



CESSNOCK DEVELOPMENT CONTROL PLAN 2010

Dictionary



DICTIONARY

Note: DCP complements the legal environmental planning instrument of Council – the Cessnock Local Environmental Plan (CLEP). In this way, it relies on terms defined in the Dictionary of CLEP. In some instances, terms may be defined in other environmental planning instruments (such as State Environmental Planning Policies) or legislation. It is advisable to always refer to the relevant statutory instrument to ensure that all terms and relevant related provisions are current and understood.

Definitions contained in this schedule are relevant to specific development and activities contained in this DCP. Definitions are listed in Chapter order and then alphabetic order for convenience.

Part B: General Information

Chapter 2: Public Notification and Advertising

adjoining occupiers	means persons who appear to the Council to occupy land abutting a development or building proposal or separated from it only by a pathway, driveway or similar thoroughfare.
adjoining owners	means persons who appear to the Council to own land abutting a development or building proposal or separated from it only by a pathway, driveway or similar thoroughfare.
advertised development	as defined in section 4(1) of the <i>EP & A Act, 1979</i> (see Part B, Chapter 2: Public Notification and Advertising (Table 2)).
agriculture	as defined in <i>Cessnock LEP</i> .
animal boarding or training establishment	as defined in <i>Cessnock LE</i> .
bed and breakfast accommodation	as defined in <i>Cessnock LEP</i> .
boarding house	as defined in <i>Cessnock LEP</i> .
building	as defined in section 4(1) of the <i>EP & A Act, 1979</i> .
caravan park	as defined in <i>Cessnock LEP</i> .
cemetery	as defined in <i>Cessnock LEP</i> .
child care centre	as defined in <i>Cessnock LEP</i> .
classified advertisement	means a notice appearing in the public notices section of a newspaper.
commercial vineyard	as defined in <i>Cessnock LEP</i> .
community facility	as defined in <i>Cessnock LEP</i> .
Council	as defined in <i>Cessnock LEP</i> .
crematorium	as defined in <i>Cessnock LEP</i> .
daily statewide newspaper	means a daily newspaper circulating generally throughout the state.
designated development	as defined in section 77A of the <i>EP & A Act, 1979</i> .
display advertisement	means a notice appearing across 2 or 3 columns in the display section of a newspaper.
dual occupancy	as defined in <i>Cessnock LEP</i> .
educational establishment	as defined in <i>Cessnock LEP</i> .
generating works	as defined in <i>Cessnock LEP</i> .
health consulting rooms	as defined in <i>Cessnock LEP</i> .
home industry	as defined in <i>Cessnock LEP</i> .
home occupation	as defined in <i>Cessnock LEP</i> .

<i>hospital</i>	as defined in <i>Cessnock LEP</i> .
<i>interested public authorities</i>	means each public authority that, in the opinion of the Council may have an interest in the determination of a particular matter.
<i>liquid fuel depot</i>	as defined in <i>Cessnock LEP</i> .
<i>local newspaper</i>	means a newspaper circulating at least once weekly in the City of Cessnock Local Government Area.
<i>notifiable development</i>	means a matter to which Part B, Chapter 2: Public Notification and Advertising applies, and for which information is made available by written Council correspondence to certain owners and occupiers of land and other interested parties.
<i>notification plan</i>	means a plan showing: <ul style="list-style-type: none"> • the height and external configuration of a proposed building in relation to the site and adjoining buildings; or • in the case of a development proposal that does not involve the erection of a building, the general arrangement of the proposed development in relation to the site and adjoining buildings.
<i>other occupiers</i>	means persons who appear to the Council to occupy land not adjoining or forming part of the land to which a particular proposal relates.
<i>other owners</i>	means persons who appear to the Council to own land not adjoining or forming part of the land to which a particular proposal relates.
<i>place of public worship</i>	as defined in <i>Cessnock LEP</i>
<i>potentially affected</i>	an owner or occupier of land is 'potentially affected' by a proposal if the Council is of the opinion that the enjoyment of their land may be detrimentally affected.
<i>recreation area</i>	as defined in <i>Cessnock LEP</i> .
<i>registered community groups</i>	means each community group which is registered with the Council under Part B, Chapter 2: Public Notification and Advertising.
<i>residential flat building</i>	as defined in <i>Cessnock LEP</i> .
<i>rural industry</i>	as defined in <i>Cessnock LEP</i> .
<i>service station</i>	as defined in <i>Cessnock LEP</i> .
<i>site notice</i>	means a notice erected or displayed on the land to which a notifiable development/matter being advertised relates.
<i>stock and sale yards</i>	as defined in <i>Cessnock LEP</i> .
<i>subdivision</i>	means the division of land into parts.
<i>transport depot</i>	as defined in <i>Cessnock LEP</i> .
<i>warehouse or distribution centre</i>	as defined in <i>Cessnock LEP</i> .
Part C: General Guidelines	
Chapter 1: Access & Parking	
<i>bowling alley</i>	means any building or place intended for use for the playing of ten pin bowling and open to the public.
<i>bowling club</i>	means a building or place used or intended to be used for outdoor bowling, whether by a club or open to the public.
<i>recreation facility (indoor)</i>	as defined in <i>Cessnock LEP</i> .

