



New South Wales

Cobar Local Environmental Plan 2001

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S98/00378/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 378

Cobar Local Environmental Plan 2001

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of plan	4
2 What are the aims of the plan?	4
3 Where does this plan apply?	4
4 Does this plan affect other plans?	5
5 Definitions	5
6 Consent authority	22
7 Classification and reclassification of public land as operational	23
Part 2 General controls for zoned land	
8 What zones apply?	24
9 Zone objectives and development control table	25
10 What is exempt and complying development?	25
Part 3 Special considerations relating to development of land	
11 Development within the General Rural Zone	37
12 Development within the Rural Living Zone and Airport and Industrial Zone	37
13 Development in the Cobar Airport environs	38
14 Development on land within the Open Space (Existing Recreation) Zone	38
15 Development along arterial roads	39
Part 4 Subdivision of land	
16 Subdivision of land generally	40
17 Subdivision within the General Rural Zone	40
18 Subdivision within the Rural Living and Rural Residential Zones	41
19 Dwellings in the General Rural Zone	41

Cobar Local Environmental Plan 2001

Contents

		Page
Part 5	Heritage provisions	
20	Objectives	43
21	Protection of heritage items	43
22	Notification of demolition to the Heritage Council	45
23	Development of places of Aboriginal heritage significance or of known or potential archaeological sites of Aboriginal cultural significance	45
24	Development of other known or potential archaeological sites	46
25	Development in the vicinity of a heritage item	46
26	Conservation incentives	47
Part 6	Special environmental considerations	
27	Environmentally sensitive land	48
28	Flood prone land	48
29	Land subject to bushfire hazards	49
Part 7	Miscellaneous special provisions	
30	What development must be advertised?	50
31	Community use of school sites etc	50
32	Roads, drainage, recreational areas and parking	50
33	Storm water drainage	51
34	Irrigated development	51
Schedules		
1	Items of environmental heritage	52
2	Land classified as operational	54
3	Development that does not require consent	77
4	Shops not prohibited in General Industrial Zone	80
5	Environmentally sensitive land	81
6	Development to be advertised	82

2001 No 378

Clause 1 Cobar Local Environmental Plan 2001

Part 1 Preliminary

Cobar Local Environmental Plan 2001

Part 1 Preliminary

1 Name of plan

This plan is *Cobar Local Environmental Plan 2001*.

2 What are the aims of the plan?

The aims of this plan are to:

- (a) repeal all the existing local environmental plans and planning instruments which apply to land within the local government area of Cobar and to consolidate and update the Council's planning controls in a new local environmental plan, and
- (b) to provide for exempt and complying development and thereby provide exemption from *State Environmental Planning Policy No 60—Exempt and Complying Development* while preserving exemption from clauses 6–10 of *State Environmental Planning Policy No 4—Development Without Consent*, and
- (c) outline planning controls which are clear and explicit but also provide flexibility in their application, and
- (d) conserve and protect Aboriginal heritage, and
- (e) conserve and protect the environmental heritage and natural resources of Cobar, and
- (f) promote and encourage ecologically sustainable development, and
- (g) provide a framework for more detailed controls to be contained within development control plans, and
- (h) provide opportunities for public participation in the environmental planning and development process.

3 Where does this plan apply?

This plan applies to all land within the Cobar local government area, as shown on the map with boundaries as indicated on the map.

4 Does this plan affect other plans?

- (1) This plan repeals:
 - (a) *Interim Development Order No 1—Shire of Cobar*,
 - (b) *Cobar Local Environmental Plan 1986*,
 - (c) *Cobar Local Environmental Plan 1997*, and
 - (d) all other local environmental plans and deemed environmental planning instruments, which applied to the area immediately before the day this plan took effect.
- (2) This plan amends Schedule 1 to *Western Division Regional Environmental Plan No 1—Extractive Industries* by deleting “Interim Development Order No 1—Shire of Cobar” and “Cobar Local Environmental Plan 1986” and inserting instead “Cobar Local Environmental Plan 2001”.
- (3) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by deleting from Part 2 of Schedule 1 the word “Cobar”.

