

Dictionary**Amendment history**

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1	14 October 2014	22 October 2014	New
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4	11 December 2017	20 December 2017	Amendment
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6	28 August 2018	31 October 2018	Amendment
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14	5 June 2023	28 June 2023	Amendment
15	12 February 2024	28 February 2024	Amendment

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Note.

This dictionary must be read in conjunction with the *Shoalhaven Local Environmental Plan (SLEP) 2014*. Terms excluded from the *Shoalhaven Development Control Plan (DCP) Dictionary 2014* are as defined in *SLEP 2014*.

Where not identified in this document, definitions are based on the ordinary Australian dictionary meaning or other relevant legislation.

For information on the SLEP 2014 Dictionary, please view the [SLEP 2014 document](#).

'A' board sign means any style of portable self-supporting/free-standing sign.

Above awning sign means any sign located on top of an awning or verandah where no part of the sign projects above the roof, parapet or ridge-line, or beyond the awning edge.

Absorption when used in reference to *Chapter G8: Onsite Sewage Management* means the uptake of effluent or sullage or both into the soil.

Acceptable solutions or **controls you must comply with** are provided as examples of what is considered acceptable to Council to enable the performance criteria and objectives to be achieved.

Access place means a street that is similar to an access street but is of a lower order in the road hierarchy, is served by a smaller number of lots and carries less traffic. It is a sub-category of local street providing local residential access with shared traffic, pedestrian and recreation use with local traffic priority, where the residential environment is dominant, traffic is subservient, speed and volume are low. This is a low traffic volume, low speed environment where pedestrians and cyclists may occasionally share the road space.

Access street means a sub-category of local street providing local residential access with shared traffic, pedestrian and recreation use with local traffic priority, where the residential environment is dominant, traffic is subservient, speed and volume are low and pedestrian and cycle movements are facilitated. Access streets carry more traffic than an access place and therefore pedestrian and cycle facilities are provided off street.

Accessible means a dwelling designed to meet the needs of people requiring higher level access from the outset, and usually designed and built with a specific person's needs in mind. An accessible house meets the requirements of the '[Livable Housing Design Guidelines](#)', and is able to accommodate wheelchair users in all areas of the dwelling.

Active shop front means a frontage for retail or similar activity where the activity within is visible because the shop frontage is transparent or open, or where the window display occupies the full width of the shop frontage and provides visual interest to the street.

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Adaptable means a dwelling design that is capable of being modified easily and affordably in the future to become **accessible**.

Adult Shop means: A shop or commercial premises used for the purposes of selling sexually explicit products in which:

- a) publications classified Categories 1 and/or 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public; or
- b) a business to which section 578E of the *Crimes Act 1900* applies is conducted on the premises; or
- c) a business is conducted, an object of which is the display or exhibition of any product (such as articles, compounds, preparations or devices, but not printed matter) within the meaning of that Act, that is primarily concerned with sexual behaviour.

Advertisement or **sign** has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

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

Advertising sign has the same meaning as Advertisement.

Aerated waste treatment system (AWTS) means a system that uses the processes of aeration, clarification and disinfection to treat effluent from septic tanks to a standard that complies with the requirements of the relevant regulatory authorities.

Allotment or **lot** means an area of topographical space shown on an approved plan of subdivision and on which it is intended to construct a dwelling or dwellings.

Amenities include staff and public toilets as well as staff rooms/rest areas.

Amenity block when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means a community building used as a shower block, toilet block or laundry block.

Annexe when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. *The term is defined as a moveable dwelling that:*

- a) *is an attachment to a relocatable home or caravan, and*
- b) *is used as an extension of the habitable area of the relocatable home or caravan,*
and
- c) *is capable of being erected or removed within 24 hours.*

Annual exceedance probability (AEP) means the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage.

Appropriate engineer means:

- a) a suitably experienced and qualified professional including: someone with experience and qualifications leading to recognition on the National Engineering Register (NER) in Civil or Structural Engineering (Institution of Engineers, Australia); or other

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professionals with good standing in the fields of flood risk management, flood studies and/or emergency management; and

- b) acting at all times within their experience and qualifications; and
- c) able to demonstrate to Council that they have the experience and qualifications to act as required. This normally means being able to provide documentation to Council indicating they have acted in the required capacity on at least three occasions in the last three years, and that the work was carried out to a high standard and was recognised by Council or another local council.

Arboreal means found dwelling within the crown of trees

Arboriculture means cultivating and managing trees as individuals and in small groups for amenity purposes.

Arborist means a person with training (minimum Australian Qualification Framework Level 3 in Arboriculture or equivalent) with relevant experience that enables the person to perform tasks required by Australia Standard 4373-2007.

Arterial road means roads of major state or metropolitan significance, catering for relatively high volume and/or long distance travel. In rural areas, they comprise the main interstate routes and roads connecting the larger provincial cities to the large metropolitan centres. In urban areas, they comprise the high volume routes serving the major transport corridors that link the larger activity centres. Arterial roads are sometimes called primary arterial roads.

Articulation or **building articulation** is the treatment of a façade of a building and how it is emphasised architecturally by using distinctive building elements such as:

- a) Balconies
- b) Verandahs
- c) Recessed terraces
- d) Bay windows and external shading devices
- e) Variations in setbacks
- f) Fenestration
- g) Materials and detailing
- h) Patterned and featured walls.

Asset protection zone (APZ) is an area between a bushfire hazard and a building, which is managed to minimise fuel loads, inhibit a fire path and reduce the effects of heat, flame, ember and smoke attack.

Associated structure when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government Act 1993*.

Note. The term is defined as follows:

- a) a carport, garage, shed, pergola, verandah or other structure designed to enhance the amenity of a moveable dwelling and attached to or integrated with, or located on the same site as, the dwelling concerned, or
- b) a separating wall between 2 moveable dwellings.

Australian height datum (AHD) is a common national surface level datum corresponding approximately to mean sea level.

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Awning means a permanent, roof-like structure attached to, and projecting from, the wall of a building and generally designed or constructed to provide pedestrians with protection against the weather.

Awning face/fascia sign means any sign painted on or attached to the front face of an awning that does:

- a) not project above or below the fascia or return end of the awning to which it is attached
- b) not extend more than 300 mm from the fascia or return end of the awning
- c) not extend or project beyond a point 600 mm within the vertical projection of the kerb line.

BAL-29 means a construction standard under “AS3959 – Construction of buildings in bushfire prone areas”. ‘BAL’ stands for bushfire attack level and ‘29’ means the building is designed to withstand ember attack and radiant heat of up to 29kW/m².

Bandit sign means any sign displayed on or attached to a tree, post, utility pole, vehicle or structure located within or near any water, road or rail transportation corridor and includes fly posters.

Bearing capacity is defined in geotechnical engineering as the capacity of soil to support the loads applied to the ground, such as the loads from housing foundations for example

Bedrock means any rock shelf under a site that is low strength or harder.

Billboard/bulletin board may be on-building or free-standing, painted or comprise two or more poster panels.

Biobanking agreement when used in reference to *Chapter S1: Verons Estate, Sussex Inlet*, means a legally binding agreement between the landowner and the NSW Environment Minister that describes how the biodiversity values of a ‘biobank site’ will be conserved and protected. Biobanking is an offsetting program whereby the biobank site offsets development and environmental loss on another site.

Biodiversity offsets scheme threshold means the biodiversity offsets scheme threshold referred to in section 7.4 of the *Biodiversity Conservation Act 2016*.

Biodiversity Values Map means the map published, from time to time, on an appropriate Government website under clause 7.3 of the *Biodiversity Conservation Regulation 2017*.

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

Black water means soil (toilet) wastes mixed with water.

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Bonded asbestos means any material that contains asbestos, other than friable asbestos materials.

Note. Bonded asbestos materials include asbestos-cement, vinyl-asbestos floor tiles, asbestos brake linings and asbestos roof felt, and other materials where the asbestos is generally 'locked' into the matrix of the material. (AS 4964-2004).

Buffer distance when used in reference to *Chapter G8: Onsite Sewage Management* means a distance measured in metres that represents the length of flow line between a wastewater disposal area and the high water mark of a waterbody or watercourse.

Building Code of Australia (BCA) is as defined in the *Environmental Planning & Assessment Act 1979*.

