DP 731117 Lots 1 and 2 DP 1038647
	Populus nigra italica (23) (Lombardy Poplars)	Tannery Road	Road reserve
	Inter-war Georgian style Weatherboard Cottage	23 Victoria Street	Lot 2 DP 519970
	* Former Presbyterian Manse and garden	36 Victoria Street	Lot B DP 163935
	Inter-war Schoolmaster's Residence	40 Victoria Street	Lot 11 DP 882716
	Melaleuca decora (2) (Paper Barks)	51 Victoria Street	Lot 1 DP 513697

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Locality	Heritage item	Address	Description
	Victorian Georgian style Police Residence and Lockup	56 Victoria Street	Lot 1 DP 199995
	* Victorian Classical Academic style Court House, including: Cinnamomum camphora (Camphor Laurel)	58 Victoria Street	Lot 2 DP 199995
	Federation Weatherboard Cottage	65 Victoria Street	Lot 11 DP 8058 Sec 8
	Federation Weatherboard Cottage and trees	71 Victoria Street	Lot 2 DP 327819
	Relocated Colonial Weatherboard School (former Broughton Creek School)	79 Victoria Street	Lot 4 DP 8058 Sec 8
	Inter-war Gothic style Brick Church and fence	83 Victoria Street	Lot 2 DP 8058 Sec 8
	* Victorian School and trees	Victoria Street	Lot 12 DP 882716
	Mark Radium Park	Victoria Street	Lot 1 DP 925241
	Berry Estate Salt Wall	Wharf Road	Lot 1 DP 568280
	Windsor Drive Park	Windsor Drive	Lot 24 DP 248248
	Populus nigra italica (9) (Lombardy Poplars)	Woodhill Mountain Road	Road reserve
Berry Mountain	“Cobbadah”—Dairy Farm Complex, including: Garden, Dry stone walls, Survey marks	Ben Dooley Road	Lot 12 DP 1035084
	* “Glenworth”—two storey Residence and Grounds	466 Kangaroo Valley Road	Lots 4, 7 and 8 DP 1037100
Bewong	Federation weatherboard Farmhouse (McDonalds)	Princes Highway	Lot 3 DP 209048 Lot 1 DP 200251

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
Bolong	Berry Estate Vertical Timber Slab Cottage and Outbuildings	459 Bolong Road	Lot 10 DP 1052770
	“Beuna Vista”—Dairy Farm Complex, including: Berry Estate Vertical Timber Slab Barn	490 Bolong Road	Lot 1 DP 655442 Lot 1 DP 1034357
	Former Bolong Public School, including: Shelter shed, Relocated Bolong Carpenter Gothic style Union Church	8 Jennings Lane	Lot 2 DP 550908
	“Iolanthe”—Dairy Farm Complex	100 Jennings Lane	Lots 16, 17 and 19 DP 4266
	Berry Estate Timber Stud Framed Flood Boatshed	Jennings Lane	Lot 1 DP 872745
	Bomaderry	Former Bomaderry Primary School and trees	5 Birriley Street
* “Greenleaves”—Federation Queen Anne style Residence and grounds		59 Bolong Road	Lot 5 DP 2886 Sec 32
Federation Brick and Asbestos Tile Residence		67 Bolong Road	Part Lot 2 DP 324484
Milk Factory (former)		Bolong Road	Lot 1 DP 189450
Group of Detached Batten Fibro Buildings (former United Aboriginal Mission)		Brinawarr Street	Lot 4 DP 2886 Sec 27 Lot 5 DP 2886 Sec 28 Lot 6 DP 2886 Sec 29
Federation Weatherboard Residence		10 Coomea Street	Lot 16 DP 2886 Sec 9
Federation Weatherboard Residence		14 Coomea Street	Lot 14 DP 2886 Sec 9
Inter-war Weatherboard Californian Bungalow		21 Coomea Street	Lot 5 DP 2886 Sec 24

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
	Victorian Weatherboard Residence	37 Coomea Street	Lot 1 DP 613536
	* “Lynburn”—Timber Federation Residence and garden	Mattes Way	Lot 23 DP 793122
	Bomaderry Presbyterian Church	7 Meroo Street	Lot 6 DP 2886 Sec 9
	Brick and Asbestos Tile Federation Bungalow	13 Meroo Street	Lot 9 DP 2886 Sec 9
	* Railwaymen’s Barracks	16 Meroo Street	Lot 1 DP 854131
	Weatherboard Cottage (formerly Mrs Pallett’s Residence)	77 Meroo Street	Lot 1 DP 506705
	* Bomaderry Railway Station and yard Group, including: Nowra-Bomaderry Railway Station and “original bar holder”, Bomaderry Stationmaster’s House, Bomaderry Railway Siding Group, including: Turntable, Weighbridge, Goods Crane, Water Pump	Meroo Street	Lot 3 DP 802440
	* “Illohra”—Federation Timber Berry Estate Residence and garden	472 Princes Highway	Lot 2 DP 792770
	Federation Georgian style Worker’s Cottage	9 Tanang Street	Lot 15 DP 2886 Sec 7
	Victorian Weatherboard Residence	6 Tarawara Street	Lot 3 DP 775937
	Victorian Weatherboard Residence	8 Tarawara Street	Lot 1 DP 552899

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
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Amendments

Schedule 1

Locality	Heritage item	Address	Description
Brooman	Timber Cottage Group, including: Former School, Mill workers' cottages, Mill manager's residence (Old Booman Town)	1295 Brooman Road	Lot 67 DP 755912
Broughton	"Glenvale"—Colonial Vertical Timber Slab Cottage and Farm Complex	A371 Princes Highway	Lot 2 DP 602354
Broughton Vale	Drawing Room Rocks	Brogers Creek Road	Barron Grounds Nature Reserve
	Broughton Vale Cemetery	350A Broughton Vale Road	Lot 1 DP 797498
Brundee	"Berry Estate"—Vertical Timber Slab Barn (former)	695A Greenwell Point Road	Lot 5 DP 632857
Buangla	Grassy Gully Mine Site	Yalwal Road	State Forest
Bundewallah	Victorian Georgian style Farmhouse	218 Bundewallah Road	Lot 1 DP 706470
Burrier	* Burrier Ford	Burrier Road	Shoalhaven River in the vicinity of Lot 51 DP 862458 and Lot 2 DP 226584
Burrill Lake	Agathis robusta (Kauri Pine) Ficus sp (Figtree) Araucaria heterophylla (Norfolk Island Pine) Post-war Pseudo Stone Burrill Lake Community Hall	4 Kendall Crescent, 2–4 McDonald Parade and McDonald Parade Princes Highway	Lots 307–309 DP 15648 and in the McDonald Parade road reserve adjacent to land in DP 15648 Lot 273 DP 415059
Cambewarra	Colonial Vertical Timber Slab Cottage Cambewarra Rainforest Reserve Evison's Dairy Farm Complex	94 Barfield Road Cambewarra Lookout Road 49 Hockeys Lane	Lot 1 DP 573197 Reserve No 57023 Lot 2 DP 621553

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
Cambewarra Village	* “Llanthony Lodge”— two storey Victorian Weatherboard Residence	1 Kalinga Street	Lot 101 DP 788323
	Corrugated Iron Community Hall	75 Main Road	Lot 1 DP 725937
	Federation Georgian style Residence (former Post Office)	77 Main Road	Lot 2 DP 240571
	Weatherboard Gothic Carpenter style Union Church	80 Main Road	Part Lot 170 DP 751273
	Former Weatherboard School	Main Road	Lot 2 DP 839145
	* Former Schoolmaster’s Brick Residence and garden	Tannery Road	Lot 1 DP 850699
Comberton	Comberton Grange (former Dairy Farm Complex)	Comberton Grange Road	Lot 1 DP 550098
	Lone Grave of Thomas Speechley	Forest Road	Lot 101 DP 755928
Comerong Island	Archaeological Site (former Coal Wharf Site)	Comerong Island Road	Comerong Island
Conjola	Murray Family Cemetery	40 Murrays Road	Lot 4 DP 864378
	Conjola Timber Trestle Bridge	Murrays Road	Road reserve
	Conjola Cemetery	Princes Highway	Lot 7037 DP 93024
Coolangatta	Victorian Georgian style Farmhouse and trees	1165 Bolong Road	Lot 3 DP 565593
	Former Berry Estate Brick Schoolmaster’s Residence, including: Garden, Former Weatherboard Berry Estate School	1180 Bolong Road	Lot 1 DP 657639
	Victorian Georgian style Farmhouse	1220 Bolong Road	Lot 1001 DP 836951

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Schedule 1

Locality	Heritage item	Address	Description
	* Coolangatta Estate Group, including:	Bolong Road	Part Lot 1 DP 390622 Lot 10 DP 580917 Lots 1, 3 and 4 and part Lot 2 DP 15290 Lot 1 DP 525517 Lot A DP 33346 Lot 1 and part Lot 2 DP 223278 Lot 64B DP 7851
	* “Coolangatta Park”— Victorian Federation Filigree style Residence and garden,	1320 Bolong Road	Part Lot 1 DP 390622
	* Colonial Weatherboard Cottage (former Coolangatta Estate Convict Quarters),	1335 Bolong Road	Lot 1 DP 223278
	* Colonial Weatherboard Building (former Coolangatta Estate Billiard Rooms),	1335 Bolong Road	Lot A DP 33346
	* Colonial Brick Building (former Coolangatta Estate Office),	Bolong Road	Part Lot 2 DP 223278
	* Colonial Brick Building (former Coolangatta Estate Coachman’s Quarters),	Bolong Road	Lot A DP 33346
	* Colonial Brick Building (former Coolangatta Estate Stables),	Bolong Road	Lot 3 DP 15290
	* Colonial Brick Building (former Coolangatta Estate Harness Room),	Bolong Road	Part Lot 2 DP 15290
	* Archaeological Site (Berry Estate homestead ruins),	Bolong Road	Lot A DP 33346

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
	* Colonial Brick Hall (former Coolangatta Estate Community Hall),	Bolong Road	Part Lot 2 DP 223278
	* Colonial Weatherboard Cottage (former Coolangatta Estate Worker's Cottage),	Bolong Road	Part Lot 1 DP 223278
	* Colonial Weatherboard Building (former Coolangatta Estate Blacksmith's Shop),	Bolong Road	Part Lot 2 DP 15290
	* Colonial Brick and Timber Building (former Coolangatta Estate Tinsmith's Shop and Residence),	Bolong Road	Part Lot 2 DP 15290
	* Coolangatta Estate Gardens (remnants),	Bolong Road	Lot 1 DP 223278
	* Berry-Hay Private Cemetery,	Bolong Road	Lot 64B DP 7851
	Archaeological Site (Berry Estate Shipyard),	Bolong Road	Lot 12 DP 28128
	* "Coomanderry Park"—(former Estate Manager's Residence)	100 Coolangatta Road	Lot 2 DP 805443
Croobyar	Warden Family Cemetery	Croobyar Road	Part Lot 192 DP 755967
	* "Sunny Vale"—Dairy Farm Complex	Croobyar Road	Lot 1 DP 725999
	* Old Croobyar Farm and tree-lined access (former Dairy Farm Complex)	46 Ringland Lane	Lot 32 DP 734992
	Former Victorian Brick Gatehouse to Mount Airlie, including: Elm trees, Orchard	32 Woodstock Road	Lot 4 DP 589195
Cudmirrah	Errol Bond Memorial	Collier Drive	Reserve No 78638
Culburra Beach	Moongate to former Culburra Guesthouse Site	196 Penguins Head Road	Lot 657 DP 12278

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Schedule 1

Locality	Heritage item	Address	Description
	Penguin Head Geological Site	Penguins Head Road	Lot 630 DP 221746
	* Crookhaven Lighthouse Complex	Prince Edward Avenue	Lot 7004 DP 1059066
Currarong	Early Fibro Cottage	5 Beecroft Parade	Lot 41 DP 755903
	Mark Foys Worker's Holiday Cottage	37 Beecroft Parade	Lot 11 DP 755903
	Inter-war Fibro Cottage	14 Fishery Road	Lot 30 DP 16854
	Dolphin Reserve Rotunda	2 Piscator Avenue	Lot 222 DP 16854
Currowan	* Brimbramalla Gold Mining Area	Bimberamala River	
	"Black Diamond"—Gold Mine (former)	Currowan Road	
Endrick	"Rixons"—(former Coal Mine)	Clyde River	Lot 8 DP 755935
Erowal Bay	Erowal Bay Guesthouse	99 Naval Parade	Lot 20 DP 7984 Sec 2
Falls Creek	Falls Creek School	26 Vidler Road	Lots 62 and 63 DP 755965
Greenwell Point	Greenwell Point Brick School	75 Greenwell Point Road	Lot 1 DP 869305
	Greenwell Point Progress Hall	83 Greenwell Point Road	Lot 3 DP 24007 Sec B
	Colonial Weatherboard Cottage (former Greenwell Point Schoolhouse)	91 Greenwell Point Road	Lot 8 DP 4071 Sec A
	"Houshta"—(former Berry Estate Worker's Cottage)	93 Greenwell Point Road	Lot 7 DP 4071 Sec A
	* Archaeological Site—Greenwell Point Wharf and surrounds	Greenwell Point Road	R86354
	Greenwell Point Union Church	Jervis Street	Lot 2 DP 869305
Huskisson	Lone Grave of Robert Johnson	2 Beach Street	Lot 139 DP 861123

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
	* Tapalla Point Geological Rock Platform	Beach Street	Lot 7012 DP 1021163
	Lady Denman Heritage Complex, including:	11 Dent Street	Lot 138 DP 720912
	* Lady Denman Ferry, Former relocated St Georges Basin School Buildings, Relocated former Woollamia Union Church		
	Inter-war Holiday Cottage and trees	7 Fegen Street	Part Lot 9 DP 758530 Sec 6
	Weatherboard and Fibro Boat Builder's Cottage	13 Field Street	Lot 2 DP 775346
	Victorian Georgian Weatherboard Cottage	40 Hawke Street	Lot 2 DP 323393
	Jervis Bay Hotel	75 Owen Street	Lot 2 DP 209436
	Victorian Weatherboard Residence	8 Park Street	Lot 8 DP 528319
	Huskisson Literary Institute (former)	19 Sydney Street	Lot 7 DP 758530 Sec 19
Hyams Beach	The Green Cabins (Inter-war Holiday Cabins)	53 Cyrus Street	Lot 1 DP 570194
	Inter-war Weekend Cabin	57 Cyrus Street	Lot 2 DP 285458
	"Pacific House" (former), including: Sandstone Monument, Tree	58–60 Cyrus Street	Lots 7 and 8 DP 550787
	Inter-war Weekend Cabin	59 Cyrus Street	Lot 3 DP 285458
	Hyams Beach Bushfire Station	Rose Street	Part Lot 78 DP 755907
Illaroo	* "Bundanon"—Homestead, including: Outbuildings, Natural landscape	533 Bundanon Road	Lot 118 DP 751273

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Schedule 1

Locality	Heritage item	Address	Description
Jaspers Brush	Colonial style Weatherboard Farmhouse, including: Outbuildings, Trees	Croziers Road	Lot 148 DP 3059
	Former Jaspers Brush School Complex and gardens	4 O’Keeffes Lane	Lot 1 DP 872572
Jerrawangala	Colonial Road— Remnants (former Wool Road)	The Wool Road	Lot 100 DP 787610
			Lot 33 DP 651186
			Lot 1 DP 100976
			Lot 1 DP 725967
			Lot 1 DP 197079 Road reserve
Kangaroo Valley	* “Clinton Park”—Dairy Farm Complex	Clinton Park Road	Lot 4 DP 535456
	Federation Weatherboard Cottage and Shop	116 Moss Vale Road	Lot 1 DP 828529
	Federation Weatherboard Cottage	118 Moss Vale Road	Lot 6 DP 2159
	Federation Weatherboard Cottage	120 Moss Vale Road	Lot 1 DP 883219
	Federation Weatherboard Cottage	124 Moss Vale Road	Lot 101 DP 840159
	“St Joseph’s” Catholic Brick Church and Hermitage	130 Moss Vale Road	Lot 1 DP 724070
	Relocated Victorian Weatherboard School (former Beaumont School)	138 Moss Vale Road	Lot A DP 409799
	Kangaroo Valley School and former Schoolmaster’s Residence	140 Moss Vale Road	Lot 1 DP 122562 Part Lot 127 DP 751264

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
	* Anglican Church of the Good Shepherd, including: Graveyard, Trees, Fence	143 Moss Vale Road	Lot 1 DP 724064
	Kangaroo Valley Post Office	148 Moss Vale Road	Lot 2 DP 926830
	Victorian Georgian style Bank (former ANZ Bank)	158 Moss Vale Road	Lot 2 DP 559041
	“Friendly Inn”—two storey Victorian Masonry Hotel	159 Moss Vale Road	Lot 4 DP 11616
	Victorian Weatherboard Shop and Residence	170 Moss Vale Road	Lot 8 DP 1940
	Federation Weatherboard Cottage	172 Moss Vale Road	Lot 9 DP 1940
	Weatherboard Bakery (former)	174 Moss Vale Road	Lot 10 DP 1940
	* Federation Sandstone Courthouse, including: Police Station, Stables	175 Moss Vale Road	Lot 4 DP 589396
	Federation Weatherboard Community Hall	177 Moss Vale Road	Lot 1 DP 1003243
	Kangaroo Valley Showground Complex— “Osborne Park”	177 Moss Vale Road	Lot 1 DP 1003243 Lots 1 and 2 DP 210368 Lots A and B DP 376259 Lot D DP 409219 Part Lot 127 DP 751264
	Federation Baker’s Residence and Garage (former)	178 Moss Vale Road	Lot 1 DP 576156