Chapter 2: Flora and Fauna Survey Guidelines

biodiversity	means biological diversity, which has the same meaning as in the <i>Threatened Species Conservation Act 1995</i> , as defined in <i>Cessnock LEP</i> .
clearing native vegetation	as defined in <i>Cessnock LEP</i> .
ecological community	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
ecosystem	is a dynamic complex of plant, animal, fungal and micro-organism communities and associated non-living environment interacting as an ecological unit.
fauna	means animals (including both vertebrates and invertebrates).
flora and fauna survey	<p>is an ecological study of a specific area of land that:</p> <ul style="list-style-type: none"> • documents components of biodiversity confirmed to be present within the study area; • documents components of biodiversity not confirmed, but likely to be present within the study area; • assesses the extent and nature of likely impacts of planning, land management or development proposals on the components of biodiversity referred to above, and specifically, any likely impacts on: <ul style="list-style-type: none"> - critical habitat; - threatened species, populations or ecological communities; - matters of national environmental significance; and - matters of regional significance. <p>Makes recommendations as to how any planning, land management or development proposals relating to the study area should be dealt with or modified so as to avoid unacceptable impacts on biodiversity.</p>
geographic information system (GIS)	is a computer based system for storing, managing and analysing spatial data, including maps.
habitat	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
habitat corridor	means an area of habitat that enables migration, colonisation and interbreeding of plants and animals between two or more larger areas of habitat. Habitat corridors may consist of continuous linear segments of native vegetation, or a sequence of discontinuous areas of habitat, such as feeding trees, caves, wetlands and roadside vegetation.
indigenous vegetation	is any species of vegetation that existed in NSW before European settlement.
locally indigenous species	is a species that occurs naturally within a local area and which has genetic material deriving from that local area.
migratory species	are those that move from one location to another, then return to the same location on a seasonal or annual basis.
native vegetation	<p>means any of the following types of indigenous vegetation:</p> <ul style="list-style-type: none"> • trees; • understorey plants; • groundcover; • plants occurring in a wetland; <p>and includes aquatic, estuarine and marine vegetation.</p>

nomadic fauna	are species which move widely in response to availability of resources, such as food or nesting sites. These species do not necessarily return to the same location on a regular basis.
plant community (or vegetation community)	is a group of organisms living together in a definable region or habitat defined by its vegetation.
population	is a group of organisms, all of the same species, occupying a particular area.
rare species	is a species considered to be unusual or present in small numbers, usually but not necessarily due to a population decline.
species	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
species absence	refers to the fact that a species was not observed at a nominated location at the time of a survey. Species absence does not necessarily indicate whether or not the species occurs at that location.
species impact statement (SIS)	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
species presence	refers to the fact that a species was observed at a nominated location at the time of the survey.
sub-species	is a geographically separate population of a species characterised by morphological or biological differences from other populations of that species.
threatened species	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
threatening process	as defined in section 4 of the <i>Threatened Species Conservation Act, 1995</i> .
urban bushland	Is bushland occurring in an urban setting. Bushland is land on which there is vegetation which is either a remainder of the natural vegetation on the land or, if altered, is still representative of the structure and floristics of the natural vegetation (adapted from SEPP 19).
vegetation structure	refers to the pattern of the height, form and density of vegetation.
vulnerable	means in need of urgent conservation action or further compromised by clearing.
wetlands	as defined in <i>the EP & A Regulation 2000</i> (Schedule 3).