Note. This term means the document, published by or on behalf of the Australian Building Codes Board, that is prescribed for purposes of this definition by the regulations, together with:

- a) such amendments made by the Board, and*
- b) such variations approved by the Board in relation to New South Wales, as are prescribed by the regulations.*

Building envelope means a three dimensional zone determined by height, width, depth and setbacks that defines the buildable area on a site.

Building height plane means a plane projected at an angle of 45 degrees over the actual land to be built upon from the prescribed distance (5 metres if not specified) above ground level at the side boundaries of the site. Where the site is more than 20 metres in width or two or more lots are amalgamated or the common boundaries built over, Council shall determine the location of the Building Height Plane for that particular property.

Building line when used in reference to *Chapter S1: Verons Estate, Sussex Inlet*, means the line within which the dwelling and associated buildings should be located.

Bunting means and includes decorative flags, pennants and streamers.

Bushland means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and/or floristics of the natural vegetation.

Bushland Conservation Area (BCA) when used in reference to *Chapter N20: Jerberra Estate* means an area in which no development is allowed must be fenced and retained as native bushland. If the land is currently cleared, it must be allowed to regenerate and/or be rehabilitated.

Bushland Management Area (BMA) when used in reference to *Chapter N20: Jerberra Estate* has the same controls as BCA, except that driveways are allowed.

Business owner when used in reference to *Chapter G17: Business, Commercial and Retail Activities* means the operator or trader of the business conducted within a business or commercial premises. It may be different to the owner of the premises building.

Bypass channels redirect a portion of floodwater away from areas under threat from flooding, and so reduce flood levels along the channel downstream of the diversion.

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Cambium/Cambial layer means the living part of a tree trunk that allows the movement of water and nutrients up and down the stem.

Camp site when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. This term is defined as an area of land within a camping ground on which a campervan or tent may be installed or, in the case of a primitive camping ground, on which a campervan, tent or caravan may be installed, and that is designated as a camp site by the approval for the camping ground.

Canopy means a roof-like structure without walls that may be free standing, affixed to a building and supported by one or more posts or cantilevered and includes a covered walkway; roof over a service station driveway and a tensioned tent-like roof designed to provide protection from the weather.

Caravan when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. This term is defined as a moveable dwelling that is designed so as to be registrable as a trailer under the *Road Transport (Vehicle Registration) Act 1997*, but does not include a camper trailer.

Carport when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means a covered car parking space with no walls other than the abutting walls of a moveable dwelling from which the structure projects, provided that no more than two sides of the carport are enclosed.

Carriageway or **roadway** means the area of street reserve that is provided for the movement or parking of vehicles and is determined by the invert of kerb and gutter and or concrete edge strip.

Cation exchange capacity means the ability of the soil to take up (or bond with) ions such as sodium and phosphorous.

Clear (or clearing) vegetation has the same meaning as in *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

Note. The term is defined as:

- a) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, or
- b) lop or otherwise remove a substantial part of the vegetation.

Collection area means the location where garbage or recyclable material is transferred from a building's storage containers to a collection vehicle for removal from the site.

Collection point means the usual (or agreed) point on the footpath/roadway, or on-site, where garbage and recyclables are loaded onto vehicles.

Collector road means roads that connect the local road system to the arterial and sub-arterial road system, and which serve both through and local traffic, although through traffic (between higher order roads) should be discouraged as far as practicable (on Collector

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Roads (Tier 2)). A range of collector road cross sections are permissible, dependent on functional road hierarchy and forecast traffic volumes. Collector Roads (Tier 2) are generally at the upper scale of acceptable traffic volume limit (based on acceptable environmental thresholds), whereas Collector Tier 1 Roads (also known as Distributor Roads) are designed to carry much higher volumes of traffic linking to the sub-arterial and arterial road network. Pedestrian and cycle facilities are provided off street.

Commercial use when used in reference to *Chapter G17: Business, Commercial and Retail Activities* includes the display of goods, an advertising A-board or menu board, and alfresco dining within a defined public footpath area.

Common effluent system means a system in which septic tank effluent in a gravity reticulation system is piped from a number of residences to a central treatment and/or application system.

Communal open space means useable shared open space located within the proposed development for the recreation and relaxation of all residents of the development.

Community means a group of people living in the same locality or having common interests.

Community building when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. This term is defined as a building (such as a shower block, toilet block or laundry block) that is used or intended to be used in connection with a community amenity, and includes a building that is to be used as a manager's or caretaker's office or residence.

Community map when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. This term is defined as:

- a) in relation to a manufactured home estate – means a scale map that accurately shows the road reserves, the community amenities and the dwelling sites within the manufactured home estate, and
- b) in relation to a caravan park or camping ground – means a scale map that accurately shows:
 - i. the access roads, community amenities and community buildings within the caravan park or camping ground, and
 - ii. the number, size, location and dimensions of dwelling sites or camp sites within the caravan park or camping ground, and
 - iii. in relation to a dwelling site or camp site within the caravan park or camping ground, the particular off-site parking space or spaces (if any) designated for use by the occupier of the dwelling site or camp site.

Community title subdivision means a subdivision under the Community Land Development Act 1989.

Companion animal means companion animal as defined under the *Companion Animals Act 1998*.

Note. This term is defined as:

- a) a dog,
- b) a cat,

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c) any other animal that is prescribed by the regulations as a companion animal.

Note. The fact that an animal is not strictly a “companion” does not prevent it being a companion animal for the purposes of this Act. All dogs are treated as companion animals, even working dogs on rural properties, guard dogs, police dogs and corrective services dogs.

Complex when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means a caravan park, camping ground or manufactured home estate.

Compliance report when used in reference to *Chapter G9 Development on Flood Prone Land* and *Chapter G10: Caravan Parks in Flood Prone Areas* is a document prepared by a suitably qualified engineer, detailing how a proposed development complies with the requirements of those chapters.

Compostable material means vegetative material capable of being converted to humus by a biological decay process e.g. compost.

Composting toilet means a ‘waterless’ effluent treatment system that treats toilet wastes by composting as a result of natural decomposer organisms in the composting chamber.

Consent means an approval granted by Council following the lodgement of a Development Application in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979*.

Continuous accessible path of travel (CAPT) means a walkway for pedestrians along a footpath extending along the building line, where possible. The CAPT is to have no barriers, obstructions or projections to provide the best possible guidance line to provide a safe, clear and consistent pathway to meet the needs of all users (including people with a vision impairment and people of all ages and abilities).

Conveyance or **flood conveyance** means a direct measure of the flow carrying capacity of a particular cross-section of a stream or stormwater channel. (For example, if the conveyance of a channel cross-section is reduced by half, then the flow carrying capacity of that channel cross section will also be halved).

Core riparian zone means the area beyond the top of bank of a watercourse that is to be protected under the *Water Management Act 2000*.

Crown maintenance pruning is as defined in *Australian Standard AS 4373, 1996 “Pruning of Amenity Trees”* and is considered to involve a reduction in tree foliage and branches by up to 10 percent in any one (1) year with no reduction in the height of the main trunk.

Cul-de-sac refers to a street, lane etc. closed at one end. The cul-de-sac head is the closed end and is designed to allow a turning area for vehicles.

Deep soil landscaping means a landscaped area of the site that is not to be built upon, or underneath, able to accommodate deep, soft soil for substantial deep-rooted vegetation and natural drainage. This area may be included in the private open space area but is not to be included in the minimum hardstand private open space area calculations.

Note. Landscaped area is defined in *SLEP 2014*.

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Demolition means the complete or partial dismantling of a building by pre-planned and controlled methods, and including the removal of any whole or part of a building from a site.

Design Solutions mean solutions considered acceptable to Council to enable the objectives to be achieved.

Designated development is development listed in Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* for which an environmental impact statement is required.

Designated stock storage area means an area within the internal faces of the walls of a building, which is purposely designed and constructed for storage only, physically separated from the retail floor area and out of sight of customers.

Destroy when used in reference to vegetation means any activity leading to the death, disfigurement or mutilation of a tree.

Detached habitable room means a room or suite of rooms that are separated from the main dwelling house (except by an all weather connection) and are for use by members of the same household. The room or suite of rooms cannot be fully self-contained but may contain a bathroom. The room or suite of rooms must not include a kitchen, laundry, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room and should rely on the main dwelling house for these purposes, to function as a single dwelling occupancy.