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Schedule 1

Locality	Heritage item	Address	Description
	Federation Weatherboard Cottage	1705 Moss Vale Road	Lot 7 DP 1986
	“Ellerslie”—Cottage and Garden	1747 Moss Vale Road	DP 980875
	* “Pioneer Farm”— Historic Village, including Slab Cottage	2029 Moss Vale Road	Reserve No 88460
	Kangaroo Valley Soldiers Memorial	Moss Vale Road	Lot 1 DP 169083
	* “Hampden Bridge”— Sandstone Suspension Bridge	Moss Vale Road	Road reserve
	Kangaroo Valley General Cemetery	Moss Vale Road	Lot 7007 DP 1019606
	“Scanzi”—Colonial Timber Farmhouse and Outbuildings	770 Mt Scanzi Road	Lot 4 DP 1016737
	“Hilltop”—Federation Weatherboard Residence	20 Quirk Street	Lot 20 DP 2159
	* Anglican Church of the Good Shepherd Rectory (former)	Rectory Park Way	Lot 9 DP 285133
Kioloa	* “Kioloa”—Federation Weatherboard Residence (former Post Office)	496 Murramarang Road	Lot 1 DP 782318
	Kioloa Sawmill and Wharf (former)	Murramarang Road	Lot 24 DP 755941
Lake Conjola	Whitaker’s Island View Resort (former)	2 Aney Street	Lot 441 DP 755923
	Trehearne Resort Holiday Cabin	37 Carroll Avenue	Lot 41 DP 221956
Little Forest	* “Mimosa Farm”—Dairy Farm Complex	40 Little Forest Road	Lot 11 DP 596370
	* “Woodlands”—Dairy Farm Complex	98 Little Forest Road	Lot 42 DP 777515
Longreach	“Longreach Farm”—former Dairy Farm Complex	501B Longreach Road	Lot 102 DP 710389

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Locality	Heritage item	Address	Description
	* “Wogamia”—two storey Colonial Sandstone Homestead and Outbuildings	170 Wogamia Road	Lot 3 DP 865094
Mayfield	Graham Family Grave	88 Mayfield Road	Lot 24 DP 755953
	“Monaghan’s House”—Colonial Georgian Brick Cottage	Mayfield Road	Lot 23 DP 755953
Meroo Meadow	Meroo Meadow Union Church	8 Boxsells Lane	Lot 4 DP 249776
	Federation Georgian style Farmhouse	55 Fletchers Lane	Lot 8 DP 1007274
	“Pomona”—Dairy Farm Complex	C360 Princes Highway	Lot 2 DP 620160
	Former Meroo Meadow School and Schoolmaster’s Residence	C385 Princes Highway	Lot 1 DP 716569
Milton	Victorian Weatherboard Residence and garden	45 Church Street	Part Lot 10 DP 531839
	Victorian Georgian Worker’s Cottage	47 Church Street	Part Lot 10 DP 957744
	Federation Weatherboard Residence	64 Church Street	Lot A DP 164647
	Remnant rainforest	Church Street	Part Lot 1 DP 861814 Lot 2 DP 861814 Lot 1 DP 737627
	Federation Gothic Brick Catholic Church, including: Presbytery, Grounds, Araucaria cunninghamii (Hoop Pine)	Corks Lane	Lot 1 DP 230083
	Milton Church of England Cemetery	12 Croobyar Road	Lot 100 DP 1033797

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Schedule 1

Locality	Heritage item	Address	Description
	Victorian Gothic Revival Rubblestone Church (former Congregational Church), including: Victorian Georgian Brick Manse (former Congregational Manse)	38 Croobyar Road	Lot 1 DP 781179
	* Victorian Gothic Style Church and Graveyard (former Methodist Church)	71 Croobyar Road	Lot 1 DP 730746
	“Claydon Park”—Dairy Farm Complex	75 Croobyar Road	Lot 111 DP 825096
	“Mudge’s Corner”—Federation Weatherboard Residence, including: Outbuildings, Garden, Fence	Croobyar Road	Lot 1 DP 192188 Sec B
	“Wynella”—Victorian Weatherboard Residence	6 Gordon Street	Lot 4A DP 192832
	Federation Weatherboard Residence	17 Myrtle Street	Lot A DP 384864
	“Times Past”—(former Federation Weatherboard Farmhouse)	51 Princes Highway	Lot 1 DP 558698
	* Federation rendered Masonry Courthouse and Police Station	64 Princes Highway	Lot 1 DP 199555
	Two storey rendered Masonry Post Office	66 Princes Highway	Lot 1 DP 557669
	Victorian Georgian style Residence and Bakehouse	67 Princes Highway	Lot 4 DP 631087
	Inter-war rendered Masonry and Fibro Hall	69 Princes Highway	Lot 1 DP 736273
	* Victorian Classical style rendered Masonry Town Hall	71 Princes Highway	Lot 2 DP 151179

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Schedule 1 Amendments

Locality	Heritage item	Address	Description
	“The Star Hotel”—two storey rendered Masonry building	82 Princes Highway	Lot 1 DP 872508
	Two storey Victorian Bakery and Residence	92 Princes Highway	Lot 11 DP 594775
	“The Settlement”, including: Row of Victorian Masonry Shops, “Frederick Halls”—Weatherboard Shop and Residence, “H C Blackburn and Sons”—two storey Commercial Building, Tree	93–97 Princes Highway	Lots 1 and 2 DP 980292 Lot 1 DP 741976
	Victorian Weatherboard Residence and Shop	94 Princes Highway	Lot 16 DP 1064376
	Federation Weatherboard Residence and Well	102 Princes Highway	Lot 6 DP 975074 Sec A
	“Garrad House”—Federation Period Farmhouse	106 Princes Highway	Lot 8 DP 975074 Sec A
	* Victorian Italianate style Bank Building (former CBC Bank)	107 Princes Highway	Lot 21 DP 825276
	Milton Anglican Church Group, including: St Peter and St Paul Victorian Gothic Revival style Anglican Church, Inter-war Carpenter Gothic style Anglican Hall, Ulmus parvifolia (Chinese Elm)	109 Princes Highway	Lot 1 DP 780778
	Relocated Victorian rendered Masonry Lighthouse Keeper’s Cottage	122 Princes Highway	Lot 1 DP 85425

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Schedule 1

Locality	Heritage item	Address	Description
	“Eyrie Bowrie”—two storey Victorian Regency Residence	130A Princes Highway	Lot 20 DP 1001781
	Victorian Georgian Residence and former Dispensary	131 Princes Highway	Lot 7 DP 556082
	Federation Weatherboard Residence and garden	137 Princes Highway	Lot 5 DP 78484
	Inter-war Federation style Cottage	138 Princes Highway	Lot 4 DP 32536
	Victorian Weatherboard Hall (former Salvation Army Hall)	141 Princes Highway	Lot 7 DP 975074 Sec B
	Federation Weatherboard Residence	145 Princes Highway	Lot 9 DP 975074 Sec B
	Inter-war Californian Bungalow	147 Princes Highway	Lot 10 DP 975074 Sec B
	Inter-war Federation style Timber Residence and grounds	148 Princes Highway	Lot 10 DP 32536
	“Melrose”—(former Dairy Farm Complex)	150 Princes Highway, 73 and 83B Garrads Lane	Lot 32 DP 707677 Part Lot 5 DP 260771 Part Lot 7 DP 848894
	“Hillside”—Victorian Georgian Residence and garden	156 Princes Highway	Lot 1 DP 737774
	“Candlemakers Cottage”—Colonial rendered Brick Cottage	176 Princes Highway	Lot 2 DP 543122
	Two storey Victorian rendered Masonry Store	197 Princes Highway	Lot 1 DP 37905
	Late Victorian Brick Residence	Princes Highway	Lot 4 DP 975074 Sec B
	* Ficus obliqua (Small leaved figtree)	Princes Highway	Lot 3 DP 548705

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Locality	Heritage item	Address	Description
	Rendered Masonry Commercial Store, including: Residence, Trees	Princes Highway	Lots 1–4 SP 66659 Lot CP SP 66659
	Granite Obelisk—War Memorial	Princes Highway	Lot 1 DP 150104
	* “Narrawilly”—Dairy Farm Complex, including: Garden, Rainforest, Convict road	Princes Highway	Lots 1 and 2 DP 1018899 Lot 198 DP 755967
	Avenue of Ficus macrophylla (Morton Bay Fig)	35 Stony Hill Lane	Lot 104 DP 1043266
	Two storey Victorian former Manse and Graveyard	1 Thomas Street	Lot 55 DP 703805
	Victorian rendered Masonry School and Schoolmaster’s Cottage	11 Thomas Street	Lot 1 DP 861814
	“Donovans Cottage”—Victorian Weatherboard Cottage and detached Kitchen	42 Wason Street	Lot 1 DP 875432
	“King House”—two storey Victorian Georgian style Residence	48 Wason Street	Lot A DP 155412
	Inter-war Californian style Bungalow	60 Wason Street	Part DP 907077
	Victorian Weatherboard Corner Store	61 Wason Street	Lot A DP 159214
	Colonial Timber Slab Cottage	66 Wason Street	Lot 2 DP 331628
	“Priaulx Villa”—late Victorian Weatherboard Residence	69 Wason Street	Lot 81 DP 577186

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Schedule 1

Locality	Heritage item	Address	Description
	Victorian Weatherboard Worker's Cottage	70 Wason Street	Lot 3 DP 192188 Sec A
	Late Victorian Weatherboard Residence	73 Wason Street	Lot 6 DP 931843
	"Pine View"—Federation Farmhouse Complex and trees	65 Wilfords Lane	Lot 3 DP 785757
	* "Applegarth—Dairy Farm Complex, including: Garden, Cheese press	140 Wilfords Lane	Lot 15 DP 605477
	Victorian Georgian style Sandstone Schoolhouse (former Burrill Lake School)	270 Wilfords Lane	Lot 1 DP 726013
	"Riverview"—Victorian Georgian style Farm Complex	299 Wilfords Lane	Lot 2 DP 702500
	"Loch Leven"—Dairy Farm Complex, including: Outbuildings, Trees, Cisterns	300 Wilfords Lane	Lot 2 DP 975557
	Milton Congregational Cemetery	Woodstock Road	Lot 1 DP 781178
Mollymook	Sandridge General Cemetery	Ocean Street	5.4 hectares of land located on the corner of Ocean Street and Mitchell Parade
Mollymook Beach	Silica Wharf and Railway (remnants)	Mitchell Parade	Public recreation reserve, Mitchell Parade Public recreation reserve, Matron Porter Drive

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Locality	Heritage item	Address	Description
Mondayong	Rubble Sandstone Memorial (Wreck of the Walter Hood)	Bendalong Road	Lot 35 DP 755927
Morton	* Weatherboard and Vertical Slab Timber Farm Complex	Woodburn Road	Lot 5 DP 755972
Myola	Weatherboard Holiday Cottage and Outbuildings	13 Catherine Street	Lot 26 DP 19900
Narrawallee	Silica Wharf and Tramway	Matron Porter Drive	Lot D DP 221281 Part of Reserve No 91246 Part of reserve land between Lot 83 DP 233504 and Lot 69 DP 224117
Nowra	Pressed Metal Clad Industrial Building (former Barnes Garage)	1 Berry Street	Lot 111 DP 997750
	“The Peoples Emporium”—two storey Victorian Shop and Residence	26 Berry Street	Part Lot 1 DP 81072
	* Inter-war Art Deco style Cinema and Footpath	41 Berry Street	Lot 51 DP 625969
	Former Victorian Weatherboard Residence	76 Berry Street	Part DP 938363
	* “Hampden Villa”—Victorian Weatherboard Residence, including: Stables, Garden	110 Berry Street	Part Lot 1 DP 758794 Sec 34
	* Mechanics Institute and School of Arts	Berry Street	Lot 20 DP 801794
	“Kilsyth”—Federation Weatherboard Residence	33 Bridge Road	Lot 1 DP 152217
	“Uuna”—late Victorian Weatherboard Cottage and garden	35 Bridge Road	Lot A DP 161648
	Victorian Brick Residence	45 Bridge Road	Lot 10 DP 601874

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Schedule 1

Locality	Heritage item	Address	Description
	Late Victorian Weatherboard Cottage	49 Bridge Road	Lot 8 DP 549249
	Inter-war Weatherboard Californian Bungalow	63 Bridge Road	Lot 2 DP 203275
	“Rodway’s Cottage”—Inter-war Federation style Residence and garden	86 Bridge Road	Lot 1 DP 737840
	“The Bridge” Hotel—two storey Victorian Masonry Hotel	87 Bridge Road	Lot 2 DP 843396
	Former Numbaa Red Cedar Flood Boat and Captain Cook Bicentennial Memorial	Bridge Road	Lot 5 DP 262460 Part Lot 96 DP 755952
	Sandstone Landscape Monument (Batt’s Folly)	Intersection of Bridge Road and North Street	Road reserve, between Lot 2 DP 843396 and Lot 1 DP 737840
	“The Pines”—late Victorian Weatherboard Residence and trees	76 East Street	Lot 1 DP 115881
	“Cudgerie”—Federation Weatherboard Residence	108 East Street	Lot 11 DP 2607
	“Moss”—Cottage (former Moss Central Hotel)	1 Ferry Lane	Part Lot 5 DP 755952
	Victorian Georgian style Timber Slab Cottage	19 Ferry Lane	Lot 1 DP 193881
	* Victorian Italianate Residence and garden	22 Jervis Street	Lot 11 DP 2624
	“Trelawney”—Victorian Georgian Weatherboard Residence	69 Jervis Street	Lot 1 DP 998589
	“Roseville”—Federation Weatherboard Residence and figtree	49–51 Journal Street	Lots 1 and 2 DP 2607
	Federation Weatherboard Residence and trees	1 Junction Street	Lot 1 DP 21682

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	Federation Weatherboard Residence	2 Junction Street	Lot W DP 405938
	Araucaria cunninghamii (Hoop Pine)	12 Junction Street	Lot 4 DP 237126
	Araucaria cunninghamii (Hoop Pine)	14 Junction Street	Lot 3 DP 237126
	Two storey Federation Timber Convent (former Sisters of the Good Samaritan Convent), including: Fence, Grounds	22 Junction Street	Lot 9 DP 237126
	“The White House”—two storey Timber Inter-war Guesthouse	30 Junction Street	Lot 13 DP 654893
	“Hillcrest”—two storey Timber Federation Residence	53 Junction Street	Lot 1 DP 580440
	Former Nowra Fire Station	55 Junction Street	Lot 1 DP 81794
	Mafeking Boer War Memorial	60 Junction Street	Lot 3 DP 363266
	Nowra Post Office (former)	72 Junction Street	Lot 1 DP 884212
	Two storey Victorian Commercial Building	76 Junction Street	Lot 1 DP 512886
	Inter-war Art Deco Commercial Building	80 Junction Street	Lot 1 DP 321055
	“P. Walsh & Sons”—two storey Victorian Commercial Building	90 Junction Street	Lot 1 DP 732396
	Junction Street Heritage Streetscape	Junction Street between Berry and West Streets	

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	* Nowra General Cemetery	Kalandar Street	Lot 1 DP 724120 Part Lot 336 DP 755952 Lots 1–6 Sec CEM Lots 8–10 Sec CEM Closed road
	Two storey Victorian Gothic style Manse	3 Kinghorne Street	Lot 11 DP 130904
	* St Andrews Presbyterian Church and Federation Gothic style rendered Brick Hall (former Church)	5 Kinghorne Street	Lot 2 DP 567876
	“Roslyn Court”—Inter-war Art Deco style rendered Shops and Offices	21 Kinghorne Street	Lot 1 DP 225562
	Victorian Commercial Bank Stables (former)	56 Kinghorne Street	Lot 1 DP 817564
	Victorian Weatherboard Residence	192 Kinghorne Street	Lot B DP 157265
	* Federation Police Residence and Lockup (former)	Kinghorne Street	Part Lot 11 DP 758794 Sec 26
	* Nowra Courthouse	Kinghorne Street	Lot 701 DP 1024854
	* “Retort” and “Gasometer” components of the Federation period Gasworks and Gas Storage Facility	Lamonds Lane	Lot 3 DP 868373
	Graham Family Cemetery	Lyrebird Drive	Lot 3 DP 328915
	Two storey Victorian Masonry Terrace House	1 Moss Street	Lot 38 DP 1607 Sec 1
	Inter-war Weatherboard Cottage and trees	2 Moss Street	Lot B DP 335109