5 Definitions

- (1) In this plan:

abattoir means a building or place used for the slaughter of animals, whether or not also for the processing, manufacture or distribution of animal by-products, and includes a knackery.

advertisement means a display of symbols, messages, or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work. Advertisements include those exhibited on A frame signs, business identification signs, real estate exhibition signs, real estate sale or letting signs, temporary signs and signs advertising tourist facilities and places of scientific, historic or scenic interest.

agriculture means the use of land for any purpose of husbandry, including the keeping or breeding of livestock, poultry or bees, and for the growing of crops, fruit or vegetables and includes horticulture and the like. However, in the Table to Part 2, it does not include a land use elsewhere specifically defined in this clause.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

airline terminal means a building or place used for the assembly of passengers and goods prior to the transport of those passengers and goods either to or from an airport or aerodrome.

animal boarding, breeding or training establishment means a building or place where cats, dogs or horses are bred, trained, nurtured, or accommodated for gain or reward and includes a riding school.

appointed day means 13 November 1970.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation, of water organisms, including aquatic plants or animals.

archaeological site means a place that has heritage significance and contains one or more relics.

arterial road means:

- (a) a road shown on the map as such, or
- (b) a classified road within the meaning of the *Roads Act 1993*.

automotive business means a building or place used as or for any one or more of the following:

- (a) an auto-electrician's workshop,
- (b) auto spare parts sales,
- (c) a car repair station,
- (d) tyre and car battery sales,
- (e) a tyre retreading workshop.

boarding house means a building:

- (a) at which accommodation, meals and laundry facilities are provided to the residents of the building, and
- (b) which is not licensed to sell liquor within the meaning of the *Liquor Act 1982*.

brothel means premises in or at which a sexual service comprising vaginal, anal or oral intercourse or masturbation is provided for a fee or another reward.

building line means the minimum offset, from a front, rear or side boundary (if any), fixed by the Council.

bulk store means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for a bus transport undertaking.

bushfire hazard reduction means a reduction or modification (by controlled burning or mechanical or manual means), of material that constitutes a bushfire hazard.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

- (a) body building, or
- (b) panel beating which involves dismantling, or
- (c) spray painting other than of a touching up character.

caravan park means land used as a site for moveable dwellings, including tents, caravans or other vehicles, that are used for temporary or permanent accommodation.

child care centre means a building or place which is used (whether or not for profit) for educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non government school, within the meaning of the *Education Act 1990*, and
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

club means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or different kind and whether or not the whole or part of the building is the premises of a club registered under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause or a building or place used for a land use elsewhere specifically defined in this clause.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

commercial sign class A means a sign, notice, device or representation in the nature of an advertisement, whether illuminated or not, which:

- (a) has a length not greater than 2.4 metres and a depth not greater than 0.6 metre with a maximum area of 0.72 square metre, and
- (b) in respect of any place or premises to which it is affixed, contains only:
 - (i) a reference to the identity or a description of the place or premises, or
 - (ii) a reference to the identity or a description of any person residing or carrying on an occupation at the place or premises, or
 - (iii) particulars of any occupation carried on at the place or premises, or
 - (iv) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there, or
 - (v) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act, or
 - (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
 - (vii) a notice that the place or premises is or are for sale or letting together with particulars of the sale or letting, or
 - (viii) particulars of any activities held or to be held at the place or premises, or
 - (ix) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

commercial sign class B means a sign, notice, device or representation in the nature of an advertisement, whether illuminated or not, which:

- (a) has a length greater than 2.4 metres or a depth greater than 0.6 metre, and
- (b) in respect of any place or premises to which it is affixed, contains only:
 - (i) a reference to the identity or a description of the place or premises, or

- (ii) a reference to the identity or a description of any person residing or carrying on an occupation at the place or premises, or
- (iii) particulars of any occupation carried on at the place or premises, or
- (iv) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there, or
- (v) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act, or
- (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
- (vii) a notice that the place or premises is or are for sale or letting together with particulars of the sale or letting, or
- (viii) particulars of any activities held or to be held at the place or premises, or
- (ix) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

community facility means a building or place owned or controlled by the Council, a public authority or a body of persons which may be used for the physical, social, cultural, economic or intellectual welfare of the local community, including:

- (a) a public library, a rest room, meeting rooms, recreation areas and child minding facilities (including those with an ancillary use as educational facilities, or for cultural activities and social functions), information centres, museums, galleries and the like, and
- (b) a local community club, being a building or place used by persons sharing like interests, but not including a registered club,

whether or not that building or place is also used for another purpose.

conservation management plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

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 and to which the requirements of *State Environmental Planning Policy No 55—Remediation of Land* apply.