Detached studio has the same meaning as in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Note. *The term is defined as follows:*

Detached studio means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and:

- a) is established in conjunction with a dwelling house, and*
- b) is on the same lot of land as the dwelling house, and*
- c) is separate from the dwelling house, and*
- d) is not used as a separate dwelling house, and*
- e) does not contain any cooking facilities.*

Detention means the collection and temporary storage of stormwater to reduce the peak runoff from a site. Stormwater detention measures temporarily detain stormwater onsite in order to prevent flooding and erosion further downstream.

Development has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

Note. *The term is defined as follows:*

- a) the use of land, and*
- b) the subdivision of land, and*
- c) the erection of a building, and*
- d) the carrying out of a work, and*
- e) the demolition of a building or work, and*
- f) any other act, matter or thing that may be controlled by an environmental planning instrument,*

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However, development does not include any act, matter or thing excluded by the regulations (either generally for the purposes of this Act or only for the purposes of specified provisions of this Act).

Development control plan (DCP) is a written document that supports the *SLEP 2014*. The DCP provides detailed planning controls and guidelines for certain types of development and/or localities.

Disinfection when used in reference to *Chapter G8: Onsite Sewage Management* means the process by reducing all pathogenic and other harmful organisms to safe levels in secondary treated effluent. Processed effluent is only suitable for non-potable purposes such as irrigation.

Display when used in reference to *Chapter G22: Advertising Signs and Structures* may include clothing racks, fences, merchandise on display/sale, moveable bollards, pot plants, planter boxes, screens, stands, stalls, tables, umbrellas, and any similar movable object (not including an 'A' board sign), associated with the advertising of commercial premises.

Dog-proof fencing means fencing provided around the perimeter of the asset protection zone (APZ) on each property, to prevent dogs from escaping.

Double-sided sign means two signs, back to back, on a single structure, where both sides of the sign are identical in sign face area, dimensions and content.

Dwelling site when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. The term is defined as follows:

- a) in relation to a manufactured home estate – means an area of land within the manufactured home estate that is designated as a dwelling site by the approval for the manufactured home estate, and
- b) in relation to a caravan park – means an area of land within the caravan park on which a moveable dwelling may be installed and that is designated as a dwelling site by the approval for the caravan park.

Economic activity zones in relation to *Chapter N1: Kangaroo Valley* include the defined retail core, tourist precinct and craft industry precinct as shown on the Supporting Map of that chapter.

Eddies mean small whirls caused by movement in a flowing stream of liquid.

Effective warning time when used in reference to flooding means the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move farm equipment, move stock, raise furniture, evacuate people and transport their possessions.

Effluent when used in reference to *Chapter G8: Onsite Sewage Management* means liquid discharge from a septic tank, sullage treatment farm or aerated wastewater treatment system.

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Effluent application area means the area of land where it is intended to dispose of or apply effluent and any by-products of sewage from the management facility.

Effluent disposal absorption means the uptake of effluent or sullage or both into the soil.

Employee when used in reference to *Chapter G19: Home Based Business Activities* means a person that works on the premises but does not reside there, and may include relatives.

Ensuite facility when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. This term is defined, in relation to a dwelling site, means a building, part of a building or an associated structure that contains at least a shower, toilet and hand basin, is provided for the exclusive use of the occupiers of the site and is located on or adjacent to the site.

Environmental planning instrument has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

Note. The term is defined as an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force.

EP&A Act or **the Act** means *the Environmental Planning and Assessment Act 1979*.

Epicormic bud means dormant emergency buds located just beneath the bark that shoot when stimulated by a stress event such as pruning, burning, etc.

Epidermis when used in reference to vegetation means the outer layer of a plant (bark).

Epiphytic means a tree dwelling plant.

Equivalent population when used in reference to *Chapter G8: Onsite Sewage Management* means the number of persons deemed to be accommodated must be calculated in accordance with the requirements of Part D of the Building Code of Australia (BCA) in conjunction with design requirements from the Department of Public Works "Manual of Practise (Sewer Design)" (1987).

Erosion and sediment control plan means a set of drawings showing how soil and water is to be managed during construction of a development.

Evacuation capability when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means the ability of a park manager and staff to evacuate people and to remove all the towable on-site moveable dwellings and other assets identified to be relocated (e.g. tourists' vans, vehicles, boats) from the flood-prone area to a location above the probable maximum flood (PMF), having regard to the number of moveable dwellings and assets to be moved, the available resources with which to move them (caravan park staff and equipment, without recourse to the emergency services), the required time to move them, the capacity and suitability (e.g. in terms of impacts on traffic) of the evacuation route and intended storage location, and the effective warning time.

Evapotranspiration means the loss of moisture to the atmosphere by direct evaporation and also by transpiration through a plant's leaves.

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Exceedances per year (EY) means the number of times an event is likely to occur or be exceeded within any given year. For example, 2 EY is equivalent to a design event with a 6 month recurrence interval when there is no seasonality in flood occurrence.

Exempt development is development that may be carried out without the consent of Council, subject to compliance *with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and SLEP 2014*.

Existing sign when used in reference to *Chapter G22: Advertising Signs and Structures* means any sign that was lawfully displayed on a building or site as at the date of adoption of this DCP, or any sign approved by Council at that date, but not yet displayed or erected.

External clothes drying facilities means an external area allocated to each dwelling which is principally used for the purpose of drying clothes and the like.

Fence means a structure or posts, rails, palings, metal, wire, profiled fibrous cement, masonry or other materials enclosing or bounding land and includes any foundation, foundation wall or retaining wall but does not include a wall which is part of a house or other building or structure.

Fence Sign means a sign painted on or otherwise affixed to a fence that is:

- a) designed and constructed to permanently delineate and identify a boundary alignment or enclosure.
- b) purpose built and designed as a backdrop to a display area (eg motor vehicle sales yard) and is not more than
 - i. 4 m in height; and
 - ii. not within 20 m of a front property boundary
- c) a temporary fence or hoarding to delineate and protect a construction site.

Flexible annexe when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. *The term is defined as an annexe that (apart from any rigid support frame and any floor, or any door, window or other securable opening, constructed of non-flexible material) consists entirely of canvas or other flexible material.*

Flood means a relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage before entering a watercourse, and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami (Floodplain Development Manual, 2005).

Flood affected means that a parcel of land is either fully or partly within the floodplain.

Flood assessment report is a document prepared by a suitably qualified hydraulic engineer, detailing existing flood risk for a catchment.

Flood certificate is a document providing flood information for a particular parcel of land - it can be obtained from Council.

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Flood compatible building components means a combination of measures incorporated in the design and/or construction and alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.

Note. A list of typical flood compatible building components is provided in Supporting Document 1 of Chapter G9: Development on Flood Prone Land.

Flood compatible materials include those materials used in building that are resistant to damage when inundated. A list of flood compatible materials is contained in Supporting Document 1 of Chapter G9: Development on Flood Prone Land.

Flood conveyance is a direct measure of flow carrying capacity of a particular cross-section of a stream or stormwater channel.

Flood free land means land above the probable maximum flood level.

Flood fringe is that part of the floodplain remaining after the floodway and flood storage areas have been defined.

Flood marker post is a structure erected in a prominent position which depicts the height of known significant floods of record and predicted floods.

Flood planning area is the area of land below the flood planning level (FPL) and thus subject to flood related development controls. The concept of flood planning area generally superseded the “flood liable lands” concept in the 1986 Manual.

Flood prone land is the land susceptible to flooding by the probably maximum flood (PMF) event. Flood prone land is synonymous with flood liable land.

Flood proofing means a combination of measures incorporated in the design, construction and alteration of individual buildings or structures subject to flooding, to reduce or eliminate flood damages.

Flood storage areas are those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood.

Flood study is a technical investigation of flood behaviour. It defines the nature of flood risk by establishing the extent, level and velocity of floodwaters. The study also provides information on the distribution of flood flows across various sections of the flood plain for the full range of flood events up to and including the probable maximum flood (PMF).

Floodplain means the area of land which is subject to inundation by floods up to and including the probable maximum flood event, that is, flood prone land.

Floodplain risk management plan is a plan developed in accordance with the principles and guidelines contained in the NSW Government Floodplain Management Manual. Usually includes both written and diagrammatic information describing how particular areas of flood prone land are to be used and managed to achieve defined objectives.

