



Dictionary

Explanatory outline

Part 14 is a dictionary of terms used in the DCP. It includes terms used in the *Upper Hunter Local Environmental Plan 2013*, and such terms have the same meaning.

In some cases, terms are defined as having the same meaning as in other documents, such as various Acts or Regulations.

Sources of defined terms are indicated at the end of each definition where applicable. The following abbreviations are used:

[UHLEP] Upper Hunter Local Environmental Plan 2013

[DCP] this Development Control Plan

[EP&A Act] Environmental Planning and Assessment Act 1979

[FDM] NSW Floodplain Development Manual 2005 or its update (currently the draft updated Manual 2022 at <https://www.environment.nsw.gov.au/topics/water/floodplains/flood-risk-management-manual-update>)

Note that terms for land uses and land use activities are already defined in *Upper Hunter Local Environmental Plan 2013* and are not necessarily repeated in this Dictionary.

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

Aboriginal place of heritage significance means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the *Heritage Map*, that is:

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

Note. The term may include (but is not limited to) places that are declared under section 84 of the *National Parks and Wildlife Act 1974* to be Aboriginal places for the purposes of that Act.



Adaptable housing units means housing which is designed and constructed to meet the performance requirements stated in Clause 2.2 of *AS 4299 Adaptable Housing*. An adaptable housing unit is designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with disabilities or progressive frailties.

adjoining occupiers means persons who appear to the Council to occupy land abutting a development proposal or separated from it only by a pathway, driveway, road or similar thoroughfare.

adjoining owners means persons who appear to the Council to own land abutting a development proposal or separated from it only by a pathway, driveway, road or similar thoroughfare.

advertisement means 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. [UHLEP, same meaning as in EP&A Act]

advertising structure means a structure used or to be used principally for the display of an advertisement. [UHLEP, same meaning as in EP&A Act]

affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument. [UHLEP, same meaning as in EP&A Act]

Air Noise Exposure Forecast Map means the *Upper Hunter Local Environmental Plan 2013 Air Noise Exposure Forecast Map*. [UHLEP]

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.

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

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

Australian Height Datum (AHD) is a common national plan of level corresponding approximately to mean sea level.

Average Recurrence Interval (ARI) means the long-term average number of years between the occurrence of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 20 year ARI flood event may occur on average once every 20 years.

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

basement car parking means the car parking area generally below ground level or above natural ground level but enclosed by bunding, where inundation of the surrounding areas may raise water levels above the entry level to the basement, resulting in inundation. Basement car parks are areas where the means of drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity.

biodiversity means biological diversity. [UHLEP]

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

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



- (c) ecosystem diversity—the variety of communities or ecosystems. [UHLEP, same meaning as in [Threatened Species Conservation Act 1995](#)]

building includes part of a building, and also includes any structure or part of a structure (including any temporary structure or part of a temporary structure), but does not include a manufactured home, moveable dwelling or associated structure or part of a manufactured home, moveable dwelling or associated structure. [UHLEP, same meaning as in [EP&A Act](#)]

building height (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like. [UHLEP]

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services. [UHLEP]

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

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

whichever distance is the shortest. [UHLEP]

bush fire hazard reduction work means:

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

but does not include construction of a track, trail or road. [UHLEP, same meaning as in [Rural Fires Act 1997](#)]

bush fire prone land in relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area. [UHLEP, same meaning as in [EP&A Act](#)]

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

business identification sign means a sign:

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

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

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



caravan parks

- **long-term site** means a dwelling site that is specified in the approval for a caravan park as being a long-term site.
- - **short-term site** means 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.

carport is a structure used to house motor vehicles, which has a minimum of two sides "open" and not less than one third of its perimeter "open".

classified road means any of the following:

- a main road,
- a highway,
- a freeway,
- a controlled access road,
- a secondary road,
- a tourist road,
- a tollway,
- a transitway,
- a State work. [UHLEP, same meaning as in Roads Act 1993]

Note. See *Roads Act 1993* for meanings of these terms.