Council means the Cobar Shire Council.

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

drive-in take-away food shop means a shop having its own exclusive off-street parking and selling food for immediate consumption but operated in such a way that a proportion of the food sold is to be consumed elsewhere.

dual occupancy means 2 dwellings on a single allotment of land.

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

dwelling house means a building containing one, but not more than one, dwelling.

educational establishment means a building used as a school, college, technical college, TAFE establishment or museum, but does not include a building used wholly or principally as an institution or child care centre.

exhibition home means a dwelling house used for display purposes initially, but intended for eventual permanent occupation as a dwelling.

existing holding means:

- (a) the area of a lot, portion or parcel of land as it was at the appointed day, or
- (b) if, at the appointed day, a person owned two or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were at that day.

extractive industry means:

- (a) the winning of extractive material, or

- (b) an undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried on, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, turf, soil, rock, stone or similar substance.

flood prone land means land at or below the level of the one percent probability flood event or liable to be flooded or inundated by a flood at the same level as the highest past flood level (being for the Darling River at Tilpa—13.35 metres on 7 March 1976 and for the Lachlan River at Euabalong—7.52 metres on 26 June 1952).

floor means the space within a building which is situated between one floor level and the floor level next above or, if there is no floor above, the ceiling or roof above.

floor space ratio of a building means the ratio of the gross floor area of the building to the area of the allotment on which the building is situated.

forestry includes arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

general store means a shop used for the sale by retail of general merchandise and which may include the facilities of a post office.

generating works means a building or place used for making or generating gas, electricity or other forms of energy.

greenhouse effect means the extra warming of the earth due to absorption of the earth's emitted infra red radiation by greenhouse gases.

greenhouse gases means the following gases—carbon dioxide, chlorofluorocarbons, methane, nitrous oxide, tropospheric ozone and any other compound or component the breakdown of which could form any of those gases and lead to ozone depletion.

gross floor area means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level, excluding:

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

- (a) columns, fin walls, sun control devices, awnings and any other elements, projections or works outside the general lines of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air conditioning ducts, and
- (c) car-parking needed to meet any requirements of the Council and any internal designated vehicular or pedestrian access to it, and
- (d) space for the loading and unloading of goods, and
- (e) internal public arcades and thoroughfares, terraces and balconies with outer walls less than 1,400 millimetres high.

group home means a dwelling that is a permanent group home or a transitional group home as defined in *State Environmental Planning Policy No 9—Group Homes*.

habitable room means a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom or, in an industrial or commercial building, an area used for offices.

hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

hazardous storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use, which is licensed by the Commonwealth Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage impact statement means a statement demonstrating the significance of an item, a property, an archaeological site or a place, an assessment of the impact that proposed development will have on that significance and the measures that are proposed to minimise that impact.

heritage item means:

- (a) a place, building, work or archaeological site described in Schedule 1, or
- (b) a place of Aboriginal heritage significance, as identified by the National Parks and Wildlife Service, and recorded as such a place at the office of the Council.

home industry means an industry carried on in a building (other than a dwelling house or a dwelling in a residential flat building) under the following circumstances:

- (a) the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of the dwelling house or residential flat building occupied by the person carrying out the industry or on adjoining land owned by that person, and
- (b) the industry does not involve:
 - (i) interference with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
 - (ii) exposure to view from any adjacent premises or from any public place of any unsightly matter, or
 - (iii) the provision of any essential service main of a greater capacity than that available in the locality, or
 - (iv) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident).

home occupation means an occupation carried on in a dwelling house, or in a dwelling in a residential flat building, by the permanent residents of the dwelling house or dwelling, which would not have been required to be registered under the *Factories, Shops and*