Floodplain risk management study is a study that identifies and compares various risk management options. This includes an assessment of their social, economic, ecological and

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cultural impacts, together with opportunities to maintain and enhance river and floodplain environments.

Floodway means those parts of the floodplain where a significant discharge of water occurs during floods. They are often aligned with natural defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels (and/or velocities).

Floor area means, in relation to a room, the area of the room measured within the finished surfaces of the walls, and includes the area occupied by any cupboard or other built-in furniture, fixture or fitting.

Floor area of a guestroom or tourist cabin when used in reference to *Chapter G15: Tourist and Visitor Accommodation* means the area of a guestroom or tourist cabin, measured within the finished surfaces of the walls, and includes the area occupied by any cupboard or other built-in furniture, fixture or fitting and all decks and verandahs.

Fluvial geomorphology is the branch of geology that examines the formation and structure of the features of the surface of the earth which is created by flowing rivers.

Footpath means the hardstand area between private property and the kerbline, whether the area is paved, grassed or concreted.

Footpath when used in reference to *Chapter G18: Streetscape Design for Town and Village Centres* refers to the full width areas of pavement on the road reserve between the property boundary and the street kerb and gutter.

Freeboard is a factor of safety typically used in relation to the setting of floor levels, levee crest levels, etc. Freeboard is expressed as additional height on top of the flood level and provides a factor of safety to compensate for uncertainties in the estimation of flood levels across the floodplain. Freeboard is included in the flood planning level.

Free-standing sign means any sign not attached to a building or structure and includes any three-dimensional replica, object or shape.

Friable asbestos materials (AS 4964-2004) Any material that contains asbestos and is in the form of a powder or can be crumbled, pulverized or reduced to powder by hand pressure when dry.

Note. *Friable asbestos materials include asbestos lagging and sprayed asbestos insulation.*

Garage when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means an enclosed single storey structure capable of accommodating not more than two motor vehicles, which is either attached to a moveable dwelling or detached.

Garage sale means the sale from a residential, school, church or other community related premises of second hand items only that have been used by the person(s) or group organising the garage sale.

Garbage means refuse or waste material other than trade waste, effluent, compostable material, green waste or recyclable material.

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Garbage and recycling room means a room where garbage and recycling receptacles are stored, awaiting reuse or removal from the premises.

Garbage chute means a duct in which deposited material descends from one level to another within the building, due to gravity.

Green waste means vegetative matter including trees, branches, shrubs, cuttings, lawn clippings and untreated timber and wood products.

Grey water means sullage wastes (e.g. laundry, shower, kitchen, etc.) excluding toilet wastes.

Gross leaseable floor area means the sum of the areas at each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors, parking areas and designated stock storage areas.

Ground level (natural) or natural ground level means the same as ground level (existing) as defined in SLEP 2014.

Ground water means water that exists under the surface and within the soil.

Groundcover means any type of herbaceous vegetation, but it is only to be regarded as native vegetation that occurs in an area where not less than 50% of the herbaceous vegetation covering the area comprises indigenous species. In determining that percentage, not less than 10% of the area concerned must be covered with herbaceous vegetation (whether dead or alive).

Group when used in reference to *Chapter G15: Tourist and Visitor Accommodation* means a collection of two or more tourist cabins.

Guesthouse means a building or buildings used for temporary visitor accommodation of up to twenty accommodation rooms in a domestic scale of architecture, where the building or buildings incorporate a common facility for the provision of meals either to people temporarily resident or to the general public, whether or not those facilities are licensed.

Guestroom is a room or suite of rooms within a guesthouse used for tourist accommodation.

Habitable floor area means the floor areas and rooms used within a dwelling for normal domestic use, including a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room and sunroom.

Habitable room has the same meaning as in the *Building Code of Australia*.

Note. The term is defined as a room used for normal domestic activities, other than a bathroom, laundry, toilet, pantry, walk in wardrobe, hallway, lobby, clothes drying room or other space of a specialised nature that is not occupied frequently or for extended periods.

Habitat when used in reference to vegetation means vegetation that is capable of being used for the nectar feeding, roosting or nesting of birds, arboreal marsupials, micro-bats or vegetation which supports the growth of locally indigenous epiphytic plants such as orchids.

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Hazard when used in reference to flooding, is a source of potential harm or a situation with the potential to cause loss.

Hazardous waste means any waste that, because of its physically, biologically or chemically damaging properties, is capable of causing a danger to the life or health of any living thing if it is released into the environment, and is, or contains, a substance specified in Schedule 1 of the Waste Minimisation and Management Regulation 1996.

Health care professional means any doctor, medical specialist, or any other person registered under an Act for the purpose of providing health care and includes (but not exclusively) a recognised specialty in the following professions: Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental (including the profession of a dentist, dental therapist, dental hygienist, dental prosthetist and oral health therapist), medical, medical radiation practice, nursing and midwifery, occupational therapy, optometry, osteopathy, physiotherapy, speech therapy, podiatry, psychology etc.

Height of tree means the distance measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

High hazard when used in reference to *Chapter G9: Development on Flood Prone Land* and *Chapter G10 Caravan Parks in Flood Prone Areas* is as defined in the *NSW Floodplain Development Manual 2005*.

Note. *The term is defined as possible danger to personal safety; evacuation by trucks difficult; able-bodied adults would have difficulty in wading to safety; potential for significant damage to buildings.*

Highly trafficked footpaths mean those footpaths which receive a high flow of pedestrian traffic on any given day, including; the Princes Highway, Junction Street

Holding in relation to *Chapter V1: Lot Averaging Subdivision* means all adjoining and adjacent land within the areas shown on the accompanying maps in that chapter, and under the same ownership as at the 16 July 1999. See also Clause 6.2.1 of that chapter.

Holding tank when used in reference to *Chapter G8: Onsite Sewage Management* means a tank used for holding wastewater prior to pumping out, sometimes called a collection well.

Holiday van when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by *the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. *The term is defined as a moveable dwelling (other than a tent) that is or usually is continuously located on a short-term site and used primarily by its owner for occasional occupancy for holiday purposes.*

Home activity when used in reference to *Chapter G19: Home Based Business Activities* means any activity carried out by a resident for either paid or unpaid employment purposes:

- a) in a dwelling or dwelling house;
- b) from a building (or area) within the curtilage of a dwelling house;
- c) from an outbuilding (or area) on a property in a rural location; or
- d) on adjoining land in the same ownership; and

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- e) the dominant use of the dwelling or land is for domestic purposes; and
- f) the activity does not involve the use of the property for the purposes of sexual services premises.

Hydraulic impact assessment report means a document prepared by a suitably qualified hydraulic engineer, detailing how a proposed development will change flood behaviour on and off the site as well as how the new development itself will be impacted by flooding.

Hydraulics means the study of water flow in waterways, in particular the evaluation of flow parameters such as water level and velocity.

Illuminated sign describes the method of presentation and means any sign that is illuminated either internally or externally by static or moving lights and includes floodlit signs, neon, flashing, chasing, or animated signs and colour changing fibre optic displays.

Impervious means a surface that does not allow water to infiltrate into the ground, including roofs, roads, pavements, hard surfaced sports courts, any 'sealed' areas and permanent water bodies such as swimming pools.

Important habitat trees when used in reference to *Chapter N20: Jerberra Estate* mean hollow-bearing trees (including Yellow-bellied Glider den trees and Gang-gang Cockatoo nest trees), Glossy-Black Cockatoo feed trees (*Allocasuarina littoralis*) and Yellow-bellied Glider feed trees.

Industrial road means any road in the road hierarchy which predominantly provides general traffic and service access to:

- a) Development precincts that are zoned appropriately to cater for a range of industrial developments, as well as specialised retail premises, freight, public transport.
- b) Generally any subdivisions or developments that are likely to generate larger than normal proportions of longer/larger vehicles or heavy vehicle traffic.

Infill development means urban development that takes place within existing urban zones on land that is currently or has most recently been used for urban land use purposes.

Infiltration when used in reference to *Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control* means downward movement of water from the surface to the subsoil.

Infiltration when used in reference to *Chapter G8: Onsite Sewage Management* means the ability of the soil to accept effluent and rainfall at the surface.

Inflatable when used in reference to *Chapter G22: Advertising Signs and Structures* means any fixed or captive balloon, blimp, kite or cold air inflatable or the like and includes lighter than air devices used for short term promotional purposes.