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

- cutting down, felling, thinning, logging or removing native vegetation,
- killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation. [UHLEP, same meaning as in Native Vegetation Act 2003]

Council means the Upper Hunter Shire Council. [UHLEP]

corner lots are sites which have more than one boundary with a road and the angle between those boundaries is less than 135 degrees. [DCP]

cultural ecosystem means an ecosystem shaped to at least some extent by human utilisation, to provide food, fibre, medicines and/or culturally important artefacts. [DCP]

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

damage, in relation to a tree, means to impair the value or usefulness, or weaken the health or the normal function of a tree or vegetation. [DCP]

dangerous vegetation means vegetation representing an imminent, immediate and unacceptable risk to human life and property. [DCP]

declared vegetation means vegetation for which clearing requires a vegetation permit, as provided for in Section 14a of this DCP. [DCP]

Defined Flood Event - the flood event selected as a general standard for the management of flooding to development [FDM]



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

development site – for the purposes of this document the area of land where works or structures will be located following the completion of the development.

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

Drinking Water Catchment Map means the *Upper Hunter Local Environmental Plan 2013 Drinking Water Catchment Map*. [UHLEP]

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

earthworks means excavation or filling. [UHLEP]

ecological restoration means the process of assisting the recovery of an ecosystem that has been degraded, damaged or destroyed, and includes bushland regeneration. [DCP]

ecologically sustainable development has the same meaning as in the *Environmental Planning and Assessment Act 1979*. [UHLEP]

effective warning time is 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 raise furniture, evacuate people and transport their possessions.

environmentally sensitive area has the same meaning as that in the EP&A Act.

evacuation is the transfer of people and or stock from areas where flooding is likely, either close to, or during a flood event. It is affected not only by warning time available, but also the suitability of the road network, available infrastructure, and the number of people that have to evacuate during floods.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land. [UHLEP]

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

- (a) an existing building wall, or
- (b) the outside face of any existing balcony, deck or the like, or
- (c) the supporting posts of an existing carport or verandah roof,

whichever distance is the shortest. [DCP]

Exempt vegetation means vegetation where clearing does not require a vegetation permit, as identified in Section 14a.5 of this plan. [DCP]

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

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of



lawns and that does not significantly alter the shape, natural form or drainage of the land, or

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

flood is a natural phenomenon that occurs when water covers land that is normally dry. It may result from coastal inundation (excluding tsunamis) or catchment flooding, or a combination of both. Flooding results from relatively high stream flow that overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flowpaths associated with major drainage, and/or oceanic inundation resulting from super-elevated ocean levels [FDM]

flood evacuation strategy means the proposed strategy for the evacuation of areas with effective warning time during periods of flood as specified within any policy of Council, the floodplain risk management plan (FRMP), the relevant state government disaster plan, by advices received from the State Emergency Services (SES) or as determined in the assessment of individual proposals.

flood planning area the area of land below the FPL [FDM]

Flood Planning Level (FPL) is the combination of the flood level from the Defined Flood Event and freeboard selected for floodplain risk management purposes [FDM]

flood prone land means land susceptible to flooding by the PMF event. Flood prone land is synonymous with flood liable land [FDM]

flood storage areas are areas of the floodplain that are outside floodways which generally provide for temporary storage of floodwaters during the passage of a flood and where flood behaviour is sensitive to changes that impact on temporary storage of water during a flood [FDM]

floodplain equivalent to 'flood prone land' (see above) [FDM].

Floodplain Development Manual (FDM) refers to the document dated April 2005, published by the New South Wales Government and entitled 'Floodplain Development Manual: the management of flood liable land', or its update.

Floodplain Risk Management Plan (FRMP) - a management plan developed in accordance with the principles in the FDM (see above) and its supporting guidelines. [FDM].

Floodplain Risk Management Study (FRMS) – a management study developed in accordance with the principles in the FDM (see above) and its supporting guidelines [FDM].