Chapter 3: Contaminated Lands

contaminated land	means land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land and that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.
contamination	means a concentration of substances above that naturally present that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.
remediation work	means a work in, on or under contaminated land, being a work that: <ul style="list-style-type: none"> a) removes the cause of the contamination of land; or b) disperses, destroys, reduces, mitigates or contains the contamination of the land; or c) eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land).

Chapter 4: Guidelines for Land Use Conflict & Buffer Zones

buffer area means an area of prescribed width between adjoining and adjacent land uses or developments, which is created for the purpose of mitigating the impacts of one or more of those land uses, and in which the carrying out of certain development is restricted.

encroaching development means any development that is defined in the *EP&A Act 1979*, including subdivision on land, which is proposed on land adjoining or adjacent to an existing development or land use, or to land previously zoned for a specific purpose under *CLEP 2009*.

Chapter 5: Waste Management & Minimisation

class means the classification of a building as determined by the Building Code of Australia.

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.

compostable material means vegetative material capable of being converted to humus by a biological decay process.

controlled waste activity means a waste generating or storage activity specified in the *Waste Minimisation and Management Regulation 1996* as requiring a licence.

controlled waste facility means a waste facility of a type specified in the *Waste Minimisation and Management Regulation 1996* as requiring a licence.

dwelling-house as defined in *Cessnock LEP*.

ecologically sustainable development as detailed in Section 6(2) of the *POE Administration Act 1991*.

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

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 a building, due to gravity.

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

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*.

minor building works means an increase of less than 50% of the existing floor area of a dwelling-house, or construction of an outbuilding or non-habitable structure as defined in the Building Code of Australia.

recyclable means capable of being reprocessed into useable material or re-used.

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 waste.
storey	means a habitable or occupied space within a building between one floor level and the next floor level above, or if there is no floor level above, the roof.
trade waste	means liquid waste arising from a commercial / industrial enterprise.
volume reduction equipment	means devices, which reduce the volume of waste or recyclable material including compressing devices such as compacters and balers, and shredding, pulverising or crushing devices.
waste	includes: <ul style="list-style-type: none"> • 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 • any discarded, rejected, unwanted, surplus or abandoned substance; or • 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 • any substance prescribed by the regulation to be waste for the purpose of the <i>Waste Avoidance and Resource Recovery Act, 2001</i>.
waste management plan	means a checklist showing the volume and type of waste to be generated, stored and treated on site, and how the residual is to be disposed of.
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 buildings' occupants.

Part D: Specific Development

Chapter 1: Subdivision Guidelines

accessway	provides vehicular access to a small number of lots. It may be a public road or it can take the form of a driveway in a battle-axe handle or right-of-carriageway.
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Chapter 2: Urban Housing

allotment	means an area shown on an approved plan of subdivision and on which it is intended to construct a dwelling-house or dwelling-houses.
balcony	means an open area, not being an enclosed room or area, attached to or integrated with and used for the exclusive enjoyment of the occupant or occupants of a dwelling-house.
demolition	as defined in <i>Cessnock LEP</i> .
dual occupancy	as defined in <i>Cessnock LEP</i> .
dwelling-house	as defined in <i>Cessnock LEP</i> .
ecologically sustainable development	as detailed in Section 6(2) of the <i>POE Administration Act 1991</i> .
floor space ratio	means the ratio of the gross floor area of a building to the site area.

habitable room	means a room used for normal domestic activities: and <ul style="list-style-type: none"> • includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom and sunroom; but • excludes a bathroom, laundry, water closet, food-storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.
height	means the vertical distance between finished ground level and the finished level of the uppermost ceiling in the building, or where there is no ceiling, the level at which the main roof beams meet the top plate.
objectives	are statements describing desired outcomes.
performance criteria	are statements giving guidance to the achievement of objectives.
private open space	means an area of land suitable for private outdoor living activities by occupants of a specific dwelling-house.
provisions	are numeric measures which are a guide to achieving objectives.
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 accessways, playgrounds and sports grounds.
setback	means the distance between the boundaries of a lot and the external wall of a building erected or proposed to be erected thereon.
urban housing	includes dual occupancies, multi dwelling housing, residential flat buildings, shop top housing and dwelling-houses on small allotments. It does not include 'high-rise' development, which is defined as development requiring lifts to reach upper storeys.
usable open space	means a space which is open to the sky and which is for the enhancement of the development and the enjoyment of the occupants. It excludes drying areas, garbage collection and handling spaces and any spaces used for the movement or parking of vehicles.
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.
zero lot line	means a dwelling-house with no side boundary setback on one side of the lot (ie. the dwelling-house is built to the boundary). The wall of the dwelling-house on the lot line has no windows and is constructed in accordance with the Building Code of Australia.