Injury when used in reference to vegetation means damage to a tree and includes lopping and topping poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling (including washing off or directing water contaminated by) oil, petroleum, paint, cement, mortar and the like onto the root zone cutting, tearing, breaking or snapping of branches and roots that is not carried out in accordance with accepted arboricultural practices, or is done for invalid reasons, including vandalism ringbarking, scarring the bark

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when operating machinery, fixing objects (eg. signs) by nails, staples or wire, using tree climbing spikes in healthy trees marked for retention (except for access to an injured tree worker) or fastening materials that circle and significantly restrict the normal vascular function of the trunk or branches damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised filling or stockpiling of materials, and/or underscrubbing, unless carried out by hand tools, such as brushcutters and the like.

Installation when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

Note. The term is defined as:

- a) in relation to a manufactured home or a relocatable home— the process of connecting together the major sections of the manufactured home or relocatable home, and any associated structures forming part of the manufactured home or relocatable home, and attaching them to footings, or
- b) in relation to an associated structure—the process of constructing or assembling the components of the associated structure, and (if appropriate) attaching them to footings, and includes the connection of gas, electricity, telephone, water, sewerage and drainage services.

Integrated development is development that is described under Section 4.46 of the *Environmental Planning and Assessment Act 1979*.

Integrated housing development means a subdivision of land into five or more allotments and the simultaneous design and construction of a single dwelling-house or dwelling on each of the allotments created by that subdivision.

Integrated water cycle management means the management of the water cycle in the urban and industrial context as a whole, including water use, water collection, water recycling and disposal.

Intent means a general statement that describes the purpose for applying a particular development control measure.

Intermittent watercourse or **stream** means any stream, channel, canal or surface water drainage depression that forms a waterbody that flows during periods of rainfall or flooding.

Irrigation area when used in reference to *Chapter G8: Onsite Sewage Management* means an area of prepared soil and aggregate through which a network of either perforated pipes is laid or spray irrigators are provided. Effluent is either sprayed or permitted to percolate into the soil bed and is removed primarily by evaporation and transpiration by plants. The area outlined within these guidelines incorporates sufficient area of land to provide for the resting of effluent disposal areas through a rotational schedule.

Land capacity study means a study that examines the potential environmental impacts of on-site effluent disposal and includes detailed soil survey topographical analysis and drainage assessment.

Land filling means to place, or allow to fall, upon any land any ballast, rock, stone, shingle, gravel, sand, clay, earth, cinders, debris or any other matter or thing so as to alter the contours or levels of the land.

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Landscape plan when used in reference to *Chapter G11: Subdivision of Land* means a plan outlining the extent, type and location of landscaping proposed for subdivision development generally within the street, and may include public reserves that are to be dedicated.

Laneway means a sub-category of local street that is the lowest order in the road hierarchy. By nature of their narrow design they should be designed as shared zones and may require specific traffic regulations (for example “one way”) depending on the type and scale of development and servicing arrangements.

Lawful when used in reference to building development in Shoalhaven means that the building or structure has development consent and a construction certificate, complying development certificate or building approval; or was erected prior to 28 February 1964 [commencement of Interim Development Order (IDO) No. 1].

Licensed floor area means that area of a development which is licensed for the purposes of the *Liquor Act 2007*.

Lightweight materials mean structural and cladding materials incorporating timber, steel and the like, but do not include masonry such as bricks and concrete blocks.

Likely habitat tree means any tree which has developed hollows in the trunk or limbs suitable for nesting birds, or arboreal marsupials or mammals, or is supporting the growth of locally indigenous epiphytic plants such as orchids.

Living area means a living, dining, entertainment or other recreation area or room, but does not include bedrooms, studies, bathrooms or other amenities.

Local development means development, not being exempt development, complying development or State significant development, which is permissible with consent of Council under *SLEP 2014*.

Local distributor road (also referred to as Collector Tier 1 roads) means the highest order of Collector Road. These roads are busier than normal ‘collector’ roads (carrying more traffic than usually accepted as the environmental threshold for a local collector road). Depending on the road hierarchy these may/or may not be arterial or sub-arterial roads and are designed to carry much higher volumes of traffic for linking to the sub-arterial and/or arterial road network. There is often little difference in traffic volume and function between distributor roads and arterial/sub-arterial roads.

Local drainage means small scale inundation in urban areas outside the definition of major drainage as defined in the *Floodplain Development Manual*. Local drainage problems invariably involve shallow depths (less than 0.3m) with generally little danger to personal safety.

Local drainage management plan means a plan that examines all elements of drainage including storm drainage water quality management and stormwater harvesting.

Local overland flooding means inundation by local runoff rather than overbank discharge from a stream, river, estuary, lake or dam.

Local street means streets that are neither arterial, sub-arterial nor collector roads, and which predominantly cater for local, short distance travel and access to abutting property

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(residential and/or commercial (including retail)). A variety of Local Street cross sections are permissible depending on traffic volume, environment, and the scale and types of developments being serviced. Pedestrian and cycle facilities are provided off street.

Locality means an area so named and gazetted by the Geographical Names Board.

Long term occupation means the occupation of a dwelling site for more than one hundred and fifty (150) days in any twelve (12) month period.

Long-term site when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* and *Chapter G28: Design Guidelines for Permanent Occupation of Caravan Parks* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. *The term is defined as a dwelling site that is specified in the approval for a caravan park as being a long-term site.*

Lopping means the unacceptable practice of cutting between branch unions or at internodes on young trees.

Low and moderately trafficked footpaths mean those footpaths which receive a low to moderate flow of pedestrians on any given day, including; Wason, Kinghorne and Berry Streets.

Low hazard when used in reference to *Chapter G9: Development on Flood Prone Land* and *Chapter G10 Caravan Parks in Flood Prone Areas* is as defined in the *NSW Floodplain Development Manual 2005*.

Note. *The term is defined as if necessary, truck could evacuate people and their possession; able-bodied adults would have little difficulty in wading to safety.*

Main road frontage in relation to land means the frontage of that land to a main or arterial road; or a road connecting with a main or arterial road, if the whole or any part of the frontage is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the main or arterial road.

Mainstream means the inundation of normally dry land occurring when water overflows the natural or artificial banks of a stream, river, estuary, lake, or dam.

Mandatory control means specific, prescriptive measures required for achieving the desired objectives. A mandatory control can be varied subject to an applicant demonstrating to Council's satisfaction that the objectives of the relevant section/subsection and chapter have been met by the development.

Manufactured home is as defined by the *Local Government Act 1993*.

Note. *The term is defined as a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:*

- a) *that comprises one or more major sections, and*
- b) *that is not a registrable vehicle within the meaning of the Road Transport (Vehicle Registration) Act 1997, and includes any associated structures that form part of the dwelling.*

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Manufactured home estate is as defined by the *Local Government Act 1993*.

Note. *The term is defined as land on which manufactured homes are, or are to be, erected.*

Merit approach when used in reference to flooding is an approach, the principles of which are embodied in the Floodplain Development Manual, which weighs social, economic, ecological and cultural impacts of land use options for different flood prone areas together with flood damage, hazard and behaviour implications, and environmental protection and well-being of the State's rivers and floodplains.

Motor vehicle sign means any sign fitted to, placed upon or beside a motor vehicle, caravan or trailer stopped on a public road or private property for the primary purpose of displaying such sign but does not include any sign on a motor vehicle which is able to be driven on public roads with the sign displayed.

Moveable dwelling is as defined by the *Local Government Act 1993*:

- a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- b) a manufactured home, or
- c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.

Moving sign means any sign, either illuminated or non-illuminated, including rotating, trivision, carousel, animated, computer controlled, moving display or message signs with a single or variable message.

Native Vegetation Panel means the Native Vegetation Panel established under section 60ZE of the *Local Land Services Act 2013*.

Normal business hours mean:

- Monday to Friday – 8.00 am to 5.00 pm.
- Saturdays 8.00 am to 1.00 pm.
- No work on Sundays or Public Holidays.

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

Objectives are a general statement of the overall intention of applying a design element.

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

Orchid management area when used in reference to *Chapter S1: Verons Estate, Sussex Inlet* means areas where the Leafless Tongue Orchid (*Cryptostylis hunteriana*) and/or the greenhood orchid species *Pterostylis ventricosa* occur (refer to supporting map of Chapter S1). Note that potential habitat for *Pterostylis ventricosa* in Swan Lake has not been surveyed.