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

Industries Act 1962 immediately before the repeal of sections 10–13 of that Act, and which does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident), or
- (e) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use.

hotel means the premises to which an hotelier's licence granted under the *Liquor Act 1982* relates.

housing for aged or disabled persons means residential accommodation which may take any building form and which is, or is intended to be, erected and used as housing for permanent accommodation by persons of or above the age of 55 years or disabled persons in accordance with *State Environmental Planning Policy No 5—Housing for Older People or People with a Disability*.

industry means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles, but (in the Table to Part 2) does not include a land use elsewhere defined in this clause.

institution means a penal or reformative establishment.

intensive livestock keeping establishment means a building or place used to accommodate, in a confined area, and to rear or fatten (wholly or substantially) on prepared or manufactured feed, cattle, sheep, horses, goats, pigs, poultry or other livestock and exotic species and, without limiting the generality of that, includes:

- (a) feed lots, and
- (b) piggeries, and
- (c) poultry farms, and
- (d) places used for fish farming (including the farming of crustaceans),

but does not include animal boarding, breeding or training establishments, land used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the land or emergency feeding as a result of a natural disaster, such as flood or bushfire.

junk yard means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of their parts.

light industry means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the area by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

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

manufactured home means 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 that are each constructed and assembled away from any manufactured home estate on which it is situated, and
- (b) that is not capable of being registered under the *Road Transport (Vehicle Registration) Act 1997*, and
- (c) that, if it is to be installed on a manufactured home estate, must be transported to the estate for installation,

and includes any associated structures that form part of the dwelling.

medical centre means a building or place other than a dwelling house used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment or counselling) to out-patients only.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on, in or by which any operation is carried on for or in connection with obtaining any metal or mineral by any mode or method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

motel means a building or buildings (other than a hotel, boarding house or residential flat building) substantially used for the overnight accommodation of travellers and their vehicles, whether or not the building or buildings are also used in provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed there.

offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

parking space includes any garage or court available for use by vehicles.

place of Aboriginal heritage significance means:

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

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open air theatre, drive-in theatre, music bowl or any other building of a like character used as such, whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a church, chapel or other place of public worship or religious instruction or a place used for the purpose of religious training.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

potential archaeological site means a site that in the opinion of the Council has the potential to have archaeological significance.

potential place of Aboriginal heritage significance means a place that in the opinion of the Council has the potential to have Aboriginal cultural heritage significance.

professional consulting rooms means a room or a number of rooms forming either the whole or part of, attached to or within the curtilage of, a dwelling house (whether or not the building is used for residential purposes) and used by not more than five professionally qualified consultants, and their support staff.

professionally qualified consultant means a person who holds appropriate tertiary educational qualifications and who provides services within the profession of law, medicine, dentistry, health care, accountancy, engineering, architecture, science, town planning, surveying, sociology, agriculture or agricultural economics or another discipline recognised within the community as a profession.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any government department or agency or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, air transport or river undertakings,
- (b) undertakings for the supply of water, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, public authority, government department, corporation, firm or other authority carrying on the undertaking.

recreation area means:

- (a) a children's playground, or
- (b) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
 - (i) a public authority, or

- (ii) a body of persons associated for the purposes of the physical, cultural or intellectual welfare of persons within the community, but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, rest homes, youth camps and the like, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a land use elsewhere specifically defined in this clause.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, cafe, tearoom, eating house or the like.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 80 years old relating to the use or settlement of the local government area of Cobar and is attached to or within the ground, not being Aboriginal habitation, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of the local government area of Cobar.

renovation of a building or work means:

- (a) the making of structural changes to the inside or outside of the building or work, or
- (b) the making of non structural changes to the fabric or appearance of the outside of the building or work, including changes that involve the repair or the painting, plastering, or other decoration of the outside of the building or work.

residential flats means three or more dwellings in a group or cluster and includes group homes, villa homes, town houses, terrace buildings and the like.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

retail plant nursery means a building or place used for both the growing and retail selling of plants, whether or not ancillary products are sold there.