Floodways - Areas of the floodplain (see above) which generally convey a significant discharge of water during floods and are sensitive to changes that impact flow conveyance. They often align with naturally defined channels [FDM].

floor area means all habitable rooms, bathrooms, laundry and water closet but does not include a garage, storage shed, or workshop.

floor space ratio—see clause 4.5 of the *Upper Hunter Local Environmental Plan 2013*. [UHLEP]

Floor Space Ratio Map means the *Upper Hunter Local Environmental Plan 2013 Floor Space Ratio Map*. [UHLEP]

freeboard - a factor of safety typically used in relation to the setting of minimum floor levels or levee crest levels Freeboard aims to provide reasonable certainty that the risk exposure selected in deciding on a specific event for development controls or mitigation works is achieved. Freeboards for development controls and mitigation works will differ. In addition freeboards for development control may vary with the type of flooding and with the type of development [FDM].



garage (private) – a building or part of a building used to park or keep a motor vehicle and that is not defined as a carport or car park.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above. [UHLEP]

ground level (existing) means the existing level of a site at any point. [UHLEP]

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development. [UHLEP]

ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building. [UHLEP]

Groundwater Vulnerability Map means the *Upper Hunter Local Environmental Plan 2013 Groundwater Vulnerability Map*. [UHLEP]

habitat tree means a tree, or part of a tree providing important habitat for native animals and plants (including nesting hollows, habitat connectivity, a food source, or shade and shelter). [DCP]

hangar a building used for the purpose of storing recreational light aircraft. The building shall not be used for the operation of a business and no person shall be permitted to reside in any hangar

habitable floor area means:

- in a residential situation: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- in an industrial or commercial situation: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.



habitable room is as defined by the Building Code of Australia but generally is a room (other than a bathroom, laundry, water closet or the like) that is designed, constructed or adapted for activities normally associated with domestic living.

hazardous materials are solids, liquids, or gases that can harm people, other living organisms, property, or the environment. These may include materials that are radioactive, flammable, explosive, corrosive, oxidizing, asphyxiating, bio-hazardous, toxic, pathogenic, or allergenic. Also included are physical conditions such as compressed gases and liquids or hot materials, including all goods containing such materials or chemicals, or may have other characteristics that render them hazardous in specific circumstances.

Height of Buildings Map means the *Upper Hunter Local Environmental Plan 2013 Height of Buildings Map*. [UHLEP]

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

- (a) shown on the *Heritage Map of Upper Hunter Local Environmental Plan 2013* as a heritage conservation area, and
- (b) the location and nature of which is described in Schedule 5 to the *Upper Hunter Local Environmental Plan 2013*,

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

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5 to the *Upper Hunter Local Environmental Plan 2013*. [UHLEP]

Heritage Map means the *Upper Hunter Local Environmental Plan 2013 Heritage Map*. [UHLEP]

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

host residence (in relation to wind farms) – means the dwelling-house or houses that are on the same lot or holdings as the wind farm.

Land Zoning Map means the *Upper Hunter Local Environmental Plan 2013 Land Zoning Map*. [UHLEP]

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. [UHLEP]

licensed water supply means a water supply that has received approval under the *Water Management Act 2000*.

Lot Size Map means the *Upper Hunter Local Environmental Plan 2013 Lot Size Map*. [UHLEP]

Living area means a room of a dwelling-house such as a lounge, kitchen, dining or family room, which is not a room for sleeping or specialist tasks such as a study or home theatre. [DCP]

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

mezzanine means an intermediate floor within a room. [UHLEP]

mixed use development means a building or place comprising 2 or more different land uses. [UHLEP]



moveable dwelling means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act 1993*) for the purposes of this definition. [UHLEP, same meaning as in *Local Government Act 1993*]

multiple housing means 3 or more dwellings in a development. [DCP]

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

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

Native vegetation has the same meaning in the *Biodiversity Conservation Act 2016*. [DCP]

Natural vegetation means vegetation where physical conditions, species composition, community structure, ecosystem function, external exchanges, and absence of threats remain substantially unaffected by direct human interference, includes native vegetation, and may include marine vegetation. [DCP]

noise sensitive development means any of the following types of development: residential accommodation, a place of public worship, a hospital, an educational establishment or centre-based child care facility [clause 87 of the *Infrastructure SEPP*]

non-host residence (in relation to wind farms) – means any dwelling-house on a different lot or holding as the wind farm.

non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council. [UHLEP]

Obstacle Limitation Surface Map for the Scone Memorial Aerodrome means the *Upper Hunter Local Environmental Plan 2013 Obstacle Limitation Surface Map*. [UHLEP]

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

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

primary road frontage is the is the road which the front of the house faces or is proposed to face. Most properties only have a primary road frontage. [DCP]

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

Probable Maximum Flood (PMF) - the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation (PMP), and where applicable, snow melt, coupled with the worst flood producing catchment conditions [FDM]