Chapter 4: Purpose-Built Rural Tourist Accommodation

cabin	means a building used for the temporary accommodation of up to six persons and does not include a dwelling-house as defined.
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Chapter 5: Outdoor Signage

advertisement	as defined in section 4(1) of the <i>EP & A Act, 1979</i> .
advertising area	means the entire surface of a sign face including any border, margin, frame or other embellishment which forms part of the sign. In the case of an advertising structure with more than one sign face, the maximum area visible from any direction.

advertising structure	as defined in section 4(1) of <i>the EP & A Act, 1979</i> .
advertising structure (height)	is the vertical distance between the topmost point of the advertising structure and the natural ground level.
complex	means a group of businesses operating in close proximity and having common property rights, management, land title, development program or development consent.
illuminated	means designed to be lit by an internal or external artificial source of light.
property	means a single parcel of land (ie. lot, portion, etc.) or two or more adjoining parcels of land owned by the same entity.
public place	means a public road, bridge, jetty, wharf, road-ferry, public reserve, public bathing reserve, public baths, swimming pool or other place which the public are entitled to use.
sign	a plain English term used to describe an advertising structure.
sign: A-Frame/ Sandwich Board/ Moveable	is a portable free standing device used for the purposes of advertising and generally located on the footpath outside the subject premises and/or other areas used for pedestrian traffic.
sign: below awning	is a sign attached to the underside of an awning.
sign: business directory	means an advertisement that contains references only to the identification of individual businesses operating within a building or site.
sign: business identification	means an advertisement that contains a reference only to the identification of a place or premises and the occupation or activities carried out at that place or premises.
sign: entrance	are signs used to identify the property's vehicular entry and exit points.
sign: fascia	is a sign painted on the fascia of an awning.
sign: flush wall	is a sign that is painted on, or fixed flat to, the wall of a building.
sign: internal	is a sign placed within a building.
sign: real estate (auction)	is a sign that contains a notice that a property will be sold via auction.
sign: real estate (for sale)	is an advertisement that contains a notice that the place or premises to which it is fixed is for sale or letting (together with the particulars of the sale or letting).
sign: real estate (land release)	is a sign that contains a notice that land is available or has been released following subdivision of a property.
sign: special event	an advertisement that is of a temporary nature required to announce a special event.
sign: post, pole or pylon (including banners and flags)	is a sign mounted from the ground on one or more supports, independent of a building.
sign: projecting wall	is a sign attached to the wall of a building that projects more than 300mm from the wall.
sign: temporary	means an advertising structure which is to be displayed for a period not exceeding two months or a shorter period as determined by Council and specified in the terms of approval. A temporary sign may include a hoarding promoting special events, but does not include A-frame movable signs.
sign: window	is a sign that is painted on (or letters stuck onto) either the inside or outside of the display window.

- signage** means all signs, notices, devices, representations and advertisements that advertise or promote goods, services or events, and any structure that is designed or used for the display of such signage.
- special event** means an extensive business, cultural, sporting or educational promotion expected to draw a significantly greater volume of visitors than the average visitation for the period of the event and requires special promotional, advisory, informational or directional signage.
- third party advertisement** relates to a sign whose advertising content is unrelated to the activity or the building or site on which it is positioned.

Chapter 6: Poultry Farms – Neighbouring Land Uses

- breeder farms** means poultry farms containing mature poultry stock of both sexes for the purpose of breeding and multiplication.
- brooders** means gas, oil or electrically powered devices used to keep young poultry warm until they are sufficiently feathered to maintain their body temperature unaided.
- composting** means the breakdown of organic matter by microbial action.
- foggers** means nozzles that convert water under pressure into a spray of fine droplets so as to evaporatively cool the air.
- free range** means a system of poultry farming that does not confine birds to cages or a poultry house, but instead allows them access to pasture during daylight hours.
- ground water** means water which occupies the pores and crevices of rock and soil, as opposed to surface water which runs off into streams. Ground water is particularly vulnerable to pollution because of its low self-cleansing capacity.
- land degradation** means the decline in the quality of the land and its resources, commonly but not exclusively caused by inappropriate human usage. It includes soil degradation, the deterioration of natural vegetation, landscapes and water resources.
- litter** Means the base material on which poultry are floor reared and/or farmed. Common litter materials are wood shavings, shredded paper, chopped straw or rice hulls.
- poultry** means all domesticated forms of farmed birds including chickens, waterfowl, turkeys, ostriches and emus.
- poultry processing plants** means plants for the further processing of poultry (eg. cutting up, filleting etc.,) packaging and dispatch.
- separation distance** means the distance between the point of generation of an environmental impact and a receptor sensitive to that impact that will allow for the effects to be minimised.
- site coverage** means that portion of a site covered by a building, fixed structure, or outdoor storage area, excluding unroofed parking areas.
- support infrastructure** means all service and supply inputs necessary to sustain an agricultural enterprise. Support infrastructure can include electrical, water, trade and labour supply as well as stockfeed, medication, hatchery and poultry processing requirements.
- vegetative screening** means naturally occurring or purpose planted vegetation (preferably species native to an area) to lessen the impacts of a development on the surrounding area.