road transport depot means a building or place used for the servicing, repair or parking of vehicles used for the purpose of a road transport undertaking, but does not include a road transport terminal.

road transport terminal means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

rural entertainment facility means a building or place used for the purpose of sport and entertainment, such as paint ball, go-carts, golf driving practise, bicycle motor cross, horse trail rides, polo or polo cross and the like.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality and also includes the processing, manufacture and distribution of products directly related to rural activities in the locality.

rural worker's dwelling means a dwelling which is on land on which there is already erected a dwelling and which is occupied by persons engaged in a rural occupation on that land.

sawmill means a mill handling, cutting and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles,
- (b) washing and greasing of motor vehicles,
- (c) installation of accessories for motor vehicles,

- (d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating, spray painting or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause, or a building or place used for a land use elsewhere specifically defined in this clause.

site area means the area of land to which an application for consent under the Act relates, but does not include any land on which the development to which the application relates is not allowed by this plan or such a consent.

stock and sale yard means a building or place used for the purpose of offering animals for sale and includes a public cattle market.

take-away food shop means a shop selling food for immediate consumption but operated in such a way that a proportion of the food sold is to be consumed elsewhere.

tavern means any premises specified in an hotelier's licence endorsed as a tavern granted under the *Liquor Act 1982*, which does not provide accommodation.

telecommunication facility means a building, structure, work or place (such as a radio mast, tower, earth station, cable, satellite dish or the like) used specifically for transmitting, receiving or passing on signals, but does not include a domestic structure.

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

the map means the set of maps marked "Cobar Local Environmental Plan 2001" as amended by the maps (or the specified sheets of maps) marked as follows:

tourist facilities means an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities, farm-stay accommodation or a club used in conjunction with any such facilities.

transport terminal means a building or place used as an airline terminal, a road transport terminal or a bus depot.

2001 No 378

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

tree means any tree with a height exceeding 3 metres, with a trunk girth exceeding 0.5 metre at a height of 1 metre above the ground or with a branch spread exceeding 3 metres in diameter.

urban entertainment facility means a building or place used for the purpose of sport, entertainment, exhibitions or displays, and includes:

- (a) showgrounds, racecourses and the like, and
- (b) theatres, cinemas, music halls, concert halls, open air theatres, drive-in theatres and the like, and may include an educational function.

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

veterinary clinic means a building or place used by a veterinary surgeon for the purpose of dealing with the prevention, care, treatment or alleviation of disease or injury in animals.

warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

- (2) In this plan:
 - (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and
 - (b) a reference to a map is a reference to a map deposited in the office of the Council, and
 - (c) a reference to land within a zone specified in clause 8 is a reference to land shown on the map in the manner indicated in clause 8 as a means of identifying land of the zone so specified.
- (3) The list of contents of this plan is not part of this plan.
- (4) The notes in this plan are not part of this plan.

6 Consent authority

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

7 Classification and reclassification of public land as operational

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

2001 No 378

Clause 8 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Part 2 General controls for zoned land

8 What zones apply?

For the purposes of this plan, land to which this plan applies is within a zone specified below if the land is shown on the map in the manner specified below in relation to that zone:

Zone No 1 (a)—General Rural Zone—edged heavy black and lettered 1 (a)

Zone No 1 (b)—Rural Living Zone—edged heavy black and lettered 1 (b)

Zone No 1 (c)—Rural Residential Zone—edged heavy black and lettered 1 (c)

Zone No 1 (d)—Forests Zone—edged heavy black and lettered 1 (d)

Zone No 2 (a)—Residential A Zone—edged heavy black and lettered 2 (a)

Zone No 2 (b)—Residential B Zone—edged heavy black and lettered 2 (b)

Zone No 2 (e)—Village Zone—edged heavy black and lettered 2 (e)

Zone No 3 (a)—General Business Zone—edged heavy black and lettered 3 (a)

Zone No 4 (a)—General Industrial Zone—edged heavy black and lettered 4 (a)

Zone No 4 (b)—Airport and Industrial Zone—edged heavy black and lettered 4 (b)

Zone No 5 (a)—Special Use (Common) Zone—edged heavy black and lettered 5 (a)