Probable Maximum Precipitation (PMP) - 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 Organization 1986) [FDM]

Property Vegetation Plan means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*. [UHLEP, same meaning as in *Native Vegetation Act 2003*]

prune, in relation to a tree, means to selectively remove branches. [DCP]

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

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*. [UHLEP, same meaning as in *Local Government Act 1993*]

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

Reduced Level (RL) means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971. [UHLEP]

reliable access during a flood 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 flood waters, the suitability of the evacuation route, and without a need to travel through areas where flood hazard increases.

relic means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance. [UHLEP, same meaning as in *Heritage Act 1977*]

relocated dwelling means a structure intended to be used as a dwelling house that is to be relocated to or re-erected at another site, but does not include a moveable dwelling. [DCP]

Remnant tree means a tree that remains from pre-existing natural vegetation. [DCP]

remove, in relation to a tree, means to cut down, knock down, kill, lop or destroy. [DCP]

Riparian vegetation means vegetation on land that directly influences or is influenced by a watercourse, and is the area of land in which a stream functions. This area includes the immediate vicinity of the stream, which consists of the bed, banks and adjacent land, as well as the floodplain. [DCP]

road means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road. [UHLEP]

secondary road frontage - occurs on corner lots and are the road frontages that are not the *primary road frontage* [DCP].



Section 149 Planning Certificate provides information, including the statutory planning controls that apply to a parcel of land on the date the certificate is issued.

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

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

whichever distance is the shortest. [UHLEP]

sewerage system means any of the following:

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d). [UHLEP]

shed – for the purpose of this chapter includes machinery sheds, garden and storage sheds but does not include a garage or car park.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities. [UHLEP]

Significant vegetation means vegetation identified as significant in a significant vegetation (or tree) register prepared by the council and/or meeting relevant criteria to be included on the register. [DCP]

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan. [UHLEP]

site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- (a) any basement,
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,

small wind turbine has the meaning given by *SEPP (Infrastructure) 2007*, meaning a wind turbine that has a generating capacity of no more than 100kW.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:



- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic. [UHLEP]

suitably qualified engineer is an engineer who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia.

survey plan is a plan prepared by a registered surveyor which shows the information required for the assessment of an application in accordance with the provisions of this Policy

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure. [UHLEP, same meaning as in EP&A Act]

Terrestrial Biodiversity Map means the *Upper Hunter Local Environmental Plan 2013 Terrestrial Biodiversity Map*. [UHLEP]

the Act means the *Environmental Planning and Assessment Act 1979*, as amended. [UHLEP]

trade wastewater means any liquid, and any substance contained in it, which may be produced at the premises in an industrial and commercial activity, but does not include domestic wastewater (e.g. from hand-basins, showers and toilets).

tree means a woody perennial plant, any plant resembling a tree in form, and with the potential to grow to a height of greater than 5 metres. [DCP] [Modified from *Tree Disputes Between Neighbours Act 2006*]

waste includes:

- (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, reprocessing, recovery or purification by a separate operation from that which produced the substance, or
- (d) any substance prescribed by the regulations to be waste for the purposes of the *Waste Minimisation and Management Act 1995*. [Waste Minimisation and Management Act 1995]

vegetation means a tree or other vegetation, whether or not it is native vegetation. [DCP]

Note: The term vegetation covers all plants, and vegetation communities both above and below ground, and including ecological processes, soil seed banks and the abiotic materials (substrate) occupied and conditions required for support and reproduction.

vegetation clearing means the removal, destruction, and/or the alteration of ecological processes supporting vegetation. Vegetation clearing includes:

- to cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, or
- to lop or otherwise remove a substantial part of the vegetation, or
- to carry out a vegetation management activity. [DCP]

vegetation clearing activity means development, or a work that directly or indirectly impacts vegetation, and is specified in Section 14a of the DCP. [DCP]



waterbody means a waterbody (artificial) or waterbody (natural). [UHLEP]

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently. [UHLEP]

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial). [UHLEP]

Watercourse Map means the *Upper Hunter Local Environmental Plan 2013 Watercourse Map*. [UHLEP]

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural). [UHLEP]

weed means a plant that is a pest. [DCP]

wetland means:

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgeland or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities. [UHLEP]