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	Victorian Weatherboard Store (former Iron Store)	3 Moss Street	Lot 37 DP 1607 Sec 1
	“Hazelmere”—Victorian Georgian Masonry Residence	7–11 Moss Street	Lot C DP 410954 Lot 34 DP 1607 Sec 3 Lot 35 DP 1607 Sec 4
	Federation Weatherboard Residence	13–15 Moss Street	Lots 31 and 32 DP 1607 Sec 1
	Late Victorian Weatherboard Residence	21 Moss Street	Lot 1 DP 862764
	Late Victorian Weatherboard Residence	29 Moss Street	Lot 24 DP 1607 Sec 1
	Late Victorian Weatherboard Cottage	31 Moss Street	Lot 23 DP 963328
	Two storey Victorian Presbytery and grounds	20 North Street	Lot 14 DP 758794 Sec 3
	Two storey Victorian Shop and Residence (former Armstrong’s Saddlery)	83 North Street	Lot B DP 386390
	St Michael’s Roman Catholic Church	North Street	Lot 13 DP 758794 Sec 3
	St Michael’s Roman Catholic Cemetery	North Street	Lot 1 DP 1047729
	* Uniting Church (former Methodist Church)	54 Osborne Street	Lot 1 DP 714910
	Wesley Centre (former Wesleyan Parsonage)	54 Osborne Street	Lot 1 DP 714910
	Victorian Georgian rendered Masonry Residence	91 Osborne Street	Lot 91 DP 847151
	Mid-Victorian Timber Residence, including: Detached Kitchen, Well, Red Cedar tree	93 Osborne Street	Lot 8 DP 758794 Sec 17

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	Two storey mid-Victorian Weatherboard Residence	95 Osborne Street	Lot 3 DP 601332
	Victorian Georgian rendered Masonry Residence	97 Osborne Street	Lot 4 DP 601332
	Late Victorian Weatherboard Residence	105 Osborne Street	Lot 1 DP 986393
	Victorian Georgian style Timber Residence	109 Osborne Street	Lot 11 DP 545053
	* Graham Lodge (former Greenhills Estate Homestead) and grounds	10 Pleasant Way	Lot 1 DP 1010062
	Victorian Brick Anglican Rectory	66 Plunkett Street	Lot 1 DP 1047926
	All Saints Anglican Church, including: Memorial Lychgate, Trees, Victorian Gothic style Hall (former St John's Church)	70 Plunkett Street	Lot 2 DP 1047926
	* Victorian rendered Brick School and grounds	74 Plunkett Street	Lot 2 DP 863880
	Victorian Weatherboard Residence	75 Plunkett Street	Lot 3 DP 213471
	Victorian Georgian Weatherboard Residence	77 Plunkett Street	Lot 4 DP 213471
	* Victorian rendered Brick Residence (former Schoolmaster's Residence)	82 Plunkett Street	Lot 1 DP 863880
	* Police Sergeant's Residence and grounds (former Nowra Courthouse)	84 Plunkett Street	Lot 429 DP 823259
	"Karinga"—Inter-war Weatherboard Residence	85 Plunkett Street	Lot 2 DP 10492

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	Brick Californian Bungalow (former Policeman's quarters)	87 Plunkett Street	Lot 3 DP 10492
	Federation Weatherboard Residence	89 Plunkett Street	Lot A DP 401567
	"Wernick Cottage"—Georgian style Weatherboard Cottage	102 Plunkett Street	Lot 3 DP 329271
	"Myambah"—Federation Weatherboard Bungalow and garden	134 Plunkett Street	Lot 1 DP 124486
	* "Shoalhaven River Bridge"—Victorian Wrought Iron Bridge	Princes Highway	Road reserve
	* "Nowra Park"—early Victorian Masonry Residence and garden	Wallace Street	Lot 4 DP 542656
	* "Meroogal"—Victorian Timber Residence, including: Outbuildings, Garden	35 West Street	Part Lot F DP 403286
	Nowra Showground and Sportsground Complex, including: Federation Brick Pavilion, Victorian Masonry Gate, Toilet, Hanging Rock Lookout, Inter-war Castellated Sandstone Memorial Gateway, Sculpture, "Monaghan's"—Victorian Memorial Cast Iron Fountain	West Street	Lot 374 DP 755952 Lot 702 DP 1024852 Crown Reserve D580011

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	Ben's Walk, including: Suspension Bridge, Aboriginal Art Sites	West and Worrigeer Streets	Lots 701, 703 and 704 DP 1024852 R70802 R67547 Part Lot 7018 DP 1024840 Lot 7036 DP 1068935 Lot 7005 DP 1023875 Lot 3 DP 585626 Part Lots 94 and 95 DP 755952
	Inter-war Weatherboard Building and Timber Wharf	Wharf Road	Lot 7012 DP 1002643
	Federation Weatherboard Residence	26 Worrigeer Street	Part Lot 2 DP 156142
	Inter-war Californian Bungalow	31 Worrigeer Street	Lot 1 DP 62072
	Inter-war Federation style Residence	42 Worrigeer Street	Lot 1 DP 912561
	Inter-war Weatherboard Bungalow	47 Worrigeer Street	Part Lot 1 DP 152694
	Federation Weatherboard Residence	49 Worrigeer Street	Lot 1 DP 199922
	Victorian Weatherboard Residence	54 Worrigeer Street	Lot 14 DP 976539
	Victorian Weatherboard Residence	56 Worrigeer Street	Lot 13 DP 976539
	Victorian Georgian Weatherboard Residence	57 Worrigeer Street	Lot 1 DP 780982
	Victorian Weatherboard Residence	58 Worrigeer Street	Lot 12 DP 976539
	Victorian Weatherboard Residence	59 Worrigeer Street	Lot 1 DP 710860
	Victorian Weatherboard Residence	63 Worrigeer Street	Lot 2 DP 736763

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
Nowra Hill	* RANS Albatross— Military Defence Complex and Aviation Museum	489A Albatross Road	Lot 102 DP 842713 Lot 2 DP 1002996
	* Former Prefabricated Cast Iron Presbyterian Church	591 Comerong Island Road	Part Lot 2 DP 755953
Numbaa	Numbaa Catholic Presbytery (former)	601 Comerong Island Road	Lot 1 DP 933179
	“Chinaman’s Cottage”— Victorian Weatherboard Cottage (former Berry Estate Cottage)	655 Comerong Island Road	Lot 14 DP 5487
	Numbaa Schoolmaster’s Residence (former)	766 Comerong Island Road	Lot 1 DP 550305
	Numbaa School (former)	770 Comerong Island Road	Lot 2 DP 550305
	* “Prairievale”—(former Berry Estate Manager’s Residence)	835 Comerong Island Road	Lot 14 DP 4332
	* Numbaa Cemetery (former)	Comerong Island Road	Lot 10 DP 2812
	* Lower Numbaa Barn (Berry Estate Slab Barn)	Comerong Island Road	Lot 9 DP 2812
	* Berry Estate Canal and Ferry	Comerong Island Road	
	Numbaa Council Chambers (former) and Well	Comerong Island Road	Lot K DP 979245
	Ficus macrophylla (Figtree)	Comerong Island Road	Road reserve between Lot K DP 979245 and Lot 13 DP 5487
	“Edinglassie Lodge”— Federation Weatherboard Farmhouse	175 Jindy Andy Lane	Lot 1 DP 208292
	* Concrete Tub Silo	251 Jindy Andy Lane	Lot 2 DP 556830
	* Berry Estate Slab Barn	Jindy Andy Lane	Lot 26 DP 2813

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	War Memorial Tree (Lophostemon confertus)	Corner of Jindy Andy Lane and Comerong Island Road	Road reserve
	“Caffery’s”—Roadside Tree Planting (Lophostemon confertus)	Corner of Jindy Andy Lane and Greenwell Point Road	Road reserve
	* Colonial Farm Complex, including: Berry Estate Cottage, Outbuildings, Figtrees	68 Smiths Lane	Lot 26A DP 2813
	* Salt Pans	Smiths Lane	Lot 25 DP 2813
Orient Point	Vertical Timber-lined Drydock	Orsova Parade	Part Lot 111 DP 755971
	“Roseby Park”—Jerringa Aboriginal Community Complex and Tribal Burial Ground	Park Row	Lot 51 DP 755971
Parma	* “Parma Farm”—Dairy Farm Complex	Parma Road	Lots 7 and 8 DP 1009750
Pebbly Beach	* Pebbly Beach Sawmill Complex, including: Sawmill remnants, Town and school site	Pebbly Beach Road	Lots 39, 47, 102–104, 108, 114 and 115 DP 755941 Part of Murramarang National Park
Pyree	* “Mervalperden”— Dairy Farm Complex (former)	664 Greenwell Point Road	Lot 61 DP 2813
	* Upper Numbaa Barn (former Berry Estate Grain Mill)	719 Greenwell Point Road	Lot 101 DP 629485
	* “Jindy Andy”—(former Berry Estate Dairy)	739 Greenwell Point Road	Lot 105 DP 773888
	Pyree Literary Institute	880 Greenwell Point Road	Lot 126 DP 2813

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	* Pyree Public Schoolmaster's Residence (former)	890 Greenwell Point Road	Lot 128 DP 821471
	* Victorian Georgian Schoolhouse (former Pyree Public School) and Coral trees	Greenwell Point Road	Lot 126 DP 821471
	Casuarina Trees "The Avenue"	Greenwell Point Road	
	"Somerset House"—Federation Weatherboard Farmhouse and trees	117 Pyree Lane	Lot A DP 377595
	War Memorial Tree Triangle (Lophostermon confertus)	Pyree Lane	
	"George Borrowdale's house"—(former Berry Estate Cottage)	Pyree Lane	Lot 73 DP 2813
	"Thistlebank"—Dairy Farm Complex	85 Ryans Lane	Lot 8 DP 876329
Shoalhaven Heads	Relocated Weatherboard Church (former Berry Estate Library)	126 Scott Street	Lot 1 DP 704667
St Georges Basin	Former Boarding House and St Georges Basin Post Office	23 Deane Street	Lot 50 DP 835254
	World War II Flying Boat Base	2 Island Point Road	Lot 118 DP 17823 Part of adjoining reserve
	"Jessie Blacket"—Sandstone Memorial Drinking Trough	Tasman Road	Lot 110 DP 25769
	Federation Fisherman's Cottage and garden	146 The Wool Road	Lot A DP 375526
Sussex Inlet	"Greentree's"—Holiday Cabins	158 Jacobs Drive	Lot 2 DP 574349
	Post-war fibre cement Community Hall/Sussex Inlet Picture Theatre	173 Jacobs Drive	Lot A DP 343373

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	Gothic Carpenter style relocated Church (former Termeil Wesleyan Church)	175 Jacobs Drive	Lot B DP 343373
	“Kemp’s Boatshed”	River Road	Part Lot 7028 DP 1052695
Swanhaven	“The Springs”—Holiday Cabins	1A Yarroma Avenue	Lot 2 DP 554118
Tapitallee	Good Dog Cemetery	Bangalee Road	Lots 7006 and 7007 DP 1001534
Terara	“The Old House”—Weatherboard Residence and Well	3–7 Fox Street	Lots 1–5 DP 1035937
	“Terara Lodge”—(former Wesleyan Parsonage)	6 Holme Street	Lot 28 DP 779285
	* Victorian Sandstone School and attached Residence, including: Terara Schoolgrounds, Trees	20 Millbank Road	Lot 1 DP 725988
	“Dower House”—(former Coachman’s House to Millbank)	27A Millbank Road	Lot 2 DP 313528
	* “Millbank Cottage”—Outbuildings and trees	31 Millbank Road	Lot 1 DP 32426
	* “Terara House”, including: Chapel, Grounds, Tree-lined drive	77 Millbank Road	Lot 1 DP 579451
	“Rose Cottage”—(formerly Pooley’s Store)	157 South Street	Lot 1 DP 735264
	* “Ayrton House”—(former CBC Bank)	175 South Street	Lot 11 DP 52910
	Timber Vertical Slab Worker’s Cottage	119 Terara Road	Lot 102 DP 817248
	“Woodlawn”—Victorian Weatherboard Cottage and trees	124 Terara Road	Lot 3 DP 602305

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	“Citrus Grove”— Victorian Residence and trees	126 Terara Road	Lot 2 DP 79001
	* “Solway House”—late Victorian Brick Residence and Store	10 West Berry Street	Lot 1 DP 742238
Tianjara	Alley Family graves	Braidwood Road	Lot 3 DP 755962
Tolwong	* Tolwong Copper Mine (remnants)	Touga Road	National Park
Tomerong	Tomerong Cemetery	331 Hawken Road	Lot 1 DP 812581
	Tomerong Schoolmaster’s Residence and Schoolgrounds	355–359 Hawken Road	Part Lot 2 DP 725948
	Tomerong Community Hall (former School of Arts)	360 Hawken Road	Lot 9 DP 925270
	Tomerong Carpenter style Union Church and Hall	70 Princes Highway	Lot 47 DP 925270
Touga	Tim’s Gully Mine	Touga Road	South of Portion 16 in the vicinity of the intersection of North Oaky Creek and Tims Gully
Ulladulla	* Warden Head Lighthouse	Deering Street	Lot 290 DP 755967
	Victorian Georgian style Sandstone School and Schoolmaster’s Residence	241 Green Street	Lot 1 DP 122514
	Relocated Victorian Georgian Timber Slab Worker’s Cottage	275 Green Street	Lot 702 DP 1056245
	“Mascot”—Slab Timber Cottage	56 North Street	Lot 1 DP 337491
	“Springfield”—ornate late Victorian Weatherboard Farmhouse	U71 Princes Highway	Lot 22 DP 702505

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	“Millards Cottage”—two storey Victorian rendered Masonry Building	81 Princes Highway	Lot 12 DP 565744
	“The Marlin”—early Post-war American Colonial Hotel	108 Princes Highway	Lots A and B DP 155990 Lots 11 and 12 DP 759018 Sec 2 Lot 1 DP 743246
	Ulladulla Cemetery (former)	Princes Highway	Lot 7012 DP 1031353
	Warden Head Geological Site	Rennies Beach Close	Lot 59 DP 237534
	Sandstone Weir—Millards Creek	St Vincent Street	Lot 702 DP 1030099
	Victorian Brick Residence (former Ulladulla Post Office)	23 Wason Street	Lot 50 DP 828221
	* Ulladulla Harbour, including: Old pier and stone pier, Steps, Walls	Wason Street	Lot 9 DP 260884 Lot 1 DP 612935 Lots 1–7 DP 260884
	* Ulladulla Seawater Pool	Wason Street	Lot 376 DP 726691
Upper Kangaroo River	* “Yarrawooma”—Dairy Farm Complex, including Red Cedar Slab Selector’s Cottage	679 Upper Kangaroo River Road	Lot 4 DP 1000686
	Upper Kangaroo River Community Hall	1009 Upper Kangaroo River Road	Lot 1 DP 224929
	“Fern Hill”—Church of England Church (former)	Upper Kangaroo River Road	Lot 100 DP 842428
	Relocated Weatherboard Schoolhouse (former Hillcrest School)	Upper Kangaroo River Road	Lot 1 DP 172019
Vincentia	Greenfields Beach Cottage Site and Pine Trees	Birriga Avenue	Lot 44 DP 755907

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
	South Huskisson Wharf Sandstone Remnants	Elizabeth Drive	Lot 308 DP 24263 Part of Reserve No R64234
	Plantation Point Rock Platform	Elizabeth Drive	Approximately 3 hectares of land comprising the whole of the area depicted as “rock shelf” at Plantation Point
Wandandian	Wandandian Post Office (former) and Residence	D2625 Princes Highway	Part Lot 26 DP 755968
	“Dalton Park”— Farmhouse and Wandandian Cricket Ground (former)	10 Windley Road	Lot 40 DP 862334
Watersleigh	Condie Farm, including: Archaeological Site, Former Condies Cottage, Trees, Graves	Koloona Drive	Lot 117 DP 751273
Wattamolla	Brogers Creek Cemetery	515 Wattamolla Road	Lot 121 DP 1049038
	“Pinkawilinie”—(former Wattamolla School House)	539 Wattamolla Road	Lot 190 DP 751264
	Victorian Weatherboard Farmhouse and trees	545 Wattamolla Road	Lot 4 DP 258693
West Nowra	Inter-war Reinforced Concrete Building and Storage Dam (former Nowra water supply and filtration plant)	Filter and Yalwal Roads	Lots 6 and 12 DP 805611 Flatrock creek waterway
Woodhill	Corrugated Iron Building (former Wesleyan Church)	1 Brogers Creek Road	Lot 100 DP 1006659
	Woodhill Cemetery	Wattamolla Road	Lot 3 DP 1030426
Woodstock	“Woodlands”— Weatherboard and Iron Farmhouse	24 Evans Lane	Lot 22 DP 623582