Zone No 6 (a)—Open Space (Existing Recreation) Zone—edged heavy black and lettered 6 (a)

Zone No 7 (a)—Environment Protection (Regeneration) Zone—edged heavy black and lettered 7 (a)

Zone No 8 (a)—National Park and Nature Reserves Zone—edged heavy black and lettered 8 (a)

9 Zone objectives and development control table

- (1) The objectives of a zone are set out in the Table to this Part under the heading “Objectives of zone” appearing in the matter relating to the zone.
- (2) Except as otherwise provided by this plan, in relation to land within a zone specified in the Table to this Part, the development that:
 - (a) may be carried out without development consent, or
 - (b) may be carried out only with development consent, or
 - (c) is prohibited,
 is specified under the headings “Without development consent”, “Only with development consent” and “Prohibited”, respectively, appearing in the matter relating to the zone.
- (3) Except as otherwise provided by this plan, consent must not be granted to the carrying out of development on land to which this plan applies unless the consent authority has considered the objectives of the zone applying to that land and the extent to which the proposed development is consistent with those objectives.
- (4) Despite subclause (3), nothing in this plan prohibits, restricts or requires development consent for, or allows the consent authority to prohibit or restrict, the use of existing buildings of the Crown by the Crown or the carrying out by public authorities of any development described in Schedule 3.
- (5) Despite any other provision of this plan (except subclause (4)), designated development may be carried out within a zone only with development consent. This subclause is subject to the provisions of any State environmental planning policy or regional environmental plan.

10 What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in *Cobar Development Control Plan No 2*, as adopted by the Council on 14 December 2000, is exempt development, despite any other provision of this plan.
- (2) Development listed as complying development in *Cobar Development Plan Control No 2*, as adopted by the Council on 14 December 2000, is complying development if:

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

- (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Cobar Development Control Plan No 2*, as adopted by the Council on 14 December 2000.
- (4) A complying development certificate issued for any development is to be subject to the conditions for the development specified in *Cobar Development Control Plan No 2* adopted by the Council, as in force when the certificate is issued.

Table

Zone No 1 (a)—General Rural Zone

1 Objectives of zone

- (1) To promote the conservation of productive land for agricultural and grazing purposes.
- (2) To permit the development of appropriate agricultural land uses and prevent development of inappropriate non-agricultural land uses such as small lot rural residential subdivision.
- (3) To permit the development of mines, extractive, offensive and hazardous industries, but only in an environmentally and sustainable manner.
- (4) To permit some non-agricultural land uses and agricultural support facilities, such as rural supply industries, tourist facilities, farm stay facilities, and the like which are in keeping with other zone objectives and which will not have an adverse effect on agricultural productivity.

2 Without development consent

Development, except development within 50 metres, in a horizontal line, of the normal water level of the Lachlan River or Darling River, for the purpose of

agriculture (other than use of intensive livestock keeping establishments); forestry; open space; rural buildings with a floor area less than 500m².

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses (other than in camps associated with mines, extractive industries or construction work); motor showrooms; residential flats; shops (other than general stores); warehouses.

Zone No 1 (b)—Rural Living Zone

1 Objectives of zone

- (1) To allow the development of rural residential allotments with a minimum area of 2 hectares.
- (2) To allow rural-residential development that will maintain the rural character of the land within the zone.
- (3) To provide for the creation of rural-orientated living areas by allowing the subdivision of land into a variety of small allotment sizes.
- (4) To ensure that the type and intensity of development is appropriate, having regard to the characteristics of the land and the rural environment so as to protect the environment and allow development in a sustainable manner.
- (5) To provide for a style of rural living which is not appropriate to urban areas.

2 Without development consent

Development for the purpose of forestry; livestock grazing; open space.

Exempt development.

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; brothels; commercial premises; cropping; hotels; institutions; intensive livestock keeping establishments; junk yards; liquid fuel depots; motels; motor showrooms; offensive or hazardous industries; refreshment rooms; residential flats; sawmills; shops; stock and sale yards.