zone of affectation means:

- (a) land within the area of significant potential impact of an existing poultry farm (e.g. by way of odour, noise, night lights, heavy vehicle movements); and
- (b) land within the area of significant potential impact on an existing poultry farm (e.g. residential development), as determined by the Council.

Chapter 7: Construction of Dams

acid sulfate soils includes actual acid sulfate soils and potential acid sulfate soils. Actual and potential acid sulfate soils are often found in the same soil profile, with actual acid sulfate soils generally overlying potential acid sulfate soil horizons.

acid sulfate soils (actual) are soils containing highly acidic soil horizons or layers resulting from the oxidation of soil materials that are rich in sulfides, primarily pyrite. This oxidation produces acidity in excess of the sediment's capacity to neutralise the acidity resulting in soils of pH 4 or less.

acid sulfate soils (potential) are soils which contain iron sulfides or sulfidic material which have not been exposed to air and oxidised. The field pH of these soils in their unoxidised state is pH >4 and may be neutral or slightly alkaline.

alteration of land means filling, reshaping or otherwise changing the natural existing land surface.

batter face means the uniform side slope of walls, banks or cuttings. In describing a batter grade, 1.0:3.0 metres means a fall of 1.0 vertical metre in a horizontal distance of 3.0 metres.

batter toe means the point where batter slope stops or levels out at the bottom of the slope.

batter top means the highest point of the batter slope where the slope levels out.

bywash (see spillway).

clean fill means the filling of land by soil and/or other extractive material that is not contaminated by demolition material, trees or vegetation wastes, waste building material, or any leachate, chemical residue, chemical product or putrescible matter.

compaction means the process of reducing the volume of a material by inducing the closer packing of its particles by rolling, or other mechanical means.

constructed wetland wetlands built because the natural functions and processes that occur in wetlands can achieve desired objectives such as water quality improvement or habitat for native fauna. Purpose built structures, utilising the predominantly natural materials of soil, water and biota, which perform the desired physical, chemical and biological processes and functions of natural wetlands to achieve desired objectives

contaminated soil means soil that contains a concentration of chemical substances (including substances listed in the Australian Dangerous Goods Code) that are likely to pose an immediate or long term hazard to human health or the environment. Soil is considered to be a hazard if it is:

- (a) unsafe or unfit for habitation or occupation by people or animals; or
- (b) degraded in its capacity to support plant life; or
- (c) otherwise environmentally degraded.