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	* “Avenal”—Dairy Farm Complex	108 Evans Lane	Lot 24 DP 863026
	* “Danesbank”—two storey Victorian Stone Farmhouse and garden	121 Evans Lane	Lot 9 DP 792205
	* “Mount Airlie”—two storey Victorian Italianate Estate Residence and trees	34A Woodstock Road	Lot 3 DP 856688
	Inter-war Reinforced Concrete Butter Factory	170 Woodstock Road	Lot 1 DP 529083
	Federation Brick Residence (former School Residence) and trees	358 Woodstock Road	Lot 1 DP 1031696
	“Woodlawn”—Federation Weatherboard Farmhouse	Woodstock Road	Lot 16 DP 827800
Woollamia	Lone Grave of Sarah Coulon	James Farmer Grove	Lot 4 DP 1027849
	Weatherboard and fibro Holiday Cottage (former Gibbs’ residence) and garden	759 Woollamia Road	Lots 1–4 DP 9289 Lot 54 DP 755928
Worrigea	Rubblestone School (former Worrigea Schoolhouse)	20 Booligal Road	Lot 15 DP 755953
	“Congla”—(former Mackenzie Estate Manager’s Residence)	315 Greenwell Point Road	Lot 9 DP 791226
	Cement Rendered Colonial (Dome) Wells (2)	361 Greenwell Point Road	Lot 3 DP 843027
	* Worrigea Cemetery	Greenwell Point Road	Lot 8 DP 791226

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Schedule 1 Amendments

Locality	Heritage item	Address	Description
Worrowing Heights	“Erowal Farm”, including: Homestead (ruins), Garden, Trees, Resort ruins	Walter Hood Parade	Lot 32 DP 1049913
Yadboro	Pidgeon House Mountain Lookout, including: Fire Trail, Longfella Pass	Yadboro Road	Morton National Park
Yalwal	* Former Yalwal Gold Mine and Township Site	Yalwal Road	Lot 2 DP 252335 Part of R3167 and R3168 2.7 hectares off Yalwal Road and defined as cemetery Part Lots 1–7 DP 759129 Sec 5 Part Lot 12 DP 755931 Part Lot 7016 DP 1039312 Lot 7018 DP 1039313
Yatte Yattah	The Sheaffe Family Cemetery * Woppindally Dairy Farm Complex * “Kendall Dale”—Dairy Farm Complex, including: Homestead, Garden Quercus robur (2) (English Oak Trees) on driveway entrance	Pointer Road E280 Princes Highway E379A Princes Highway E379A Princes Highway	Lot 17 DP 847482 Lot 1 DP 738631 Lot 1 DP 725960 Lot 1 DP 725960

Shoalhaven Local Environmental Plan 1985 (Amendment No 212)—
Heritage

Amendments

Schedule 1

Locality	Heritage item	Address	Description
	* “Kirmington”—Dairy Farm Complex and Henry Kendall Monolith	E379B Princes Highway	Lot 425 DP 755923
	* Industrial Building (former Yatte Yattah Cheese Factory)	E380 Princes Highway	Lot 1 DP 725962
	* “Boolgatta”—Dairy Farm Complex and Barn	E402D Princes Highway	Lot 71 DP 854641
	“Currawar”—Victorian Georgian style Farmhouse	E435 Princes Highway	Lot 30 DP 792994
	Roman Catholic Church and Cemetery Site	Princes Highway	Lot 138 DP 755923
	Yatte Yattah Nature Reserve and Waterfalls (2)	Princes Highway	Lot 15A DP 755923 Part Lot 44 DP 806933
	Former Yatte Yattah Public School and Schoolmaster’s Residence	8A Tierney Road	Lot 453 DP 755923
	“Hillview”—Private Cemetery	8B Tierney Road	Lot 6 DP 32380

Part 2 Heritage conservation areas**Note.** An asterisk (*) identifies a heritage conservation area of State significance.

Locality	Name	Address
Berry	* Pulman Street Heritage Conservation Area	Pulman Street/Princes Highway
Nowra	* Plunkett Street Heritage Conservation Area	Plunkett Street



New South Wales

Snowy River Rural Local Environmental Plan 2007

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2000627/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Snowy River Rural Local Environmental Plan 2007

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Snowy River Rural Local Environmental Plan 2007

Clause 1

Preliminary

Part 1

Snowy River Rural Local Environmental Plan 2007

under the

Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1 Name of plan

This plan is *Snowy River Rural Local Environmental Plan 2007*.

2 Aims of plan

The aims of this plan are:

- (a) to protect agricultural land resources wherever possible by:
 - (i) minimising the ad-hoc fragmentation of rural land, and
 - (ii) discouraging land uses unrelated to agriculture from locating on prime agricultural land, and
- (b) to recognise that agriculture is in a state of adjustment by supporting restructuring and succession through flexible subdivision controls, and
- (c) to help reduce the negative effects of an ageing and declining rural population across the rural areas of Snowy River, and
- (d) to plan and provide for rural settlement where it can benefit and support existing communities by specifically providing for rural living and rural residential development in accordance with the policies of the *Snowy River Shire Settlement Strategy 2003*, copies of which are available from the office of the Council, and
- (e) to provide for rural settlement where it can have access to appropriate community services and infrastructure and to ensure efficient use of existing infrastructure and human services, and
- (f) to manage land use by encouraging appropriate subdivisions and development in the rural areas of Snowy River, and
- (g) to provide for tourism development that is small-scale and in areas with access to appropriate tourist activities, services and amenity such as adjacent to Kosciuszko National Park, Lake Jindabyne and Lake Eucumbene, and

Clause 3 Snowy River Rural Local Environmental Plan 2007

Part 1 Preliminary

-
- (h) to provide for intensive agricultural production and other rural enterprises in locations and at a scale to avoid conflict with settlements and tourist activities, and
 - (i) to protect and enhance the natural environment, including areas of native vegetation in Snowy River, by incorporating principles of ecologically sustainable development into land use controls, and
 - (j) to promote natural resources and biodiversity and their careful management by:
 - (i) discouraging development, such as subdivisions, that may result in land or environmental degradation, and
 - (ii) encouraging development that will result in the rehabilitation or conservation of native vegetation and assist in the wise use of resources including energy, and
 - (k) to promote natural, cultural and archaeological heritage and its careful management by:
 - (i) discouraging development, such as subdivisions, that may result in the degradation of heritage, and
 - (ii) encouraging development that will result in the protection and conservation of heritage assets, and
 - (l) to provide flexibility in the imposition of certain development standards.

3 Definitions

- (1) The Dictionary at the end of this plan contains definitions of certain terms used in this plan.
- (2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

4 Consent authority

For the purposes of this plan, the consent authority is the Council, subject to the Act.

5 Land to which plan applies

This plan applies to so much of the land within the local government area of Snowy River as is shown edged heavy black on the locality map, known as the rural localities of Brothers–Bobundara, Adaminaby–Eucumbene, Rocky Plain–Eucumbene, Berridale–Coolringdon, Dalgety–Numbla Vale, Moonbah–Ingebirah, Crackenback and Jindabyne.

Snowy River Rural Local Environmental Plan 2007

Clause 6

Preliminary

Part 1

6 Relationship to other environmental planning instruments

- (1) This plan amends *Snowy River Local Environmental Plan 1997* by inserting at the end of clause 3 (2):

Land to which *Snowy River Rural Local Environmental Plan 2007* applies

- (2) Where this plan is inconsistent with the *Kosciuszko Regional Environmental Plan 1998—(Snowy River)*, this plan prevails.

7 Effect of this plan on covenants

- (1) Any covenant, agreement or similar instrument which affects development allowed by this plan does not apply to the extent necessary to allow the development.
- (2) Nothing in subclause (1) affects the rights or interests of any statutory corporation, public authority or Minister of the Crown under any registered instrument.
- (3) Pursuant to section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

8 Development consent—matters for consideration

Development consent must not be granted for development unless the consent authority:

- (a) has had regard to the aims of this plan, and
- (b) is satisfied that the development will not be inconsistent with the relevant objectives for the locality in which it will be carried out as set out in Part 2.

9 Consideration of neighbouring localities

- (1) Where the land to which a development application applies is adjacent to the boundary between 2 or more different localities, the consent authority must, in determining the application, take into consideration the provisions of this plan relating to the adjacent locality or localities.
- (2) In this clause, *adjacent* means lying near to or contiguous with.

10 Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in *Snowy River Development Control Plan E3—Exempt Development* as amended by the Council on 21 December 1999 is *exempt development*, despite any other provision of this plan.

Clause 11 Snowy River Rural Local Environmental Plan 2007

Part 1 Preliminary

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- (2) Development listed as complying development in *Snowy River Development Control Plan C4—Complying Development* as amended by the Council on 21 December 1999 is **complying development** if:
- (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Snowy River Development Control Plan C4—Complying Development* as in force at the commencement of this plan.
- (5) Development carried out on land in the Lake Eucumbene Visual Protection Area is not exempt or complying development.

11 Development the subject of SEPP 1 application

- (1) To avoid doubt, *State Environmental Planning Policy No 1—Development Standards* applies to a requirement made by Part 3 of this plan in the same way as it applies to a development standard.
- (2) Despite subclause (1), *State Environmental Planning Policy No 1—Development Standards* does not apply to the requirements made by clauses 19 (3) (a), (b) and (c), 20 (3) (a), (b), (c) and (d), 22 and 24.

12 Development by public authorities

Nothing in this plan is to be construed as restricting or prohibiting or enabling the consent authority to restrict or prohibit:

- (a) the use of existing buildings of the Crown by the Crown, or
- (b) the carrying out of development of any description specified in Schedule 1, except to the extent that such development affects a heritage item.

13 Development near locality boundaries

Where land is within 50 metres of a boundary of a locality shown on the locality map, the consent authority may consent to development on that land if it is permissible in the adjoining locality on the other side of the boundary and the consent authority is satisfied that:

- (a) the development is not inconsistent with the aims and objectives of this plan, and the objectives of the adjoining localities, and

Snowy River Rural Local Environmental Plan 2007

Clause 14

Preliminary

Part 1

-
- (b) the carrying out of the development is desirable due to planning, servicing or similar requirements relating to the optimum development of the land.

14 Temporary development of land

- (1) Despite any other provision of this plan, a person may carry out development on any land with development consent for any purpose for a maximum period of 28 days, whether consecutive or not, in any one year.
- (2) Development consent may be granted as referred to in subclause (1) only if 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
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) appropriate arrangements will be made for the cessation of the use and removal of any associated structures at the end of the period specified in the development consent, and
 - (d) the temporary use is necessary and reasonable for the economic use of the land pending its subsequent development in accordance with this plan.

15 Savings provisions

- (1) Any development application lodged but not finally determined prior to the commencement of this plan is to be determined as if this plan had been exhibited under the Act but had not been made.
- (2) Development control plans as in force immediately before the commencement of this plan are to be taken into consideration by the consent authority in determining any such development application.

Clause 16	Snowy River Rural Local Environmental Plan 2007
Part 2	Operation of the development controls

Part 2 Operation of the development controls

16 Localities

- (1) For the purposes of this plan, land to which this plan applies is within one of the following localities, as shown on the Locality Map:
 - Locality 1—Brothers–Bobundara
 - Locality 2—Adaminaby–Eucumbene
 - Locality 3—Rocky Plain–Eucumbene
 - Locality 4—Berridale–Coolringdon
 - Locality 5—Dalgety–Numbla Vale
 - Locality 6—Moonbah–Ingebirah
 - Locality 7—Crackenback
 - Locality 8—Jindabyne
- (2) For land within each locality, the Table to this clause identifies the development that:
 - (a) may be carried out without development consent, and
 - (b) may be carried out only with development consent, and
 - (c) is prohibited.
- (3) The Table to this clause also states the objectives for each locality.

Locality 1 Brothers–Bobundara

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive rural enterprises and residential development, and
- (b) to protect the existing established agricultural activities and encourage new and varied rural enterprises, and
- (c) to promote tourism if:
 - (i) it does not adversely affect any use of adjoining land for agriculture, and
 - (ii) it focuses on on-farm activities, and
 - (iii) it results in the maintenance and preservation of heritage items.

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In relation to built form and design:

- (a) to ensure development is compatible with the existing low scale and scattered nature of rural buildings and respects the flat to rolling topography of the landscape, and
- (b) to design and site development in a manner that minimises the potential for impacts from agriculture.

In relation to natural resource management:

to retain and maintain remnant savanna woodlands on hilltops and existing dry tussock grasslands for their environmental values and functions.

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

advertising signs not included in item 2

agriculture (involving earthworks or the erection of buildings or structures)

animal boarding facilities

bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality

caravan parks

community services

dual occupancies

dwelling-houses

eco-tourism facilities

extractive industries

home activities

home-based child-care

horse breeding and training facilities

horse riding establishments

intensive agriculture

on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality

Clause 16	Snowy River Rural Local Environmental Plan 2007
Part 2	Operation of the development controls

public utility undertakings
roads (including the construction or forming of vehicular access)
rural holiday dwellings, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
rural industries
specialist or bulky goods sales
sports and recreation facilities
telecommunications facilities
telecommunications networks
timber yards
tourist operations
transport depots
utility installations
veterinary surgeries
wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 2 Adaminaby–Eucumbene

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for tourism and agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive agriculture and residential development, and
- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture and rural industry, and
- (c) to protect the existing tourist development in areas such as Providence Portal and Frying Pan, and
- (d) to promote new tourism and recreational development primarily around Lake Eucumbene and adjacent to the Kosciuszko National Park where:

Snowy River Rural Local Environmental Plan 2007

Clause 16

Operation of the development controls

Part 2

- (i) it does not adversely affect any use of adjoining land for agriculture, and
- (ii) it is small-scale and compatible with the unique landscape setting of Lake Eucumbene and Kosciuszko National Park, and
- (iii) it does not adversely affect the use of adjoining national park lands.

In relation to built form and design:

- (a) to ensure development is compatible with the rolling, undulating and hilly topography of the landscape, and
- (b) to design and site development in a manner that minimises its visibility when viewed from Lake Eucumbene, and
- (c) to ensure that the vegetated backdrop to the Lake and other remnant bushland is protected and preserved.

In relation to natural resource management:

- (a) to retain and maintain eucalyptus communities and native grasslands and woodlands for their environmental values and functions, and
- (b) to protect the supply and quality of water in the Murrumbidgee River including the maintenance of natural hydrological systems and environmental flows, and
- (c) to manage development and surface run-off to minimise both soil erosion and the removal of native riparian vegetation.

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

advertising signs not included in item 2

agriculture (involving earthworks or the erection of buildings or structures)

animal boarding facilities

bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality

caravan parks

Clause 16 Snowy River Rural Local Environmental Plan 2007
Part 2 Operation of the development controls

community services
cultural facilities
dual occupancies
dwelling-houses
eco-tourism facilities
educational facilities
extractive industries
home activities
home-based child-care
horse breeding and training facilities
horse riding establishments
intensive agriculture
on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
public utility undertakings
roads (including the construction or forming of vehicular access)
rural holiday dwellings, provided the dwelling is an existing dwelling or a dwelling that is permitted in this locality
rural industries
rural tourist accommodation
specialist or bulky goods sales
sports and recreation facilities
telecommunications facilities
telecommunications networks
timber yards
tourist operations
transport depots
utility installations
veterinary surgeries
wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

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Clause 16

Operation of the development controls

Part 2

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 3 Rocky Plain–Eucumbene

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for tourism and agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive agriculture and residential development, and
- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture and rural industries, and
- (c) to promote new tourism development if:
 - (i) it does not adversely affect any use of adjoining land for agriculture, and
 - (ii) it is small-scale and compatible with the unique landscape setting of Lake Eucumbene and Kosciuszko National Park, and
 - (iii) it does not adversely affect the use of adjoining national park lands.

In relation to built form and design:

- (a) to ensure development is compatible with the variable, undulating and rugged topography of the locality, and
- (b) to design and site development in a manner that minimises its visibility when viewed from Lake Eucumbene, and
- (c) to ensure that the vegetated backdrop to the Lake and other remnant bushland is protected and preserved.

In relation to natural resource management:

- (a) to retain white and black sallee communities and protect the open snowgum communities in the west of the locality, and
- (b) to conserve the significant flora and fauna within the Snowy Plain and Nimmo areas.

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Part 2	Operation of the development controls

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

- advertising signs not included in item 2
- agriculture (involving earthworks or the erection of buildings or structures)
- animal boarding facilities
- bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality
- caravan parks
- community services
- dual occupancies
- dwelling-houses
- eco-tourism facilities
- extractive industries
- home activities
- home-based child-care
- horse riding establishments
- intensive agriculture
- on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
- public utility undertakings
- roads (including the construction or forming of vehicular access)
- rural holiday dwellings, provided the dwelling is an existing dwelling or a dwelling that is permitted in this locality
- rural industries
- rural tourist accommodation
- specialist or bulky goods sales
- sports and recreation facilities
- telecommunications facilities
- telecommunications networks
- timber yards
- tourist operations

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Clause 16

Operation of the development controls

Part 2

transport depots
 utility installations
 veterinary surgeries
 wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 4 Berridale–Coolringdon

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive agriculture and residential development, and
- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture, and
- (c) to promote tourism if:
 - (i) it does not adversely affect any use of adjoining land for agriculture, and
 - (ii) it features small-scale accommodation or outdoor recreation derived from the locality's proximity to Jindabyne and Kosciuszko National Park, and
 - (iii) it results in the maintenance and preservation of heritage items.