Zone No 1 (c)—Rural Residential Zone

1 Objectives of zone

- (1) To allow the development of rural residential allotments with a minimum size of 1 hectare.
- (2) To provide for development of a residential nature.
- (3) To provide for development having a rural character.
- (4) To provide for a style of residential living that complements the urban areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; brothels; commercial premises; cropping; hotels; institutions; intensive livestock keeping establishments; junk yards; liquid fuel depots; motels; motor showrooms; offensive or hazardous industries; refreshment rooms; residential flats; sawmills; shops; stock and sale yards.

Zone No 1 (d)—Forests Zone

1 Objectives of zone

- (1) To recognise and define the boundaries of existing State forests.
- (2) To permit the continued use of State forests for forestry purposes and other uses authorised by the *Forestry Act 1916*.

2 Without development consent

Any development authorised under the *Forestry Act 1916*, and any development ordinarily incidental or ancillary to such development (including roads constructed by or on behalf of the Forestry Commission of New South Wales).

3 Only with development consent

Development for the purpose of agriculture (other than use of intensive livestock keeping establishments); bio solid waste application; extractive industries; mines; open space; roads (other than roads constructed by or on behalf of the Forestry Commission of New South Wales).

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 2 (a)—Residential A Zone

1 Objectives of zone

- (1) To protect and improve residential amenity, encourage appropriate infill development and preserve the scale and character of residential areas.
- (2) To encourage a variety of housing types, including single dwellings and residential flats which are compatible with existing residential densities.

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

- (3) To allow development for the purpose of convenience shops, not exceeding 100 square metres in gross floor area, to provide for the minor incidental shopping needs of the residents.
- (4) To allow environmentally insignificant forms of non-residential development which do not unduly interfere with the amenity of the surrounding area and which provide services for the residents of the zone or are ancillary to the residential use of land.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; automotive businesses; brothels; bulk stores; car repair stations; commercial premises; extractive industries; forestry; generating works; helipads; heliports; hotels; industries (other than home industries); institutions; junk yards; liquid fuel depots; mines; motor showrooms; places of public assembly (other than community facilities); recreation establishments; refreshment rooms; roadside stalls; sawmills; service stations; stock and sale yards; taverns; transport terminals; warehouses.

Zone No 2 (b)—Residential B Zone

1 Objectives of zone

- (1) To provide for a mixture of residential and business uses.
- (2) To provide areas that have exposure for the development of commercial business.
- (3) To allow for the development of premises that provide services for tourist facilities.

- (4) To provide a range of facilities that can service the surrounding residential areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; brothels; extractive industries; forestry; generating works; helipads; heliports; hotels; industries (other than home industries); institutions; junk yards; liquid fuel depots; mines; offensive or hazardous industries; roadside stalls; rural industries; sawmills; stock and sale yards.

Zone No 2 (e)—Village Zone

1 Objectives of zone

To allow for future development of residential, commercial or light industry associated with residents of the villages and the surrounding rural areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development that is not included in Item 2 or 4.

4 Prohibited

Development for the purpose of all industries (other than light industries); intensive livestock keeping establishments.

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Zone No 3 (a)—General Business Zone

1 Objectives of zone

- (1) To accommodate a mixture of business land uses.
- (2) To provide areas that have high commercial exposure for the development of business.
- (3) To allow the development and expansion of a diverse range of commercial land uses located to maximise business and community advantage.
- (4) To allow the development of facilities that can provide services for tourists.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; extractive industries; forestry; generating works; junk yards; liquid fuel depots; mines; offensive or hazardous industries; rural industries; sawmills; stock and sale yards.

Zone No 4 (a)—General Industrial Zone

1 Objectives of zone

- (1) To encourage the establishment of industries outside areas used or zoned for residential or business purposes by setting aside areas of land where a broad range of industrial purposes may be permitted.
- (2) To enable minor convenience retail services to cater for the incidental shopping and business needs of the labour force and of business within the zone.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; dwelling houses; general stores; hospitals; institutions; places of assembly; residential flats; shops (other than those listed in Schedule 4); units for aged or disabled persons.