Orphan site when used in reference to *Chapter S8: Ulladulla Town Centre* means a site in the retail area where maximum development in accordance with that chapter has occurred on at least two adjoining sites. Note. This control only relates to floor space ratio (see definition in *SLEP 2014*).

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Other advertised development means any development that is identified as advertised development in a local environmental plan or DCP.

Outbuilding means any of the following:

- a) Balcony, deck, patio, pergola, terrace or verandah, carport or garage that is attached or free-standing,
- b) Cabana, cubby house, fernery, garden shed, gazebo or greenhouse, shed or shade structure,
- c) Rainwater tank,
- d) Above ground swimming pool

Outdoor dining area means an approved sit down, un-enclosed, open-air (al-fresco) dining area with associated furniture located on either a public footpath or on private property. The area is defined by that area occupied by the furniture with sufficient room for diner manoeuvrability and any associated menu boards, pot plants, planter boxes and/or screens or crash barrier.

Overland flow path means the path that stormwater may take if the piped or channelled stormwater system becomes blocked or its capacity exceeded. Overland flow paths provide a fail-safe system to ensure that stormwater is not likely to cause flood damage.

Owner is as defined in *the Local Government Act 1993 No. 30*.

Note. *The term is defined as*

- a) *in relation to Crown land, means the Crown and includes:*
 - i. *a lessee of land from the Crown, and*
 - ii. *a person to whom the Crown has lawfully contracted to sell the land but in respect of which the purchase price or other consideration for the sale has not been received by the Crown, and*
- b) *in relation to land other than Crown land, includes:*
 - i. *every person who jointly or severally, whether at law or in equity, is entitled to the land for any estate of freehold in possession, and*
 - ii. *every such person who is entitled to receive, or is in receipt of, or if the land were let to a tenant would be entitled to receive, the rents and profits of the land, whether as beneficial owner, trustee, mortgagee in possession, or otherwise, and*
 - iii. *in the case of land that is the subject of a strata scheme under the [Strata Schemes \(Freehold Development\) Act 1973](#) or the [Strata Schemes \(Leasehold Development\) Act 1986](#), the owners corporation for that scheme constituted under the [Strata Schemes Management Act 1996](#), and*
 - iv. *in the case of land that is a community, precinct or neighbourhood parcel within the meaning of the [Community Land Development Act 1989](#), the association for the parcel, and*
 - v. *every person who by this Act is taken to be the owner, and*
- c) *in relation to land subject to a mining lease under the [Mining Act 1992](#), includes the holder of the lease, and*
- d) *in Part 2 of Chapter 7, in relation to a building, means the owner of the building or the owner of the land on which the building is erected.*

Parallel development when used in reference to *Chapter G15: Tourist and Visitor Accommodation* means development for Bed & Breakfast Accommodation and Tourist Cabins carried out on the same land.

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Parapet means a low wall projecting from the edge of a platform, terrace or roof.

Park van when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. The term is defined as a moveable dwelling (other than a tent), whether or not capable of being registered under the Road Transport (Vehicle Registration) Act 1997, that:

- a) is or usually is continuously located on a short-term site, and
- b) is provided for hire, and
- c) is used by a site occupier other than the owner of the moveable dwelling primarily for holiday purposes.

Pathway when used in reference to *Chapter G18: Streetscape Design for Town and Village Centres* refers to the part width areas (various widths) of pavement on the road reserve between the property boundary and the street kerb and gutter.

Peak flow means the maximum instantaneous outflow from a catchment during a storm event.

Performance Based Solution Statement means a written statement accompanying a development application demonstrating how the:

- Objectives and relevant performance criteria will be achieved if an alternative to an 'acceptable solution' is proposed.
- Objectives will be achieved if an alternative to a 'mandatory control' is proposed.

Performance criteria identify how a development should perform so that the desired objectives can be achieved. They provide designers and developers an opportunity to work through a variety of design criteria. Not all performance criteria will be applicable to every development.

Permeability when used in reference to *Chapter G8: Onsite Sewage Management* means the ability of the soil to 'absorb' and transmit effluent through its profile.

Permeable paving means paving construction using impervious materials that are physically shaped and/or arranged to allow infiltration through gaps in the pavement material.

Permissible site discharge means the maximum discharge from the site during a 1 in 5 year ARI storm event under predevelopment (existing) site conditions.

Permit means a permit issued by Council under *Chapter G4: Tree & Vegetation Management* for the removal or pruning of trees or other vegetation.

Pervious means a surface that permits water to infiltrate into the ground.

pH means the measure of acidity or alkalinity measured on a scale of 0 to 14 with 7 as a neutral point. From 0 to 7 is acid; from 7 to 14 is alkaline.

Phosphorous sorption capacity when used in reference to *Chapter G8: Onsite Sewage Management* means the ability of the soil to take up phosphorous from the effluent.

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Plan of survey or **survey plan** means a plan prepared in accordance with survey practice and prepared by a registered surveyor.

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

Porous paving permits water to pass through the paving material by virtue of the properties of that material.

Potable water means water that is fit for human consumption.

Potential building area/line when used in reference to *Chapter S1: Verons Estate, Sussex Inlet*, means the area or line identified on the supporting map in Chapter S1 within which dwellings and associated buildings should be located so that your property and neighbouring properties can be safely and appropriately developed.

Potential development area when used in reference to *Chapter S1: Verons Estate, Sussex Inlet*, encompasses the potential building area and bushfire asset protection zones (APZ) and on-site effluent treatment and application area.

Potentially hazardous food means food that has to be kept at certain temperatures to minimise the growth of any pathogenic microorganisms that may be present in the food or to prevent the formation of toxins in the food. Examples of potentially hazardous food includes; meat, poultry, seafood, rice, dairy, eggs etc.

Prescribed waters mean any waterbody that has been specifically identified by Sydney Water or Shoalhaven City Council as being an important resource within a drinking water catchment.

Primary frontage means:

- The single frontage where an allotment has a single frontage to the road; or
- The shortest frontage where an allotment has two or more frontages to the public road; or
- The two frontages where an allotment (not including a corner allotment) runs between two roads.

Primary treatment when used in reference to *Chapter G8: Onsite Sewage Management* means the separation of suspended material from wastewater by settlement and/or flotation in septic tanks, primary settling chamber, anaerobic process of treatment, prior to effluent discharge to either a secondary treatment process, or to a land-application system.

Probability when used in reference to flooding is a statistical measure of the expected chance of flooding (see annual exceedance probability (AEP)).

Probable maximum flood (PMF) is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation. Generally, it is not physically or economically possible to provide complete protection against this event. The PMF defines the extent of flood prone land, that is, the floodplain.

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Probable maximum precipitation (PMP) is the greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to the estimation of the probable maximum flood.

Professional engineer means a person:

- a) who is a registered professional engineer in the relevant discipline who has appropriate experience and competence in the relevant field; or
- b) who is:
 - i. a Corporate Member of the Institute of Engineers, Australia; or
 - ii. eligible to become a Corporate Member of the Institute of Engineers, Australia, and has appropriate experience and competence in the relevant field.

Projecting wall sign means any sign attached to and projecting at right angles from a wall.

Provisional hydraulic and hazard categories are the categories used in place of hydraulic and hazard categories where no Floodplain Risk Management Plan has been prepared as yet and are based on velocity and depth considerations only.

Prune or **pruning** is defined as all other pruning which is not 'crown maintenance pruning' and includes 'crown modification' as defined in *Australian Standard AS 4373-1996, "Pruning of Amenity Trees"*.

Public dining area means that area set aside for patrons to eat meals and excludes kitchen, bar and amenity areas but includes reception areas.

Public open space means land used or intended for use for recreational purposes by the public and includes parks, public gardens, riverside reserves, pedestrian and cyclist accesses, playgrounds and sports grounds.

Public road has the same meaning as in the *Roads Act 1993*.

Note. The term is defined as:

- a) any road that is opened or dedicated as a public road, whether under this or any other Act or law, and
- b) any road that is declared to be a public road for the purposes of this Act.

Public work means work carried out by the Council on Public Land.