In relation to built form and design:

- (a) to ensure development is compatible with the existing low scale and scattered nature of rural buildings and respects the flat to rolling topography of the landscape, and
- (b) to design and site development in a manner that minimises the potential for impacts from agriculture.

In relation to natural resource management:

to retain white and black sallee communities, and maintain the existing dry tussock grasslands for their environmental values and functions.

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Part 2	Operation of the development controls

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

- advertising signs not included in item 2
- agriculture (involving earthworks or the erection of buildings or structures)
- animal boarding facilities
- bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality
- caravan parks
- community services
- cultural facilities
- dual occupancies
- dwelling-houses
- eco-tourism facilities
- educational facilities
- extractive industries
- home activities
- home-based child-care
- horse riding establishments
- intensive agriculture
- on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
- public utility undertakings
- roads (including the construction or forming of vehicular access)
- rural holiday dwellings, provided the dwelling is an existing dwelling or a dwelling that is permitted in this locality
- rural industries
- rural tourist accommodation
- specialist or bulky goods sales
- sports and recreation facilities
- telecommunications facilities
- telecommunications networks

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Clause 16

Operation of the development controls

Part 2

timber yards
 tourist operations
 transport depots
 utility installations
 veterinary surgeries
 wind energy facilities

Development ancillary to development included in this item (including demolition that is ancillary), other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 5 Dalgety–Numbla Vale

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive agriculture and residential development, and
- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture, and
- (c) to promote development that supports a diversity of activities based on the Snowy River, while at the same time protecting its ecology and heritage and providing safe access, and
- (d) to promote tourism if:
 - (i) it is small-scale accommodation or outdoor recreation compatible with the natural and management values of the Snowy River, and
 - (ii) it results in the maintenance and preservation of heritage items, and
 - (iii) it does not adversely affect the values of adjoining national park lands.

In relation to built form and design:

- (a) to ensure development is compatible with the existing low scale and scattered nature of rural buildings, and

Clause 16 Snowy River Rural Local Environmental Plan 2007

Part 2 Operation of the development controls

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- (b) to promote development that respects the variable topography of the locality, including the rolling hills, the gorge-like valleys and the flat riparian areas adjoining the Snowy River, and
 - (c) to design and site development in a manner that minimises the potential for impacts from agriculture.

In relation to natural resource management:

- (a) to retain the yellow box, red gum and montane eucalypt woodland communities and maintain the existing dry tussock grasslands for their environmental values and functions, and
- (b) to conserve the significant flora and fauna within the Paupong area and along the Snowy River corridor, and
- (c) to protect river flows and support the management of the riverbed and banks of the Snowy River.

2 Development allowed without development consent

Development for the purpose of agriculture (not involving land clearing, earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

advertising signs not included in item 2

agriculture (involving land clearing, earthworks or the erection of buildings or structures)

animal keeping and training

bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality

caravan parks

community services

cultural facilities

dual occupancies

dwelling-houses

eco-tourism facilities

educational facilities

extractive industries

home activities

home-based child-care

Snowy River Rural Local Environmental Plan 2007

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Operation of the development controls

Part 2

horse breeding and training
 horse riding establishments
 intensive agriculture
 on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
 public utility undertakings
 roads (including the construction or forming of vehicular access)
 rural holiday dwellings, provided the dwelling is an existing dwelling or a dwelling that is permitted in this locality
 rural industries
 rural tourist accommodation
 specialist or bulky goods sales
 sports and recreation facilities
 telecommunications facilities
 telecommunications networks
 timber yards
 transport depots
 tourist operations
 utility installations
 veterinary surgeries
 wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 6 Moonbah–Ingebirah

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily for tourism, agriculture (grazing), and on-farm activities related to fibre and food production as well as appropriately located intensive agriculture and residential development, and

Clause 16 Snowy River Rural Local Environmental Plan 2007

Part 2 Operation of the development controls

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- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture, and
 - (c) to encourage a range of recreational, tourism and living opportunities that will provide a range of local and regional economic benefits, and
 - (d) to encourage tourism development primarily adjacent to Kosciuszko National Park where it does not adversely affect the values of adjoining National Park lands, and
 - (e) to promote tourism if:
 - (i) it is small-scale tourism accommodation or outdoor recreation derived from the locality's proximity to Jindabyne and Kosciuszko National Park, or
 - (ii) it results in the maintenance and preservation of heritage items.

In relation to built form and design:

- (a) to ensure development is compatible with the existing low scale and scattered nature of rural buildings, and
- (b) to promote development that respects the variable topography of the locality, including the rolling hills, the gorge-like valleys and the flat riparian areas adjoining the Moonbah River, and
- (c) to design and site development in a manner that minimises the potential for impacts from agriculture.

In relation to natural resource management:

- (a) to retain yellow box, red gum and montane eucalypt woodland communities, and
- (b) to maintain existing dry tussock grasslands for their environmental values and functions, and
- (c) to protect the river flows and support the management of the riverbed and banks of the Moonbah River.

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:
advertising signs not included in item 2

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Operation of the development controls

Part 2

agriculture (involving earthworks or the erection of buildings or structures)
animal boarding facilities
bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality
caravan parks
community services
dual occupancies
dwelling-houses
eco-tourism facilities
educational facilities
extractive industries
home activities
home-based child-care
horse breeding and training facilities
horse riding establishments
intensive agriculture
on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality
public utility undertakings
roads (including the construction or forming of vehicular access)
rural holiday dwellings, provided the dwelling is an existing dwelling or a dwelling that is permitted in this locality
rural industries
rural tourist accommodation
specialist and bulky goods sales
sports and recreation facilities
telecommunications facilities
telecommunications networks
timber yards
tourist operations
utility installations
veterinary surgeries
wind energy facilities

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Part 2	Operation of the development controls

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 7 Crackenback

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for small-scale tourism as well as appropriately located rural industry and intensive agriculture, and
- (b) to promote tourism development that:
 - (i) features accommodation or outdoor recreation that is small-scale, low intensity, low impact and sympathetic to the unique landscape setting of the approaches to Kosciuszko National Park, and preserves the scenic qualities of the locality, or
 - (iii) results in the maintenance and preservation of heritage items.

In relation to built form and design:

- (a) to ensure development is designed and sited to ensure the visual character of the locality remains largely unchanged, and
- (b) to ensure any new development preserves the visual experience of the drive along the Eastern Approaches to the Kosciuszko National Park, and
- (c) to site development in a manner that integrates with the landscape and has minimal impact when viewed from the Alpine Way, Kosciuszko Road and other significant public places.

In relation to natural resource management:

to retain and maintain montane forest, alpine heathland and snowgum woodland communities for their scenic and environmental values and function.

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

Snowy River Rural Local Environmental Plan 2007

Clause 16

Operation of the development controls

Part 2

3 Development that requires development consent

Development for the purpose of:

advertising signs not included in item 2

agriculture (involving earthworks or the erection of buildings or structures)

bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality

community services

cultural facilities

dual occupancies

dwelling-houses

eco-tourism facilities

extractive industries

home activities

home-based child-care

horse breeding and training facilities

horse riding establishments

intensive agriculture

on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality

public utility undertakings

roads (including the construction or forming of vehicular access)

rural holiday dwellings, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality

rural industries

sports and recreation facilities

telecommunications facilities

telecommunications networks

tourist operations

utility installations

wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

Clause 16	Snowy River Rural Local Environmental Plan 2007
Part 2	Operation of the development controls

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Locality 8 Jindabyne

1 Locality objectives

In relation to land use:

- (a) to achieve a locality primarily used for tourism and rural living, and
- (b) to protect the existing established agricultural activities and encourage new and varied intensive agriculture in appropriate locations, and
- (c) to promote tourism and recreational development that:
 - (i) features small-scale accommodation or outdoor recreation derived from the locality's proximity to Lake Jindabyne and Kosciuszko National Park, and
 - (ii) is small-scale and compatible with the unique landscape setting of Lake Jindabyne and Kosciuszko National Park.

In relation to built form and design:

- (a) to ensure development respects the rolling to undulating and hilly topography of the landscape, and
- (b) to only allow development if its visibility from Lake Jindabyne is minimised, and
- (c) to design and site development in a manner that protects and preserves the vegetated backdrop to Lake Jindabyne and other remnant bushland.

In relation to natural resource management:

- (a) to retain and maintain snow gum and black sallee communities for their scenic and environmental values and functions, and
- (b) to conserve significant flora and fauna scattered throughout the locality, and
- (c) to protect river flows and support the management of the riverbed and banks of the Snowy River.

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Clause 16

Operation of the development controls

Part 2

2 Development allowed without development consent

Development for the purpose of agriculture (not involving earthworks or the erection of buildings or structures).

3 Development that requires development consent

Development for the purpose of:

advertising signs not included in item 2

agriculture (involving earthworks or the erection of buildings or structures)

animal boarding facilities

bed and breakfast accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in the locality

caravan parks

community services

cultural facilities

dual occupancies

dwelling-houses

eco-tourism facilities

educational facilities

extractive industries

home activities

home-based child-care

horse breeding and training facilities

horse riding establishments

intensive agriculture

on-farm tourist accommodation, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality

public utility undertakings

roads (including the construction or forming of vehicular access)

rural holiday dwellings, provided the dwelling is an existing dwelling or dwelling that is permitted in this locality

rural industries

rural tourist accommodation

specialist or bulky goods sales

sports and recreation facilities

telecommunications facilities

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telecommunications networks

timber yards

tourist operations

transport depots

utility installations

veterinary surgeries

wind energy facilities

Development (including demolition) ancillary to development included in this item, other than development included in item 2.

4 Development that is prohibited

Any development other than development included in item 2 or 3.

Snowy River Rural Local Environmental Plan 2007

Clause 17

Special provisions

Part 3

Part 3 Special provisions

Division 1 Subdivision

17 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified as exempt development, may be carried out only with development consent.
- (2) Development consent may be granted for subdivision as referred to in subclause (1) only if the consent authority:
 - (a) is satisfied that the proposed lots are to be used for a lawful purpose, and
 - (b) has made an assessment of the primary purpose for which each lot is to be used and is satisfied that the proposed lots are suitable for those uses.
- (3) This clause does not affect any other requirement of this plan relating to subdivision.

18 Subdivision for the purpose of intensive agriculture

- (1) This clause aims to provide the opportunity for the development of lots capable of supporting intensive agriculture.
- (2) Development consent must not be granted for a subdivision to create a lot for the purposes of intensive agriculture unless the consent authority is satisfied that:
 - (a) the lot to be used for the intensive agriculture is greater than 10 hectares in size, and
 - (b) the residue lot is greater than the minimum lot size required for a dwelling-house in the locality in which the subdivision is to take place, and
 - (c) if the land contains an existing dwelling, the dwelling is included on the residue lot, and
 - (d) the lot is capable of sustaining intensive agriculture, including any necessary buffers, and
 - (e) the lot and residue lot are suitable for their nominated uses and compatible with adjoining land uses.

Clause 19 Snowy River Rural Local Environmental Plan 2007
Part 3 Special provisions

19 Subdivision for the purpose of rural living

- (1) This clause aims to provide the opportunity for the development of lots for residential purposes where it will not adversely impact on landscape amenity or productivity of agriculture.
- (2) Nothing in this plan prevents a person, with development consent, from subdividing land for the purpose of a rural living subdivision, but only if every lot to be created by the subdivision on which it is intended to erect a dwelling is located within a rural living development boundary as identified by a heavy black line on the locality map.
- (3) Development consent must not be granted pursuant to subclause (2) for the purposes of a rural living subdivision unless the consent authority is satisfied that:
 - (a) the maximum number of lots to be created by the subdivision that will be occupied by dwellings does not exceed 7, including any occupied by existing dwellings, and
 - (b) the lots are created from a holding that existed on the appointed day, and
 - (c) the minimum lot size for each lot created by the subdivision is 5 hectares, and
 - (d) if the building envelopes on each lot created by the subdivision are visible from an arterial road, the consent authority has considered a visual impact assessment undertaken by a suitably qualified landscape architect demonstrating how the visual impact of the development can be minimised when viewed from the arterial road, and
 - (e) if the subdivision includes any class III agricultural land:
 - (i) the land was taken out of agricultural production not less than 5 years prior to the appointed day, or
 - (ii) the consent authority has considered a report prepared by a qualified agronomist demonstrating that the land comprising the subdivision is not well suited to grazing and pasture improvement, and
 - (f) if the subdivision includes any land significant for flora and fauna protection, the consent authority has considered a species impact statement prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora or fauna, and

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- (g) if the subdivision includes any land in the Lake Eucumbene Visual Protection Area, the consent authority has considered a visual impact assessment undertaken by a suitably qualified landscape architect demonstrating that any buildings within the subdivision will not be visible from Lake Eucumbene, and
 - (h) the applicant has demonstrated that an adequate supply of potable and non-potable water will be available on each lot to be created, and
 - (i) the subdivision will not create additional riparian access rights to streams, creeks, rivers or other waterways.

20 Subdivision for rural residential estate development

- (1) This clause aims to provide the opportunity for the development of lots for the purposes of a rural residential estate where it will not adversely impact on landscape amenity or productivity of agriculture.
- (2) Nothing in this plan prevents a person, with development consent, from subdividing land for the purpose of a rural residential estate, but only if every lot to be created by the subdivision on which it is intended to erect a dwelling is located within a rural living development boundary as identified by a heavy black line on the locality map.
- (3) Development consent must not be granted pursuant to subclause (2) for the purposes of a rural residential estate unless the consent authority is satisfied that:
 - (a) the land to be subdivided comprises the whole or part of a holding that existed on the appointed day, and
 - (b) each lot in the subdivision is no smaller than 0.3 hectares and no larger than 5 hectares, and
 - (c) each lot in the subdivision is connected to a reticulated sewerage system, and
 - (d) each lot in the subdivision is connected to a reticulated town water supply, and
 - (e) the building envelopes on each lot in the subdivision are identified and located to minimise visibility of the development when viewed from an arterial road, and
 - (f) if the building envelopes on each lot created by the subdivision are visible from an arterial road, the consent authority has considered a visual impact assessment undertaken by a suitably qualified landscape architect demonstrating how the visual impact of the development can be minimised when viewed from the arterial road, and

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- (g) if the subdivision would result in 7 or more lots, each lot is to be linked by a 2 lane bitumen sealed road to the nearest urban centre, and
 - (h) if the subdivision includes any class III agricultural land:
 - (i) the land was taken out of agricultural production 5 years prior to the appointed day, or
 - (ii) the consent authority has considered a report prepared by a qualified agronomist demonstrating that the land comprising the subdivision is not well suited to grazing and pasture improvement, and
 - (i) if the subdivision includes any land significant for flora and fauna protection, the consent authority has considered a species impact statement prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora or fauna, and
 - (j) if the subdivision includes any land in the Lake Eucumbene Visual Protection Area, the consent authority has considered a visual impact assessment undertaken by a suitably qualified landscape architect demonstrating that any buildings within the subdivision will not be visible from Lake Eucumbene, and
 - (k) the subdivision will not create additional riparian access rights to streams, creeks, rivers or other waterways, and
 - (l) the land to be subdivided is contiguous with existing urban or rural residential land.

21 Special considerations for rural living and rural residential development

When determining an application for development consent for a rural living subdivision or subdivision for the purposes of a rural residential estate, the consent authority must consider the following:

- (a) the impact that the proposed development may have on the agricultural potential of the land, including the potential of the development to unduly fragment or isolate agricultural land,
- (b) the impact of the proposed development on the provision of infrastructure, including the need for public roads, telecommunications and electricity,
- (c) the cumulative impact of successive development on the general character of the area,
- (d) the location of the proposed development in relation to potential risks, including bushfire and other hazards,
- (e) the retention and enhancement of existing vegetation.

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Clause 22

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Division 2 Dwellings

22 Single dwellings

- (1) Development consent must not be granted for development for the purposes of a dwelling on land to which this plan applies, unless the land:
 - (a) in the case of land within:
 - (i) locality 1 Brothers–Bobundara, locality 4 Berridale–Coolringdon or locality 5 Dalgety–Numbla Vale—has an area of not less than 400 hectares, or
 - (ii) locality 2 Adaminaby–Eucumbene, locality 3 Rocky Plain–Eucumbene or locality 6 Moonbah–Ingebirah—has an area of not less than 250 hectares, or
 - (iii) locality 7 Crackenback—has an area of not less than 100 hectares, or
 - (iv) locality 8 Jindabyne—has an area of not less than 40 hectares, or
 - (b) comprises the whole of an existing holding having an area of less than the minimum lot size for a dwelling as provided in paragraph (a) and on which the dwelling could have been erected under any environmental planning instrument applying to the land at 26 September 1985 and provided consent is given within 5 years after the appointed day, or
 - (c) consists of a lot that was created under clause 33 of the *Kosciuszko Regional Environmental Plan 1998—(Snowy River)* as in force immediately before its repeal, or clause 10 of the *Snowy River Rural Local Environmental Plan No 4* as in force immediately before its repeal, and the dwelling could, immediately before the repeal of the clause under which the lot was created (*the relevant clause*), have been erected on the lot under the provisions of the relevant clause.
- (2) Nothing in this clause prevents a person, with development consent, from erecting a dwelling that will wholly replace another dwelling that was lawfully erected.