crest	means the top of the dam wall.
cut-off trench	means a trench dug below the ground level of the dam parallel to the crest. The dam wall is built into the cut off trench. It forms a watertight barrier for preventing seepage or movement of water under or past a structure.
dam (waterbody artificial)	as defined in <i>Cessnock LEP</i> .
designated development	as defined in section 77A of the <i>EP & A Act, 1979</i> .
diversion works	are works that divert flow away from a drainage line.
effluent	includes treated or partially treated wastewater from processes such as sewage treatment plants or from treatment plants associated with intensive livestock industries, aquaculture or agricultural, livestock, wood, paper or food processing industries.
freeboard	means the vertical distance between the top water level and the crest of a bank, dam or similar structure. Freeboard is provided for in designing such structures, to prevent overtopping due to surcharge or wave action. In an earth structure, freeboard should include an allowance for settlement.
harvestable right	The Harvestable Right is tied to the land. The right gives landholders the right to capture and use for any purpose 10% of the average regional yearly rainfall runoff for their property.
highly permeable soil	means soil profiles or layers (within the upper 2.0 metres of the material to be disturbed or impacted by the development) with a saturated hydraulic conductivity of more than 50mm per hour.
high watertable	means those areas where the groundwater depth is less than 3.0 metres below the surface at its highest seasonal level.
landfill	means the filling of land with clean fill and / or demolition fill which alters the natural ground surface level or affects pre-existing drainage. This fill material may be imported or obtained from the site.
off-stream storage	is a storage with no significant catchment, such as a turkeys nest or ring tank, which is used exclusively for storing and using water taken from a river or bore.
riparian land	means any land which adjoins, directly influences, or is influenced by a body of water, including land immediately adjacent to small creeks and rivers, river banks, intermittent streams or gullies and areas surrounding lakes and wetlands on river floodplains which interact with the river during floods. (Source: Fallding et al, Biodiversity Planning Guide for NSW Local Government, 2001).
saline soil	means soil profiles or layers (within the upper 2.0 metres of soil) with an electrical conductivity of saturated extracts (Ece) value of more than 4 decisiemens per metre (Ds/m).
sill	means a level section at the outlet of a spillway which converts channelised water flows to sheet flows, to prevent erosion of the outlet.
sludge	includes waste particulate matter (mainly organic) from processes such as sewage treatment plants, intensive livestock industries or agricultural, livestock, wood, paper or food processing industries.
sodic soil	means soil profiles or layers (within the upper 2.0 metres of soil) with an exchangeable sodium percentage (ESP) of more than 5%.

special exempt dams	are special categories of farm dams which are not required to be licensed under DWE's Farm Dams Policy, and are excluded from harvestable right calculations. Categories of special exempt dams are: soil conservation dams; dams for flood detention and mitigation; dams for the capture, containment and recirculation of drainage and / or effluent; and dams for environmental management purposes.
spillway	means generally an excavated level channel extending from the end of the wall embankment to a level sill or outlet. The height of the outlet in relation to the structure governs the top water level if pipes are not included.
spring fed stream	is a stream (shown as a watercourse on a topographic map) which has its flow enhanced by a spring.
stabilisation	means providing adequate measures (vegetative and/or structural) to prevent erosion from occurring.
stream order	means the classification of streams according to their position in the channel network, for example, a first order stream has no tributaries. Streams become larger as their order rises and an increasing number of segments contribute to flow.
top soil	means uncontaminated nursery standard soil, potting mix, or any other growing medium capable of supporting sustained shrub and tree growth and used only for the purpose of facilitating plant growth.
top water level	means the height of the water level of the dam determined at its maximum capacity at spillway level.
waterbody	as defined in <i>Cessnock LEP</i> .
watercourse	means a stream, river or creek, whether perennial or intermittent, a natural or constructed channel conveying water.
wetlands	as defined in the <i>EP & A Regulation 2000</i> (Schedule 3).
Chapter 8: Temporary Events	
temporary event	means the temporary use of land for a maximum period of twelve (12) days, whether consecutive or non-consecutive in any one year.
temporary event – major	means a temporary event where the number of participants and spectators exceeds or is expected to exceed 500 people.
temporary event – minor	means a temporary event where the number of participants and spectators is expected <u>not</u> to exceed 500 people.
temporary structure	defined in the Local Government Act 1993, and includes: <ul style="list-style-type: none"> a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent, b) a mobile structure.
Chapter 10: Sex Services Premises	
sex services premises	as defined in <i>Cessnock LEP</i> .
Chapter 11: Restricted Premises	
restricted premises	as defined in <i>Cessnock LEP</i> .
restricted publications area	means any premises, or part of any premises, constructed and managed in accordance with the requirements set out in section 49 of the <i>Classification (Publications, Films and Computer Games) Enforcement Act 1995</i> .

ABBREVIATIONS USED IN THIS DCP

CLEP	Cessnock Local Environmental Plan.
DCP	Development Control Plan.
DECC&W	NSW Department of Environment, Climate Change and Water.
DoP	NSW Department of Planning (includes Heritage Branch).
EIS	Environmental Impact Statement
DA	Development Application
I&I	NSW Industry and Investment
SEPP	State Environmental Planning Policy
EP&A Act	Environmental Planning and Assessment Act 1979
BATEA	means Best Available Technology Economically Available. BATEA principles require that the best possible emission control technology is utilised for a particular activity, such that the viability of the enterprise is not threatened.
BCA	Building Code of Australia
ESD	Ecologically sustainable development