Pump-out effluent system means a normal septic tank system, followed by a holding tank, used for the storage of effluent which is pumped out by a Council contractor at regular intervals with a specified number of services per year. This effluent is transferred to one of Council's sewage treatment works for further treatment and ultimate disposal.

Pylon sign means any freestanding elevated sign supported by one or more columns, pylons or poles where the display area may include separate removable and replaceable slats, panels or other components.

Recyclable means capable of being reprocessed into usable material or re-used.

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Regulation when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Reliable access means the ability for people to safely evacuate an area subject to imminent flooding within effective warning time having regard to the depth and velocity of floodwaters, the suitability of the evacuation route, and without the need to travel through areas where the “water depth - velocity product” is greater than 0.3m²/s.

Relocatable home when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. The term is defined as:

- a) a manufactured home, or
- b) any other moveable dwelling (whether or not self-contained) that comprises one or more major sections, including any associated structure that forms part of the dwelling, but does not include a tent, caravan or campervan or any moveable dwelling that is capable of being registered under the Road Transport (Vehicle Registration) Act 1997.

Remnant tree or vegetation means a native tree or any patch of native vegetation which remains in the landscape after removal of most or all of the native vegetation in the immediate vicinity.

Removal or pruning (or remove or prune) has the same meaning as **Clear (or clearing)** vegetation.

Remove when used in relation to vegetation means to cut down, take away or transplant a tree from its place of origin.

Restricted development site means land identified as a restricted development site on the Natural Resource Sensitivity Land map overlay in the *SLEP 2014*.

Retailing when used in reference to *Chapter G19: Home Based Business Activities* involves the display for sale of goods in small quantities to the public but does not include mail order, ‘Just in time’ retailing or ‘E-commerce’.

Retention means the storing of water for beneficial use. It applies to the storage volume available for reuse or systems that allow infiltration into the soil profile. Retention can apply to all forms of water including rainwater, stormwater and recycled water.

Rigid annexe when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2021*.

Note. The term is defined as an annexe that is not a flexible annexe.

Risk means the chance of something happening that will have an impact. It is measured in terms of consequences and probability (likelihood). In the context of *Chapter G9: Development on Flood Prone Land* and *Chapter G10: Caravan Parks in Flood Prone Areas*, it is the likelihood of consequences arising from the interaction of floods, communities and the environment.

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Roof water means rain (water) that falls on the roof of a building.

Rooftop solar systems means photovoltaic cells, solar panels, skylights, solar hot water panels, windows, glazed doors, solar cells embedded within the material of the roof and new and emerging technology.

Roughness coefficients describe the resistance of the bed of a channel to the flow of water within it. They are used in equations calculating energy loss due to roughness of a surface.

Runoff means the same as **stormwater**.

Rural Lifestyle Area when used in reference to *Chapter V1: Lot Averaging Subdivision* refers to localities 1-8 identified in Clause 4.2B of *SLEP 2014*.

Scale means relative dimensions to ground level, including height, bulk and number of storeys.

Secondary frontage means:

- The longer frontage where an allotment has two or more frontages to a road; or
- The frontage that adjoins a lane where an allotment (not including a corner allotment) runs between a road and a lane.

Secondary treatment when used in reference to *Chapter G8: Onsite Sewage Management* means anaerobic and aerobic biological processing and settling or filtering of effluent received from a primary treatment unit. Effluent quality following secondary treatment is expected to be equal to or better than 20 g/m³ five-day biochemical oxygen demand and 30g/m³ suspended solids.

Septic tank a tank used for the collection, primary settling and anaerobic treatment of household wastewater.

Sewage includes any effluent of the kind referred to in paragraph (a) of the definition of waste in the dictionary to the *Local Government Act 1993*.

Sewage management system means

- a) a human waste storage facility; or
- b) a waste treatment device intended to process sewage, and includes a drain connected to such a facility or device.

Short-term site when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* and *Chapter G28: Design Guidelines for Permanent Occupation of Caravan Parks* is as defined by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

Note. *The term is defined as a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a caravan park as being a short-term site.*

Sign face area means the area bounded by the framework of a manufactured panel, hoarding or illuminated sign case and is calculated by the sign face height and sign face width.

Dictionary

Single storey when used in reference to *Chapter N1: Kangaroo Valley* means a single storey construction with pitched roofs and being no greater than 5.5 metres in height as measured from any point on the natural surface below a structure.

Site specific flood warning system is where the following is provided:

- a) an alarm system which alerts occupants to the need to evacuate, sufficiently prior to likely inundation to allow for the safe evacuation of pedestrians and vehicles; and
- b) signage to identify the appropriate procedure and route to evacuate.

SLEP 1985 means the *Shoalhaven Local Environmental Plan 1985*.

SLEP 2014 means the *Shoalhaven Local Environmental Plan 2014*.

Slow point or **local area traffic management device (LATM)** when used in reference to *Chapter G11: Subdivision of Land* means sections of a street which have geometric features which limit the travel speed of vehicles. These include bends, constrictions to carriageway width etc.

Sodicity means the level or presence of exchangeable sodium salts in the soil. Effluent contains high levels of sodium that may act to disperse clay particles, resulting in a significant reduction in the permeability of the soil.

Soil and water management plan means a document which sets out strategies and controls for a development or site to prevent pollution of the environment from all pollutants during the construction stage.

Soil profile means the different layers (horizons) of different soil types with depth.

Solar access means the ability of a dwelling to receive direct sunlight into living and private open spaces without obstruction by buildings or other impediments.

Special waste means a waste that posed or is likely to pose an immediate or long-term risk to human health or the environment. This includes hazardous waste, clinical waste and contaminated waste. Special arrangements need to be made for the management of these wastes.

Split systems when used in reference to *Chapter G8: Onsite Sewage Management* means where black and grey water are split into separate waste streams at the source. Full on-site split systems dispose of both streams on-site but into separate disposal systems. Partial on-site split systems dispose of grey water on-site and rely on a cart-away system for the black water stream.

Stability analysis report or **geotechnical report** means a report that examines the geological profile of the site and includes the soil and moisture condition and watertable and bedrock characteristics.

Stacked parking means a parking arrangement with two parking spaces arranged one behind the other either in separate or same ownerships (may be self-managing and a management plan or arrangement may be required).

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State significant development is development that is declared to be State significant development by a State Environmental Planning Policy, Regional Environmental Plan, Local Environmental Plan or the Minister as the case may be in a range of particular circumstances.

Storage depth means the amount of rainfall that would previously have been stored on site through surface ponding and infiltration prior to the addition of impervious surfaces.

Stormwater means rainfall that is concentrated after it runs off all urban surfaces such as roofs, pavements, carparks, roads, gardens and vegetated open space and includes water in stormwater pipes and channels.

Stormwater management plan means a concise report and/or drawing/s that provide sufficient information to demonstrate how the development meets the relevant stormwater controls and supporting guidelines.

Stormwater infiltration trench or **bioretention system** means a purpose built absorption trench designed to store and filter stormwater runoff from dwelling and associated structures.

Stream forming flow means the following percentage of the 2-year ARI flow rate estimated for the catchment under natural conditions:

- 10 per cent for low cohesion (e.g. sandy) bed and banks.
- 25 per cent for moderately cohesive bed and banks.
- 50 per cent for cohesive (e.g. stiff clay) bed and banks.

Structure (not including an 'advertising structure') means a construction, not necessarily roofed, which performs a function or functions requiring rigidity and includes a fence.

Sub-arterial road means roads of lesser importance than the arterial roads, but which still cater for relatively high volume and/or long distance travel, and on which through traffic predominates. In rural areas they comprise routes of state-wide or regional significance, and in urban areas they comprise routes of metropolitan-wide or regional significance. Sub-arterial roads are sometimes called secondary arterial roads.

Sufficient time/access means the ability to safely evacuate to an area above the PMF prior to the onset of flooding, within the effective warning time, having regard to the suitability of the route and the possible prevailing environmental conditions including the depth and velocity of floodwaters, and without reliance on a private flood warning facility.

Suitably qualified hydraulic engineer means an experienced and qualified professional engineer, recognised as a chartered professional engineer by the Institution of Engineers Australia in the field of civil engineering, flood risk management, emergency management, structural engineering or similar, acting at all times within their experience and qualifications, and able to demonstrate to Council that they have the experience and qualifications to act as required.