23 Dual occupancies

- (1) This clause applies to land on which one dwelling is or may be lawfully erected.
- (2) Development consent may be granted for the conversion of an existing dwelling to create two dwellings, or the erection of two dwellings, on land to which this clause applies.

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- (3) Development consent must not be granted pursuant to subclause (2) unless the consent authority is satisfied that:
- (a) granting development consent will not result in more than two dwellings being located on the land, and
 - (b) if it is proposed to convert an existing dwelling, the dwelling is lawful or where it is proposed to erect two dwellings, a dwelling could be erected on the land in accordance with clause 22 (1) (a) or (b), and
 - (c) each dwelling will have a maximum of one kitchen, and
 - (d) the two dwellings will be attached and one of the two dwellings will not exceed 100 square metres in gross floor area, and
 - (e) the two dwellings will complement each other in terms of building design, siting and materials, and
 - (f) the lot is capable of accommodating two dwellings and any ancillary outbuildings, water supply and sewage management facility, and
 - (g) no additional access to an arterial road will be required from the land to the dwellings, and
 - (h) the erection of more than one dwelling on the land will not interfere with the purpose for which the land or adjoining land is being used.

24 Ancillary dwellings

Despite clause 22, a dwelling may be erected with development consent on a lot created under this plan, other than for the purpose of agriculture, if the consent authority:

- (a) considers that an ancillary dwelling is necessary, and
- (b) is satisfied that the land use, for the purpose for which the consent to the creation of the lot was granted, has substantially commenced.

25 Home activity

- (1) The aim of this clause is to enable small-scale home businesses to operate while protecting rural amenity and the sustainable functioning of the Snowy River Shire's retail and industrial centres.
- (2) The consent authority may grant development consent for development for the purposes of a home activity, but only if the home activity is to be carried out in an existing dwelling or an existing building erected adjacent to a dwelling on the same land as the dwelling and the consent authority is satisfied that:

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- (a) the home activity will not occupy more than 50 square metres of floor space within the existing dwelling or building, and
 - (b) the home activity will be undertaken and carried out only by the permanent residents of the dwelling, and
 - (c) the home activity will not significantly impact on the amenity of adjacent residents or their use of their properties, and
 - (d) the home activity will not involve exposure to view of any matter relating to the use other than a sign or advertisement to indicate the name and occupation of the resident.

Division 3 Special controls for tourist development

26 Development for the purpose of eco-tourism

- (1) This clause aims to provide the opportunity for the development of eco-tourism facilities in appropriate locations where the development satisfies the criteria specified in subclause (2).
- (2) Development consent must not be granted for development for the purpose of eco-tourism unless the consent authority is satisfied that:
 - (a) if the number of guests that may be accommodated overnight will exceed 15, the facility will be centrally managed by on-site management with all structural components being the responsibility of one management whether or not individual structures are owned by different entities, and
 - (b) the applicant for development consent has identified environmental risks that may arise from the proposed development and has consequently prepared relevant management actions, and
 - (c) the development will contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area, and
 - (d) the development will provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment, and
 - (e) the development will provide visitors with the opportunity to receive quality interpretive services, and
 - (f) the development is designed to utilise building materials that blend with the surrounding landscape, promoting the use of recycled materials and materials sourced from the region, and
 - (g) the development will maximise energy efficiency and use a minimum of non-renewable energy, and

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- (h) the facility will be developed appropriately on the basis of ecological sustainability and an understanding of the potential environmental impacts, and
- (i) any buildings and infrastructure will not dominate the visual landscape and are compatible with the local cultural character, and
- (j) water consumption in the development will be minimised, and water supply is ecologically sustainable, and
- (k) sewage and effluent will be minimised and treated to such a level that no environmental harm results from discharges.

27 Tourist operations

- (1) This clause aims to:
 - (a) enable a variety of tourist operations to be developed in rural areas while at the same time protecting the rural amenity and character of the locality, and
 - (b) ensure that development for the purposes of a tourist operation will not result in land-use conflicts and that any adverse impacts are identified and managed.
- (2) When determining an application for development consent for development for the purposes of tourist operations, the consent authority must consider the following:
 - (a) the scale and character of the development in the context of surrounding development,
 - (b) the potential for noise or odours to adversely impact on the amenity of neighbours or other land holders within the vicinity of the site,
 - (c) the measures proposed to mitigate any potential adverse impacts, including the disposal of effluent,
 - (d) whether the tourist operations will operate on a year round basis.

28 Horse riding establishment

- (1) This clause aims to:
 - (a) enable horse riding establishments to be developed in rural areas while at the same time protecting the rural amenity, and
 - (b) ensure that development for the purposes of a horse riding establishment will not result in land-use conflicts and that any adverse impacts are identified and managed.

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- (2) When determining an application for development consent for development for the purposes of horse riding establishments, the consent authority must consider the following:
- (a) the potential for noise or odours to adversely impact on the amenity of neighbours or other land holders within the vicinity of the site,
 - (b) the potential for the pollution of surface water, groundwater and the degradation of soils and vegetation,
 - (c) the suitability of the site in the circumstances, including the extent of any proposed trail riding system and ancillary structures,
 - (d) the measures proposed to mitigate any potential adverse impacts, including the maintenance of horse riding trails and the measures proposed to dispose of effluent and horse manure,
 - (e) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of the animals.

29 Rural tourist accommodation

- (1) This clause aims to:
- (a) provide the opportunity for the development of tourist accommodation in rural areas while at the same time protecting the rural amenity, and
 - (b) ensure that development for the purposes of tourist accommodation will not result in land-use conflicts and that any adverse impacts are identified and managed.
- (2) Development consent must not be granted for development for the purpose of tourist accommodation on any site unless the consent authority is satisfied that:
- (a) the number of guests that may be accommodated overnight within the accommodation facility does not exceed 55, and
 - (b) if the number of guests that may be accommodated overnight exceeds 15, the facility is centrally managed by on-site management with all structural components being the responsibility of one management whether or not individual structures are owned by different entities.
- (3) When determining an application for development consent for development for the purposes of rural tourist accommodation, the consent authority must consider the following:
- (a) the scale and character of the development in the context of surrounding development,

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- (b) the potential for noise, traffic or other activities associated with the facility to adversely impact on the amenity of residences and other land uses within the vicinity of the site,
- (c) the measures proposed to mitigate any potential adverse impacts, including the disposal of effluent.

30 Rural holiday dwellings

- (1) This clause aims to provide opportunities for dwellings in rural areas to be used for the purposes of holiday dwellings.
- (2) Development consent must not be granted for the purposes of a rural holiday dwelling on land to which this clause applies unless the consent authority is satisfied that:
 - (a) if there is an existing dwelling on the land, the dwelling is lawful, or
 - (b) if it is proposed to erect a dwelling on the land, a dwelling could be erected on the land in accordance with clause 22 (1) (a) or (b).

Division 4 Building, siting, design and infrastructure controls

31 Building heights

- (1) This clause aims to:
 - (a) achieve consistency in the scale of buildings across localities, and
 - (b) relate the building form to the topography of the site.
- (2) Development consent must not be granted for the erection of a building exceeding a height of 8 metres unless the consent authority is satisfied that:
 - (a) the height is compatible with the heights of other buildings in the immediate vicinity, and
 - (b) the height does not cause any significant loss of amenity to adjoining dwellings and the landscape or the function and architecture of the building has such significance to the community that the building should be considered a landmark.

32 Buildings on ridgelines

- (1) This clause aims to:
 - (a) prevent the unnecessary intrusion of buildings into skylines, and
 - (b) preserve the rural aspect of each locality.

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Clause 33

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- (2) Development consent must not be granted for the erection of a building on a ridgeline if the building would be visible from a public place (such as an arterial road) and appear as a skyline structure from that place.

33 Building setbacks

- (1) This clause aims to:
- (a) ensure the safe and efficient flow of traffic, and
 - (b) preserve the rural aspect of each locality as experienced from its roads.
- (2) The minimum building line setbacks from road boundaries must be in accordance with the following:
- (a) arterial road (other than the Alpine Way)—100 metres,
 - (b) Alpine Way—250 metres,
 - (c) public road (other than a road referred to in paragraph (a) or (b)—25 metres.
- (3) Development consent must not be granted for development that contravenes a requirement made by subclause (2) unless the consent authority is satisfied that:
- (a) the buildings are of such a scale as not to intrude unnecessarily into views along adjoining roads, and
 - (b) the sight distance along any roads adjoining the development is not reduced, including visibility from access points.

34 Access

- (1) This clause aims to ensure that:
- (a) the standard of roads is improved and that access for future development is provided in a fair and equitable manner, and
 - (b) all new development has an appropriate and safe level of access.
- (2) Development consent must not be granted for development for any purpose unless the consent authority is satisfied that adequate vehicular access will be provided to the development.
- (3) When determining an application for development consent for development for any purpose, consideration must be given to the following:
- (a) whether the standard of sealed or all-weather road access to the site of the proposed development is the appropriate standard and adequate to cater for potential traffic,

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- (b) what impact the traffic associated with the proposed development will have on existing roads, road safety and other road users in the locality,
- (c) whether the proposed development will be carried out on land with frontage to a public road, thereby avoiding right of carriageways over other land,
- (d) whether any additional length of public road created and proposed to be transferred to the control of the Council has been minimised,
- (e) whether intersections and vehicular entrances satisfy relevant design standards published by the Roads and Traffic Authority.

35 Development adjoining or fronting arterial roads

- (1) This clause aims to:
 - (a) preserve the transportation role of arterial roads, and
 - (b) ensure the safe and efficient flow of traffic.
- (2) Despite any other provision of this plan, the consent authority must not grant development consent for development requiring direct access from either Kosciuszko Road or the Alpine Way within the area shown horizontally hatched on the Locality Map and referred to on that map as the Eastern Approaches to Kosciuszko National Park.
- (3) When determining an application for development consent for development that will adjoin an arterial road, the consent authority must consider the following:
 - (a) whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the arterial road,
 - (b) the access points and on-site management plans for vehicle movement and parking,
 - (c) the effect the development will have on future improvements or realignment of the arterial road.

36 Wind energy facilities

Development consent must not be granted for a wind energy facility unless the consent authority is satisfied that the facility is:

- (a) not located within 5 kilometres of an urban boundary or a rural residential estate boundary, and
- (b) not located within 1.5 kilometres of an existing dwelling.

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Clause 37

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37 Visual landscape character assessment

- (1) This clause aims to ensure that:
 - (a) the visual character and quality of the landscape are assessed before consent is granted for development, and
 - (b) the visual impacts of proposed development are minimised.
- (2) Before granting development consent for development involving the carrying out of any works or building construction, within each locality, the consent authority must have regard to the likely visual impacts of carrying out the development, including the visual impacts of ancillary uses like driveways and fencing and of the provision of electricity and other services to the site of the development.
- (3) When assessing visual impacts of proposed development for the purposes of subclause (2), consideration must be given to the following:
 - (a) important visual features and the landscape character of the site and surrounding land,
 - (b) minimising the visual impact of the development on views from public areas, including public roads,
 - (c) reducing the visual impact of driveways and of the provision of services to the development,
 - (d) reducing the visual impact of proposed buildings by ensuring that external finishes are non-reflective and of a colour that blends in with the surroundings,
 - (e) ensuring fencing and building styles are compatible with the visual character of the area.

Division 5 Heritage conservation

38 Objectives

The objectives of this Division are:

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

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39 Requirement for development consent

Development consent is required for any of the following:

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

40 Development consent is not required

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

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

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- (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.

41 Development in vicinity of heritage item or heritage conservation area

- (1) Development consent must not be granted for development affecting land in the vicinity of a heritage item or of a heritage conservation area unless the consent authority has considered the likely effect of the development on the heritage significance and setting of the item or area.
- (2) The consent authority may, before granting development consent for any development on land on which a heritage item is situated or that is within a heritage conservation area, require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or area concerned.

42 Heritage conservation management plans

The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting development consent under this Division.

43 Archaeological sites

The consent authority must, before granting development consent under this Division for 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 applies):

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

44 Places of Aboriginal heritage significance

The consent authority must, before granting development consent under this Division for the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and

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- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

45 Demolition of item of State significance

The consent authority must, before granting development consent for the demolition of a heritage item identified in Schedule 2 as being of State heritage significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

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

46 Conservation incentives

- (1) The consent authority may grant development consent for development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this plan if the consent authority is satisfied that:
 - (a) the conservation of the heritage item is facilitated by the granting of consent, and
 - (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
 - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
 - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
 - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.
- (2) Development consent may be granted for the subdivision of land on which a heritage item is located (even though the subdivision would be otherwise prohibited by this plan), but only if the consent authority is satisfied that:
 - (a) the number of lots created by the subdivision does not exceed two, and
 - (b) the retention of the heritage item depends on the granting of consent for the subdivision, and

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- (c) the proposed use of each lot to be created by the subdivision is in accordance with any relevant heritage conservation management plan, and
 - (d) the curtilage of the heritage item will be wholly contained within one lot, and
 - (e) the proposed use of each lot will not adversely affect the heritage significance of the heritage item or its setting.
- (3) Despite any other provision of this plan, development consent may be granted for the erection of a dwelling-house on the lot created by a subdivision referred to in subclause (2) that does not contain the heritage item, but only if the consent authority is satisfied that:
- (a) the lot does not already contain a dwelling-house, and
 - (b) the lot is capable of accommodating the proposed dwelling-house, any ancillary outbuildings, water supply and sewage management facility.

Division 6 Natural resource management

47 Bush rock management

- (1) The aim of this clause is to ensure that the development of land has minimal impact on bush rock within all localities.
- (2) A person must not carry out bush rock removal or carry out development which involves bush rock removal on land to which this clause applies except with development consent.
- (3) This clause applies to land within all localities except for the following:
 - (a) land used for cropping or being prepared to be used for cropping,
 - (b) land the subject of a consent allowing the removal of extractive material.
- (4) Development consent must not be granted for the removal of bush rock unless the consent authority has taken into consideration the following:
 - (a) the impact that the removal of the bush rock would have on the landscape character of, and native flora and fauna in, the area,
 - (b) whether a landscape management plan and a flora and fauna study have been prepared for the development that demonstrate that the removal of the bush rock will have a minimal impact on the landscape character of, and native flora and fauna in, the area.

48 Bush fire hazard reduction

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

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Division 7 Additional controls for certain localities

49 Development along the Snowy River Corridor

- (1) This clause aims to provide for development in the vicinity of the Snowy River while at the same time:
 - (a) assisting in the restoration of the ecological health of the Snowy River, and
 - (b) protecting the Aboriginal and European cultural heritage, including the landscapes of the Snowy River.
- (2) A person must not carry out development, including the clearing of land, within 40 metres of the top bank of the Snowy River except with development consent.
- (3) Before granting development consent for development of land allowed to be carried out with development consent by subclause (2), the consent authority must consider the following:
 - (a) whether the design, layout, access and location of the proposed development minimises any impacts on the native vegetation, the water quality and visual quality of the river corridor,
 - (b) whether the development will have any adverse impact on the Aboriginal and European cultural heritage significance of the Snowy River,
 - (c) the need to require remedial works, such as the re-introduction of key vegetation and habitat components and the control of invasive weeds and feral species,
 - (d) the need to provide public access to the Snowy River and the ongoing management of that access,
 - (e) the need to restrict access along certain parts of the Snowy River for certain activities,
 - (f) arrangements for the ongoing management of the riparian corridor, including any agreements between the landowner and a relevant land management authority,
 - (g) whether the proposed development will involve the extraction of water from the river,
 - (h) whether the proposed development will impede the passage of aquatic fauna and natural flow regimes of the watercourse,
 - (i) the need for an erosion and sediment control plan,
 - (j) the need for a vegetation management plan.

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50 Development along the Murrumbidgee and Slacks Creek Corridor

- (1) This clause aims to provide for development in the vicinity of the Murrumbidgee River and Slacks Creek while at the same time:
 - (a) ensuring that the Murrumbidgee River and Slacks Creek respond to hydrological changes with minimum interference, such as by allowing locally indigenous riparian vegetation to regenerate naturally, and
 - (b) maintaining the natural hydrological processes as much as possible, including by the retention and restoration of natural vegetation and flow regimes to protect and enhance water quality and creek line stability.
- (2) A person must not carry out development, including the clearing of land, within 40 metres of the top bank of the Murrumbidgee River or Slacks Creek except with development consent.
- (3) Before granting development consent for development of land allowed to be carried out with development consent by subclause (2), the consent authority must consider the following:
 - (a) whether the proposed design, layout, access and location of the proposed development minimises any impacts on the native vegetation and on the water quality and visual quality of the river corridors,
 - (b) the need to require remedial works, such as the re-establishment of flora and fauna habitats,
 - (c) whether the proposed development will involve the extraction of water from the river,
 - (d) whether the proposed development will impede the passage of aquatic fauna and natural flow regimes of the watercourse,
 - (e) the need for an erosion and sediment control plan,
 - (f) the need for a vegetation management plan.

51 Development within the Lake Eucumbene Visual Protection Area

- (1) This clause aims to protect the following attributes within the catchment of Lake Eucumbene:
 - (a) the visual qualities and scenery,
 - (b) the sense of isolation which can be enjoyed in many areas on and adjacent to the Lake,
 - (c) the recreational functions of the Lake, including its attraction as a prime fishing destination,
 - (d) the water storage functions of the Lake.

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- (2) This clause applies to any land in the Lake Eucumbene Visual Protection Area.
- (3) A person must not carry out development on land to which this clause applies, including the clearing of land, except with development consent.
- (4) Before granting development consent for development of land allowed to be carried out with consent by subclause (3), consideration must be given to the following:
 - (a) the visual impact of the development when viewed from the Lake at its full supply level,
 - (b) whether the design and construction of any new buildings (including fencing) prevent any intrusion into the view from the Lake,
 - (c) whether provision has been made for the planting of appropriate native species where the planting would visually screen the development.
- (5) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development will not have an unacceptable visual impact on the scenic quality of the area, and
 - (b) the development has been designed to prevent any intrusion into the view from the Lake at its full supply level.
- (6) Development consent must not be granted for development on land in the Lake Eucumbene Visual Protection Area unless the consent authority has considered a landscape management plan of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.

52 Development within the Lake Jindabyne Visual Protection Area

- (1) This clause aims to protect the following attributes within the catchment of Lake Jindabyne:
 - (a) the visual qualities and scenery,
 - (b) the recreational functions of the Lake, including its attraction as a fishing destination,
 - (c) the water storage functions of the Lake.
- (2) This clause applies to any land in the Lake Jindabyne Visual Protection Area.

Snowy River Rural Local Environmental Plan 2007

Clause 53

Special provisions

Part 3

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- (3) A person must not carry out development on land to which this clause applies, including the clearing of land, except with development consent.
 - (4) Before granting development consent for development of land allowed to be carried out with development consent by subclause (3), consideration must be given to the following:
 - (a) the visual impact of the development when viewed from the Lake,
 - (b) whether the design and construction of any new buildings (including fencing) minimises any adverse impacts on views from the Lake and surrounding areas,
 - (c) whether provision has been made for the planting of appropriate native species where the planting would visually screen the development.
 - (5) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development will not have an unacceptable visual impact on the scenic quality of the area, and
 - (b) the development has been designed to minimise any intrusion into the view from the Lake.
 - (6) Development consent must not be granted for development on land in the Lake Jindabyne Visual Protection Area unless the consent authority has considered a landscape management plan of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.

53 Development within the Eastern Approaches to Kosciuszko National Park

- (1) This clause aims to:
 - (a) protect and maintain the environmental, scenic and natural attributes of the eastern approaches area, and
 - (b) ensure development complements the area's scenic and natural resources, and
 - (c) protect or improve the water quality and supply and catchment hydrology.
- (2) This clause applies to any land shown on the locality map as the Eastern Approaches to the Kosciuszko National Park.

Clause 54	Snowy River Rural Local Environmental Plan 2007
Part 3	Special provisions

- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development complements the natural beauty of the area, and
 - (b) the development is compatible with the natural environment and scenic landscape, and
 - (c) in the case of tourist or commercial development, the development demonstrates the capacity to be able to operate on a year-round basis, and
 - (d) the development has been designed to prevent any significant adverse visual impact on any land to which this clause applies, particularly when viewed from the Alpine Way or Eastern Approaches.
- (4) Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a landscape management plan of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road.

54 Development in areas significant for flora, fauna and environmental protection

- (1) This clause aims to:
 - (a) require certain environmental issues to be considered before development is carried out on land within an area significant for flora, fauna and environmental protection, and
 - (b) retain native bushland in parcels of a size and configuration which will, as far as possible, enable the native flora and fauna species and communities to survive in the long-term, and
 - (c) maintain and, where appropriate, revegetate habitat corridors between remnant areas of native bushland, and
 - (d) ensure that any development adjacent to, adjoining or within a watercourse or wetland does not adversely impact on water quality, the natural hydrological regime or habitat value, and
 - (e) ensure that any development adjacent to, adjoining or within a riparian corridor conserves or enhances the aquatic and native vegetation of the riparian corridor, and
 - (f) protect native bushland and existing landforms for their scenic values, and
 - (g) retain the unique visual identity of the landscape.
- (2) This clause applies to any land shown on the locality map as an area significant for flora and fauna protection.

Snowy River Rural Local Environmental Plan 2007

Clause 55

Special provisions

Part 3

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- (3) A person must not carry out development on land to which this clause applies, including the clearing of land, except with development consent.
 - (4) Before granting development consent for development of land allowed to be carried out with development consent by subclause (3), the consent authority must consider the following:
 - (a) the impact of the proposal on the habitat value of vegetation within riparian corridors and wildlife corridors or links,
 - (b) the potential for undertaking environmental conservation works to enhance the biodiversity values of the land, including the potential for rehabilitation works of degraded habitats or breaks in riparian corridors or wildlife corridors or links,
 - (c) whether the design and construction of any proposed fencing minimises possible limitation of fauna movement,
 - (d) whether provision has been made for the planting of appropriate native plant species on the land where the planting would visually screen the development or contribute to the restoration or enhancement of riparian and wildlife corridors or links.
 - (5) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development has been designed to minimise disturbance of native vegetation communities, and
 - (b) opportunities to restore or enhance the biodiversity values of the land, including riparian corridors and wildlife corridors or links, have been considered.
 - (6) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered a site analysis of an appropriate scale clearly and accurately showing the boundary of any vegetation edge and stands of remnant vegetation on the subject land sufficient to enable it to properly assess the impact of the proposed development on that vegetation and the biodiversity it supports.

55 Development in areas near national parks and nature reserves

- (1) This clause aims to protect the aesthetic, conservation, recreational and scientific values of national parks and nature reserves.
- (2) This clause applies to any land to which this plan applies adjoining or adjacent to a national park or nature reserve.

Clause 56	Snowy River Rural Local Environmental Plan 2007
Part 3	Special provisions

- (3) Before granting development consent for development of land to which this clause applies, the consent authority must consider the following:
 - (a) whether the development is compatible with and does not detract from the values of the national park or nature reserve,
 - (b) any management plans applicable to nearby areas within the national park or nature reserve,
 - (c) whether the development has been designed and sited to minimise visual intrusion when viewed from vantage points within the national park or nature reserve.

56 Additional controls for land within rural living development boundary

- (1) This clause applies to land wholly within, or any part of land within, a rural living development boundary as shown by a heavy black line on the locality map.
- (2) Despite any other provision of this plan, development for the following purposes is prohibited on land to which this clause applies:
extractive industries, intensive agriculture, timber yards, transport depots.

Snowy River Rural Local Environmental Plan 2007

Development by public authorities

Schedule 1

Schedule 1 Development by public authorities

(Clause 12)

1 Rail transport

The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:

- (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
- (b) the erection within the limits of a railway station of buildings for any purpose:

but excluding:

- (c) the construction of new railways, railway stations and bridges over roads, and
- (d) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration, so as materially to affect their design, of railway stations or bridges, and
- (e) the formation or alteration of any means of access to a road, and
- (f) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.

2 Water, sewerage, drainage, electricity and gas

The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings:

- (a) development of any description at or below the surface of the ground, or
- (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation, or

Snowy River Rural Local Environmental Plan 2007

Schedule 1 Development by public authorities

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- (c) the installation or erection of any plant or other structures or erections by way of addition to, or replacement or extension of, plant or structures or erections already installed or erected, including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housing of stone, concrete or brickworks, or
 - (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity, or
 - (e) the erection of service reservoirs on land acquired or in the process of being acquired for that purpose before the appointed day, provided reasonable notice of the proposed erection is given to the consent authority, or
 - (f) routine maintenance and emergency works, or
 - (g) any other development, except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings, so as materially to affect their design or external appearance, or
 - (ii) the formation or alteration of any means of access to a road.

3 River transport

The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, or
- (b) the formation or alteration of any means of access to a road.

Snowy River Rural Local Environmental Plan 2007

Development by public authorities

Schedule 1

4 Air transport

The carrying out by persons carrying on public utility undertakings, being air transport undertakings, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

5 Road transport

The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

6 Mines

The carrying out by the owner or lessee of a mine (other than a mineral sands mine), on the mine, of any development required for the purpose of a mine, except:

- (a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or extension of buildings, so as materially to affect their design or external appearance, or
- (b) the formation of any means of access to a road.

7 Roads

The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.

Snowy River Rural Local Environmental Plan 2007

Schedule 1 Development by public authorities

8 Forestry

The carrying out of any forestry work by the Forestry Commission or Community Forest Authorities empowered under relevant Acts to undertake afforestation, the construction of roads, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.

9 Rural land protection

The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or purpose, or
- (b) any development designed to change the use or purpose of any such reserve.

10 Water resources

The carrying out or causing to be carried out by the Council when engaged in flood mitigation works or by the Department of Natural Resources of any work for the purposes of soil conservation, irrigation, afforestation, reafforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Act 1912*, the *Farm Water Supplies Act 1946*, the *Rivers and Foreshores Improvement Act 1948* or the *Water Management Act 2000*, except:

- (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

11 Minor Council works and maintenance

The carrying out by the Council, or on behalf of the Council, development for the purpose of any of the following:

- (a) walkways, observation platforms, boardwalks and interpretative signage,
- (b) minor environmental protection, restoration and conservation activities,
- (c) minor works for recreational, scientific or educational purposes,

Snowy River Rural Local Environmental Plan 2007

Development by public authorities

Schedule 1

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- (d) provision of roads, stormwater drainage, flood mitigation, erosion control and stabilisation of watercourses, recreation areas, landscaping, gardening, public amenities, parking areas or shared pathways,
 - (e) provision of street furniture, such as benches, bollards, Council information signs, public artwork installations, street lights, bus and light rail stop shelters, telephone booths and the like, but not fixed outdoor vending machines,
 - (f) minor improvements to footpaths and other public pedestrian areas, such as tree planting and repaving, street surfacing, reconstruction of kerbs, footpaths, gutters and the like,
 - (g) street resurfacing, reconstruction of kerbs, footpaths, gutters and the like.

Snowy River Rural Local Environmental Plan 2007

Schedule 2 Heritage items

Schedule 2 Heritage items

(Dictionary)

Ref No	Item description	Property name	Property location/ description
CAD.28	Rural Buildings		Lot 9, DP 131498, Campbell Street, Parish of Bobundara
CAD.29	Old Chapel Creek Bridge		Chapel Creek, Dalgety
CAD.30	New Chapel Creek Bridge	New Bridge	Chapel Creek, Dalgety
1.12	House	Crackenback	Lot 22, DP 707976, Parish of Crackenback
1.13	Wollondibby Cottage and Grave	Wollondibby Cottage, Woolshed and 1848 Cemetery	Lot 1, DP 245722, Parish of Thredbo
1.14	Former Leeseville Hotel, Cottage and Woolshed	Leeseville	Lots 14, 19 and 123, DP 756686, Parish of Clyde
1.15	House, Rural Buildings, Orchard and Pine Trees	Cobbin Farm	Lot 2, DP 882864, Parish of Clyde
1.17	Rural Building	The Stone House	Lot 52, DP 756699, Parish of Ingebirah
1.19	Ruin	The Bark Hut	Lot 55, DP 756699, Parish of Ingebirah
1.20	Grave and Hut		Lot 60, DP 756699, Tin Mine Track, Ingebirah
1.21	Miners Hut		Lot 60, DP 756699, Tin Mine Track, Ingebirah
1.23	Church	St Thomas Church and Moonbah Cemetery	Lot 1, DP 89733, Barry Way, Mowamba
1.24	House	The Potato Pit No 2	Lot 1, DP 744675, Parish of Mowamba
1.25	Mine Ruins		Lot 60, DP 756699, Parish of Ingebirah
1.26	Rural Buildings	Glenrock Homestead	Lot 9, DP 1041329, Parish of Abington

Snowy River Rural Local Environmental Plan 2007

Heritage items

Schedule 2

Ref No	Item description	Property name	Property location/ description
1.28	Rural Buildings	Glen Milne	Lots 1 and 2, DP 1030529, Parish of Abington
1.29	Church	St Andrews Anglican Church	Lot 146, DP 219583, Jindabyne
1.30	Rural Buildings	Moonbah	Lot 129, DP 756686, Parish of Clyde
1.31	Rural Buildings	The Park Homestead	Lot A, DP 374698 and Lot 61, DP 1012326, Parish of Abington
1.32	Rural Buildings	Pleasant View	Lot 1, DP 821719, Parish of Abington
2.01	Rural Buildings	Boloco	Lot 123, DP 756672, Parish of Beloka
2.02	Church and Cemetery	St James Anglican Church and Boloco Cemetery	Lot 172, DP 729689, Parish of Beloka
2.03	Church	St James Anglican Boloco Church	Lot 16, DP 756730, Parish of Beloka
2.04	Cemetery	Boloco Cemetery	Lot 16, DP 756730, Parish of Beloka
2.05	Rural Buildings	Ironmungie	Lots 1–3, DP 873883, Parish of Coonhoonbula
2.06	Rural Buildings	Matong	Lot 2, DP 871607, Parish of Coonhoonbula
2.07	Rural Buildings	Numbla Vale	Lots 1, 40, 96–98 and Lot 1, DP 421049, Parish of Numbla
2.10	Rural Buildings	Jimenbuen Homestead	Pt Lot 1, DP 756708, Parish of Matong
2.11	Rural Buildings	Jimenbuen Station	Lots 2, 29 and Pt Lot 1, DP 756708, Parish of Matong
2.13	Schoolhouse		Lot 1, DP 719016, Parish of Matong
2.14	Rural Buildings	Boloco South	Pt Lot 10, DP 756672, Parish of Beloka
2.15	Rural Buildings	Boloco	Portions 25, 31, 34, 63, 73, 74 and 94, DP 756730, Parish of Wilson

Snowy River Rural Local Environmental Plan 2007

Schedule 2 Heritage items

Ref No	Item description	Property name	Property location/ description
2.16	Rural Buildings	Emohruo	Lot 1, DP 749653, Parish of Wilson
2.22	Bridge	Bridge (1) over Numbla Creek	Lucernedale
2.23	Bridge	Bridge (2) over Numbla Creek near Matong Homestead	near Matong Homestead
L2.01	Lake	Lakeview	Lot 145, DP 756701, Parish of Matong
3.01	Rural Buildings	Coolringdon	Lots 73, 74 and 162–164, Parish of Coolringdon
3.03	Historical Site, Cemetery and Church	St Mary the Virgin Anglican Church and Gegedzerick Cemetery	Crown Land and Lot 1, DP 724285, Lot 1, DP 724448 and Lot 1, DP 724809, Parish of Gordon
3.04	Rural Buildings	Kiah Lake Homestead and outbuildings	Lot 29, DP 756715, Parish of Myack
3.06	Rural Buildings	Hazeldean Homestead	Lots 125 and 127, DP 750545, Parish of Cooma
3.07	Rural Building	Outstation on Hazeldean	
3.08	Rural Buildings	Springwell	Lot 2, DP 208390, Parish of The Brothers
3.09	Rural Buildings	Severn Park	Lot 2, DP 591358 and Lot 60, DP 756731, Parish of Wullwye
3.10	Historical Site—Cemetery	Christ Church Maneroo	Myalla Road, Cooma
3.11	Church and Rectory	Christ Church Maneroo	Myalla Road, Cooma
3.12	Former Rectory	Koolaroo	Lot 29, DP 750535, Parish of Cooma
3.13	Rural Buildings	Myalla	Lot 4, DP 756716, Parish of Cooma
3.14	Rural Buildings	Wullwye	Lot 164, DP 756694, Parish of Gordon, Wullwye
3.15	Rural Buildings	Bush Hall	Lot 1, DP 573752, Parish of Gygederick

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Heritage items

Schedule 2

Ref No	Item description	Property name	Property location/ description
3.16	House and Stable	The Old Parsonage	Lot 2, DP 545233, Parish of Gordon
3.17	Church	Uniting Church Alpine Parish	Lot 21, DP 756681, Parish of Bullenbalong
3.18	Rural Buildings	Kara	Lot 48, DP 756702, Parish of Jinderboine
3.19	Rural Buildings	Avonside	Lot 20, DP 848079 and Lot 52, DP 756702, Parish of Jinderboine
3.21	Hotel	Past Times (former Pine Valley Hotel)	Lot 1, DP 230790, Parish of Jillamatong
A3.01	Archaeological Site	Murlingbung Flour Mill Site	West of Murlingbung
3.27	Rural Buildings	Willow Grove	Lot 373, DP 750535, Parish of Cooma
3.28	Rural Buildings	Mandalong	Lots 1 and 2, DP 114755, Lots 78, 83 and 190, DP 750561, Lots 1 and 2, DP 795653, Lot 2, DP 848178, Enclosure Permit 204421, Parish of The Brothers
3.31	Rural Buildings	Stratford	Lot 10, DP 749533, Parish of Gordon
3.34	Historical Site and Building	Bobundara	Pt Lot 1, DP 607651, Parish of Maffra, Lot 189, DP 704174, Lot 2, DP 731773, PO 84/11, Parish of Myalla
3.35	Rural Buildings	Cherry Tree	Lot 2, DP 734518, Parish of Arable
3.37	Rural Buildings	Alloura	Lot 74, DP 756698, Parish of Gygederick
3.41	Rural Building	Boonara	Lot 160, DP 756694, Parish of Gordon
3.42	Rural Buildings	Sunnyside	Lot 77, DP 756694 and Lots 9 and 12, DP 1087439, Parish of Gordon
3.46	Rural Buildings	Murlingbung	Lots 213 and 268, DP 41919, Parish of Bullenbalong