Suitably qualified person means any of the following:

- a) Professional engineer as defined above,
- b) Licenced builder,
- c) Level 1 or 2 Accredited Certifier – Building Surveying,

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d) Registered Architect

Tandem parking means a parking arrangement with two parking spaces arranged one behind the other and in the same ownership (self-managing).

Temporary sign means an advertisement for short term promotional purposes that:

- a) announces any local event of a religious, educational, cultural, social or recreational character or relates to any matter in connection with such an event; and
- b) the event is organised by a charitable organisation, sporting association or public authority; and
- c) does not include advertising of a commercial nature (except for the name(s) of an event's sponsor(s)).

Tertiary treatment means the process by which disinfection and additional Biological Oxygen Demand (BOD) removal are achieved upon secondary treated wastewater. Disinfection should reduce all pathogenic and other harmful organisms to safe levels. Processed effluent is only suitable for non-potable purposes such as irrigation.

Top of bank means the point closest to the boundary of the active floodplain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measure perpendicularly from the break.

Topping means cutting away part, or all, of the tree canopy leaving a trunk and stubbed main branches.

Tourist accommodation sites means short term camping or caravan sites within a caravan park, used for the provision of holiday accommodation, not permanent occupation.

Tourist accommodation unit means a dwelling used, designed, constructed or adapted to be used for the provision of holiday accommodation, not permanent occupation, being one of a group of similar dwellings forming part of a tourist facility.

Tourist cabin means a freestanding building used to provide short-term self-contained holiday accommodation.

Note: *Tourist cabin is a type of tourist and visitor accommodation as defined in SLEP 2014.*

Tourist and camping site when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means a short-term or camping site in a caravan park or a camping site in a camping ground that is available for hire by tourists and does not have or usually have a moveable dwelling continuously located on site.

Tourist resort means a building or buildings containing more than twenty (20) accommodation units providing for short term visitor accommodation and recreation, which building or buildings may include a refreshment room and space capable of being used for functions such as receptions, conventions and may provide other recreational facilities incidental to such accommodation.

Towable on-site moveable dwelling when used in reference to *Chapter G10: Caravan Parks in Flood Prone Areas* means a moveable dwelling (including a caravan or annexe) that is or usually is continuously located on site and is designed, installed and maintained in

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a manner so as to be removed from the flood-prone area within the effective warning time (e.g. quick-release tie-down, draw-bar and wheels attached and serviceable, services readily detachable, not attached to non-towable moveable dwellings or associated structures). Experience indicates that moveable dwellings located on long-term sites tend to lose their mobile status and so would not generally qualify as towable on-site moveable dwellings. Similarly, holiday vans tend to lose their mobile status, and their removal could place unreasonable burdens on the park manager and emergency services, so these also would not generally qualify as towable on-site moveable dwellings.

Town activity node means concentration of a high level of human activity and social interaction at a particular point in the town, or at that point where human activity is concentrated in the town.

Trade waste means refuse or waste material arising from any trade or industry but excludes liquid waste, demolition waste, building waste, special waste, contaminated waste, green waste or recyclable waste.

Traffic generating development means development that requires in excess of three off-street car parking spaces and/or frequent vehicle access by a large rigid truck or bus containing over twelve seats.

Tree means a perennial plant with at least one self-supporting woody or fibrous stem, being:

- a) more than 5m tall, or
- b) more than 5m wide across the foliage crown or
- c) having a trunk circumference of more than 500mm measured 1m above ground level.

Tree dripline or zone means the area defined, under a tree, by the outer edge of the tree canopy projected to ground level.

Trunk drainage means stormwater drainage beyond immediate property and street drainage.

Two storey when used in reference to *Chapter N1: Kangaroo Valley* means a two storey construction with pitched roofs and being no greater than eight metres in height as measured from any point on the natural surface.

Under awning sign means a sign suspended from underneath an awning or verandah.

Undesirable species means plants that have characteristics which may lead to poisoning, weed infestation, brittle and dangerous wood, excessive spread of roots or bushland invasion.

Urban area means any land zoned Residential, Commercial or Industrial under SLEP 2014.

Urban design master plan means a comprehensive Plan for an area of renewal where particular attention must be paid to design and layout principles required in the Plan and for consultation with the local community.

Vegetation means all native plant communities other than trees as defined in this plan.

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Vegetation management plan means a structured program adopted by the Council for the protection, maintenance, restoration and replacement of trees and native vegetation.

Vicinity of a heritage item or conservation area means the extent of land, natural environment and/or built environment which has a physical or visual relationship to the heritage item or conservation area. The objective of control of development in the “vicinity” of heritage items and conservation areas is to ensure new development does not adversely impact upon the heritage significance of other sites.

View means what is seen from a particular point.

View Corridor means a cone of vision extending from a selected point towards the valued view.

Village Centre in relation to Chapter N1: Kangaroo Valley is generally the built-up area of the town between the school and the showground.

Village Retail Core in relation to Chapter N1: Kangaroo Valley is the area shown on the map and bounded to the west by the Anglican Church and the School, to the east by the Police Station and Heritage Precinct, to the north by the proposed cycle path and to the south by existing premises having frontage to Moss Vale Road (lot depth of 25-30 metres).

Vista means an enclosed view usually long and narrow.

Visual impact statement when used in reference to *Chapter N1: Kangaroo Valley* means a report that examines the effects of development on the scenic values of Kangaroo Valley and recommends ways to neutralise any adverse impacts.

Volume reduction equipment means devices, which reduce the volume of waste or recyclable material including compressing devices such as compactors and balers, and shredding, pulverising or crushing devices.

Voluntary conservation agreement when used in reference to *Chapter S1: Verons Estate, Sussex Inlet*, is a voluntary, legally binding agreement between a landholder and the NSW Environment Minister. Conservation agreements are used to permanently protect land which has special environmental features.

Wall or **courtyard wall** means a wall, screen or fence, screening part or portion of an allotment of land for privacy, security or safety reasons.

Waste has the same meaning as in the *Protection of the Environment Operations Act 1997*.

Note. This term is defined as follows:

- a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- b) any discarded, rejected, unwanted, surplus or abandoned substance, or
- c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- d) any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or

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e) any substance prescribed by the regulations to be waste.

A substance is not precluded from being waste for the purposes of this Act merely because it is or may be processed, recycled, re-used or recovered.

Waste cupboard means a storage area within each dwelling (usually in the kitchen) of a size sufficient to enable source separation of a single days work into garbage, recyclables and compostable material.

Waste management plan means a plan prepared in accordance with the [Waste Minimisation and Management Guidelines](#). A waste management plan would typically include a table showing the volume and type of waste to be generated, stored and treated on site, how the residual is to be disposed of and how ongoing management will operate.

Waste storage and recycling area means a designated area or a combination of designated areas upon the site of a building for the housing of approved containers to store all waste material (including recyclable material) likely to be generated by the building's occupants.

Waterfront means the sea, bays, rivers and lakes (as defined by the 1:25,000 Topographic Map series as prepared by the NSW Land and Property Information).

Water cycle management study means a study examining:

- a) the existing volumes of water and pollutant levels leaving the site and predict any changes which might result from the development. This information must be provided for both wet and dry weather conditions;
- b) how the development will maintain or improve existing water quality;
- c) how the management systems which used to control impact on water quality will be able to operate properly over the life of the development;
- d) how the development will achieve any water quality objectives for rivers and streams;
- e) the effect of the development on the waterbodies to which it discharges;
- f) the outline management strategies and practices to control those affects;
- g) how the performance of water quality control systems will be monitored over time.

Water sensitive urban design (WSUD) is the integration of urban town planning and development with the management, protection and conservation of the water cycle as a whole.

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

Wildlife friendly fencing when used in reference to *Chapter N20: Jerberra Estate and S1: Verons Estate, Sussex Inlet* means fencing provided in the bushland conservation area (BCA) or bushland management area (BMA) to limit disturbance whilst not impeding the movement of wildlife, comprising posts and plain wires.

Window includes a roof skylight, glass panel, glass brick, glass louvre, glazed sash, glazed door, translucent sheeting or other device which transmits natural light directly from outside a building to the room concerned.

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Zero lot line means a dwelling with no side boundary setback on one side of the lot – i.e. the dwelling is built to the boundary. The wall of the dwelling on the lot line has no windows and is constructed in accordance with the Building Code of Australia.