Snowy River Rural Local Environmental Plan 2007

Schedule 2 Heritage items

Ref No	Item description	Property name	Property location/ description
3.47	Rural Building	Cottage belonging to Murlingbung	Lot 2, DP 592293, Parish of Bullenbalong
3.48	Church	St Thomas Anglican Church	Lot 69, DP 756679, Parish of Buckenderra
3.49	Rural Buildings	Coolamatong Homestead	Lot 1, DP 756687, Parish of Coolamatong
3.65	House		Lot 3, Sec 19, DP 1242, Berridale
3.86	Rural Buildings	Oakvale	Lots 38, 88, 89, 94, 96, 104, 122 and 142, DP 756687, Parish of Coolamatong and Lots 137, 138, 139, 140, 143 and 170, DP 756694, Parish of Gordon
3.87	Rural Buildings	Kiah Lodge	Lot 2, DP 598807, Parish of Myack
3.88	Rural Buildings	Rockwell	Lots 1 and 2, DP 703710
3.90	Rural Buildings	Kelton Plain	Lots 1–5, DP 795657 and Lots 6–9, DP 795653
3.91	Rural Buildings	Hilltop	DP 756727, Parish of Townsend
3.95	Rural Buildings	Ravensworth	DP 750561, Parish of The Brothers
3.96	Rural Buildings	Nioka	Lot 167, DP 750545, Parish of Jillamatong
3.97	Rural Buildings	Little Plain	Lot 52, DP 756680, Parish of Coolamatong
3.99	Rural Buildings	Lakeview	
L3.01	Lake	Buckleys Lake	Lot 101, DP 756731, Parish of Wullwye (Water Reservoir 690)
4.01	Archaeological Site and Rural Buildings	Happy Valley	Portions 22 and 23, DP 756677, Parish of Bolaira
A4.02	Archaeological Site	Bolaira View (see also 4.45)	Lot 7, DP 756677, Yaouk Road, Adaminaby
4.04	Racecourse	Adaminaby Racecourse	Lot 133, DP 729403, Lots 1, 2 and 3, DP 202185, Parish of Bolaira

Snowy River Rural Local Environmental Plan 2007

Heritage items

Schedule 2

Ref No	Item description	Property name	Property location/ description
4.05	Rural Buildings	Bolaro Shearing Area	Lot 1, DP 756684 and Lot 1, DP 614863, Parish of Chippendale
4.34	Rural Buildings	Lawarra	Pt 24, DP 750534 and Lots 7 and 19 and Pt Lot 2, DP 900497, Parish of Coolringdon
4.40	Rural Buildings	Hazelwood	Lot 110, DP 756677, Parish of Bolaira
4.43	Ruins and Pioneer Grave Sites	Boconnoc	Part Portions 23 and 28, DP 756709, Parish of Middlingbank
4.44	Rural Buildings	Bolaira View	Lot 74, DP 756677, Parish of Bolaira
4.45	Waterwheel and Building	Bolaira View (Outrider Cottage)	
4.46	Rural Buildings	Milroy	Lots 15, 32, 35, 40, 56, 57, 60-2, 65, 79, 80, 81, OCP 77/28, 116 and 123, DP 756684, Parish of Chippendale and Lot 33, PO 82/4, DP 756720, Lots 1 and 2, DP 720143, Lot 1, DP 133617, Parish of Nungar
4.47	Rural Buildings	Fontenoy	Lot 48, DP 756684, Parish of Chippendale
4.48	Rural Buildings	Heatherbrae	Lot 27, DP 756692, Parish of Gabramatta
4.49	Rural Buildings	Gabramatta	Lot 1, DP 756692, Parish of Gabramatta
4.50	Rural Buildings	Fairview	Pt Lot 1 and Lot 95, DP 756729, Parish of Wallgrove
4.52	Rural Buildings	Coolringdon Chalet	Lot 17, DP 756718, Parish of Nimmo
4.53	Rural Building	Jimmy's Hut	Lot 40, DP 756696, Parish of Gungarlin
4.54	Rural Building	Bulmanns Hut	Lot 21, DP 756718, Parish of Nimmo

Snowy River Rural Local Environmental Plan 2007

Schedule 2 Heritage items

Ref No	Item description	Property name	Property location/ description
4.55	Bridge	Nimmo Bridge	Eucumbene River on the boundary of Middlingbank and Nimmo Parishes
4.56	Rural Buildings	Polygon	Lot 105, DP 756677, Parish of Bolaira
4.57	Rural Building	Neriwa	Lot 136, DP 756709, Parish of Middlingbank
5.01	Homestead, garden, garden structures, relics of original driveway and entrance, cottages, building relics, shearing shed and associated buildings, sheds, old plantings	Murranumbla	Lot 2, DP 756707, Parish of Marrinumbla
5.02	House, garden, garage, shed, pine trees	Tallawa	Lot 40, DP 756707, Parish of Marrinumbla
5.03	Ruins	Old Glenmore	Lot 2, DP 354168, Parish of Abington
5.04	House and Exotic Plantings	Briardale	Lot 1, DP 577655, Parish of Caddigat
5.05	Rural Buildings and Ruins	Bushy Park	Lot 2, DP 1033120, Parish of Jinderboine
5.06	2 Lodges, Commissioner's house and Sports Stadium	Jindabyne Winter Academy of Sport and Recreation	Lot 101, DP 1019527, Parish of Clyde
5.07	Recreation Hall (former Cooma North Primary School Building)	Carinya	Lot 10, DP 861805, Parish of Abington
5.08	Rural Buildings	Ashfield	Lot 118, DP 720173, Parish of Crackenback
5.09	Rural Buildings	Barrymore	Lot 26, DP 270225, Parish of Abington
5.10	Gold Dredge	Coolringdon	Lot 2, DP 522635, Parish of Gungarlin
5.11	Stockman's Hut	Flanagans Hut	Lot 35, DP 756696, Parish of Gungarlin

Snowy River Rural Local Environmental Plan 2007

Heritage items

Schedule 2

Ref No	Item description	Property name	Property location/ description
5.12	Buildings	Gaden Trout Hatchery	Lot 1, DP 434685, Parish of Crackenback
5.13	Ruins	Narelles Hut	Lot 109, DP 756714, Parish of Murroo
5.14	Former Schoolhouse	Rocky Plain Public School	Lot 184, DP 756709, Parish of Middlingbank
5.15	Rural Building	Wee Wah	Lot 2, DP 818209, Parish of Townsend
5.16	Ruins	Top Place	Lot 3, DP 786411, Parish of Mowamba
5.17	Slab Hut	Pleasant Valley	Lot 204, DP 40026, Parish of Middlingbank
5.18	Homestead	Coonghoongbula	Lot 13, DP 756707, Lot G, DP 19444 and Lot 4, DP 130225, Parish of Coonhoonbula
5.19	Dwelling	Wheathill	Lot 100, DP 756687, Parish of Coolamatong

Snowy River Rural Local Environmental Plan 2007

Dictionary

Dictionary

(Clause 3)

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.

agriculture means the extensive propagation, cultivation or harvesting of plants for commercial purposes or the keeping and breeding of animals for food and fibre production. Examples are bee keeping, crop production, marine farming, forestry and grazing.

animal boarding facility means a building or placed used for the boarding of animals. Examples are premises used for a cattery, dog pound or kennel.

appointed day means the day on which this plan takes effect.

archaeological site means a site of one or more relics, listed in Schedule 2 as an archaeological site.

arterial road means any of the following roads:

- (a) Alpine Way (MR 677),
- (b) Barry Way (MR 7626, S51 and MR 4056),
- (c) Bobeyan Road (S1),
- (d) Dalgety Road (Berridale to Dalgety) (MR 394),
- (e) Kosciuszko Road (MR 286),
- (f) Middlingbank Road (MR 585),
- (g) Snowy Mountains Highway (SH4),
- (h) "The Snowy River Way" (Dalgety to Bombala) (MR 394),
- (i) "The Snowy River Way" (Jindabyne to Dalgety) (MR 7626).

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.

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 a dwelling used by its permanent residents to provide short-term tourist accommodation for up to a maximum of 6 guest beds (which may include meals) for commercial purposes and includes ancillary buildings within the curtilage of the dwelling.

bush fire hazard reduction work means:

- (a) the establishment or maintenance of fire breaks on land, and

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(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 rock removal means the disturbance, dislodgment or removal of bush rock from land.

business and professional services means development for the purposes of administration, clerical, technical, professional or other purposes. Examples are a bank, brothel, call centre, child health clinic, consulting room, funeral parlour, office, real estate agency and travel agency.

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

class III agricultural land means land marked as such on a map prepared on behalf of the Director-General of the Department of Primary Industries and held at the offices of the Council.

community services means services provided for cultural, community or social purposes. Examples are a church, cemetery (including private cemetery), hall, community centre, library and place of worship.

cultural facilities means facilities used for displaying art or crafts and items of scientific, historic or cultural interest. Examples are an art gallery and museum.

cumulative impact of successive development means the accumulation of environmental and social impacts that result from either a number of developments over time or a number of developments in a given location, or both.

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

dual occupancy means development permitted by clause 23.

dwelling means a building used as a self contained residence containing only one kitchen.

earthworks means excavation or filling.

eco-tourism facility means a facility for nature-based tourism. It includes an accommodation facility at which education about, and interpretation of, the natural and cultural environment are provided.

educational facility means premises used as a kindergarten, primary school, comprehensive school or tertiary institution.

entertainment and conference facility means premises used for entertainment, exhibitions or displays, conferences or conventions. Examples are theatres, cinemas, music halls, concert halls, drive-in theatres and conference centres.

excavation means the removal of soil or rock, whether it is 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.

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existing holding means:

- (a) except as provided by paragraph (b), the area of a lot, portion or parcel of land as it was at 26 September 1985, or
- (b) where, at 26 September 1985, a person owned two or more adjoining or adjacent lots, portions or parcels of land, the aggregation of those lots, portions or parcels as they were at 26 September 1985.

existing use means a use as defined in section 106 of the Act.

extractive industry means an industry carried on for the purpose of extracting or removing material, including construction, roadwork or manufacturing works and includes an industry carried on for the purpose of the treatment or processing of that material by crushing, grinding, milling or screening on the land from which it is extracted or on adjoining land. Examples are mineral exploration, mining, quarrying, sand mining and turf extraction.

frontage means a boundary of a lot which abuts a road.

full supply level, in relation to Lake Eucumbene, means RL 1164.95 metres.

gross floor area means the sum of the floor area of each storey 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 within the storey, and
- (b) habitable rooms in a basement, 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.

height, in relation to a building, means the distance measured vertically from any point on the roof of the topmost floor of the building to the natural ground level immediately below that point.

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heritage conservation area means:

- (a) an area of land that is shown as a heritage conservation area on the locality map (including any heritage items situated on or within that conservation area), or
- (b) a place of Aboriginal heritage significance shown on that map.

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Department of Planning that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of:

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

heritage item means a building, work, archaeological site, tree, place or Aboriginal object specified in Schedule 2.

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

holding means:

- (a) except as provided by paragraph (b), the area of a lot, portion or parcel of land as it was on the appointed day, or
- (b) where, on the appointed day, a person owned two or more adjoining or adjacent lots, portions or parcels of land, the aggregation of those lots, portions or parcels, as they were at the appointed day.

home activity means the use of a dwelling for the purposes of business or professional services, manufacturing or processing, food services or the servicing or repairing of articles or machinery.

home-based child-care means development for the purposes of the provision of care by a care giver, licensed under the *Children (Care and Protection) Act 1987*, for up to 7 children (including the care giver's own children) in the dwelling in which the care giver resides.

horse breeding and training facility means a building or place used for the commercial stabling, breeding or training of horses.

horse riding establishment means land used for renting and riding horses or the teaching of horse riding, whether or not horse riding takes place only within the land and whether or not for gain, but does not include an establishment where the maximum number of horses kept at any one time does not exceed 7.

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

hospital services means health services (including preventative care, diagnosis, medical and surgical treatment and counselling) provided to persons admitted as in-patients. It may include the care or treatment of outpatients.

hotel industry means premises that are the subject of a hoteliers licence under the *Liquor Act 1982*.

intensive agriculture means the carrying on of intensive livestock agriculture or intensive plant growing.

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

intensive plant growing means the commercial growing of plants or fungi, or both, where water is applied over and above the water naturally occurring and includes horticultural systems such as hydroponics, crop protection, market gardening, orcharding, the growing of field flowers, viticulture and turf farming, but does not include the growing of plants solely for the consumption or enjoyment of the owner or occupier of the land concerned.

Lake Eucumbene Visual Protection Area means the area shown on the locality map as the Lake Eucumbene Visual Protection Area.

Lake Jindabyne Visual Protection Area means the area shown on the locality map as the Lake Jindabyne Visual Protection Area.

land significant for flora and fauna protection means land shown as such on the locality map.

local heritage significance, in relation to a place, building, work, historical archaeological site, tree or precinct, means its heritage significance to an area.

locality map means the map marked “Snowy River Rural Local Environmental Plan 2007—Locality Map”, as amended by the maps, or sheets of maps, marked as follows:

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

mezzanine means an intermediate floor within a room.

natural ground level means the natural level of a site at any point.

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on-farm tourist accommodation means a dwelling on a holding of an area of not less than 100 hectares, being a dwelling-house occupied by a person engaged in the use of the holding for the purpose of agriculture or horticulture and used to provide tourist accommodation where tourists using the accommodation are exposed to agricultural or horticultural aspects and activities on the holding.

place of Aboriginal heritage significance means an area of land shown on the Heritage Map that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

public road means any road that is opened or dedicated as a public road under any Act or law.

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

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.

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

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

residential development means one or more dwellings providing long-term accommodation. Examples are an apartment, conjoined dwelling, dependent persons unit, flat, house, multiple dwellings, staff housing, non-commercial holiday home.

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

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.

river includes:

- (a) any watercourse, whether perennial or intermittent and whether comprising a natural channel or a natural channel artificially improved, and
- (b) any tributary, branch or other watercourse into or from which a watercourse referred to in paragraph (a) flows, and
- (c) anything declared by the regulations under the *Water Management Act 2000* to be a river,

whether or not it also forms part of a lake or estuary, but does not include anything declared by the regulations under the *Water Management Act 2000* not to be a river.

rural holiday dwelling means a dwelling used wholly for holiday accommodation by different groups of associated people, or by family groups at different times.

rural industry means an industry carried on for the purposes of:

- (a) storing, handling, treating, processing or packing plant or animal resources, or
- (b) servicing or repairing plant, or equipment, used in agriculture or intensive agriculture.

Examples are an abattoir, animal saleyard, cheese factory, fish processing, milk processing, sawmilling, and composting facilities and works.

rural living subdivision means subdivision of rural land into small rural lots to be occupied by dwellings, where the subdivision is close to towns and villages and services are provided within the subdivision.

rural residential estate means a low density residential estate development of rural lots on the edge of towns and villages and connected to urban services.

rural tourist accommodation means short-term accommodation for tourists or travellers. Examples are guesthouses, holiday cabins, holiday units, residential camps and health retreats.

setback means the minimum distance from any lot boundary to a building.

specialist or bulky goods sales means the sale of goods of a specialist or bulky nature including (but not limited to) garden and landscape supplies, primary produce sales and trade supplies, but not including household goods or other non-rural related goods.

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species impact statement has the same meaning as in the *Threatened Species Conservation Act 1995*.

sports and recreation facility means a place used for leisure, recreation or sport conducted wholly or mainly in outdoor settings. Examples are a golf course or driving range, firing range, public swimming pool, sportsground, outdoor recreation facility, picnic ground, showground, skatepark, walking tracks and shared pathways.

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.

telecommunications facility means any part of the infrastructure of a telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, 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.

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

the Council means the Snowy River Shire Council.

timber yard means a place or building used for the storage, treatment or sale of timber products.

tourist operation means premises used specifically for attracting tourists, other than for the provision of accommodation. Examples are a winery, theme park, visitors centre, wildlife park, and may include a souvenir shop.

transport depot means premises used for distributing goods or depositing passengers, and that may incorporate facilities to park and service vehicles. Examples are an airport, bus terminal, heliport, mail centre, railway station, road or rail freight terminal, taxi depot and a wharf.

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

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises.

veterinary surgery means a building or place used for the medical or surgical treatment of animals.

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wind energy facility means land used to generate electricity by wind force and includes any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force. It does not include turbines principally used to supply electricity for domestic or rural use of the land or anemometers.

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