Zone No 4 (b)—Airport and Industrial Zone

1 Objectives of zone

- (1) To facilitate the development and expansion of Cobar Airport, the relocation of industrial and transport-related activities to more appropriate land use zones and to complement the airport facilities.
- (2) To allow for light industrial and service uses which are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use.
- (3) To facilitate the provision of a range of employment opportunities appropriate to the diverse needs of the community.
- (4) To provide for the protection of habitats.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

4 Prohibited

Development for the purpose of agriculture; boarding houses; brothels; caravan parks; dwellings (other than industrial dwellings or caretaker premises); institutions; intensive livestock keeping establishments; junk yards; motels; offensive or hazardous industries; residential flats; sawmills; stock and sale yards.

Zone No 5 (a)—Special Use (Common) Zone

1 Objectives of zone

- (1) To identify land that is proclaimed as a common.
- (2) To provide an area for the grazing of animals which are owned by commoners.
- (3) To provide for recreation areas as permitted by the *Commons Management Act 1989*.
- (4) To provide for future use and management in a sustainable manner.

2 Without development consent

Development for the purpose of livestock grazing.

3 Only with development consent

Development for the purpose of recreation (as permitted by the *Commons Management Act 1989*); mining.

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 6 (a)—Open Space Existing Recreation Zone

1 Objectives of zone

To provide land for a variety of recreational pursuits.

2 Without development consent

Development for the purpose of landscaping; public parks and gardens.

3 Only with development consent

Development for the purpose of drainage; recreation areas; recreation establishments, recreation facilities; roads; utility installations (other than gas holders or generating works).

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 7 (a)—Environment Protection (Regeneration) Zone

1 Objectives of zone

- (1) To protect and preserve the landscape and environment of the zone.
- (2) To allow the regeneration of native flora.
- (3) To provide habitat for native fauna.
- (4) To reduce the effect of dust storms on the town of Cobar.
- (5) To protect the Cobar water storage catchment.

2 Without development consent

Nil.

3 Only with development consent

Development for the purpose of mineral exploration; mining; public utility undertakings; recreation areas complying with a plan of management; roads.

4 Prohibited

Any development not included in Item 3.

2001 No 378

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Zone No 8 (a)—National Park and Nature Reserves Zone

1 Objectives of zone

- (1) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974* as national parks or nature reserves.
- (2) To allow for the management and appropriate use of the land as provided for by and under the *National Parks and Wildlife Act 1974*.

2 Without development consent

Development authorised by or under the *National Parks and Wildlife Act 1974*.

3 Only with development consent

Development for the purpose of public utility undertakings; roads.

4 Prohibited

Any development not included in Item 2 or 3.

Part 3 Special considerations relating to development of land

11 Development within the General Rural Zone

- (1) Consent must not be granted to development on land within Zone No 1 (a) unless the consent authority has taken into consideration, if relevant, the effect of the carrying out of that development on:
 - (a) the present use of the land, the potential use of the land for the purposes of agriculture and the potential of any of the land that is prime crop and pasture land for sustained agricultural production, and
 - (b) vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage), and
 - (c) the future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials, and
 - (d) the protection of areas of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including Aboriginal relics and places, and
 - (e) the cost of providing, extending and maintaining public amenities and services to the development, and
 - (f) future expansion of settlements in the locality.
- (2) As well as the matters referred to in subclause (1), the consent authority must take into consideration the relationship of the development to development on adjoining land and on other land in the locality.

12 Development within the Rural Living Zone and Airport and Industrial Zone

- (1) Consent must not be granted to development on land in Zone No 1 (b) or 4 (b) unless the consent authority has made an assessment, where relevant, of the effect of the carrying out of that development on the optimum operational capability of Cobar Airport.

2001 No 378

Clause 12 Cobar Local Environmental Plan 2001

Part 3 Special considerations relating to development of land

- (2) Consent must not be granted to development on land in Zone No 1 (a), 1 (b) or 4 (b) unless the consent authority has made an assessment, where relevant, of the effect of the carrying out of that development on the protection of areas of significance for nature conservation, or of high scenic or recreational value and on the protection of Aboriginal relics and places.
- (3) Subclauses (1) and (2) do not apply to the erection of a dwelling house on an allotment of land created in accordance with this plan for the purpose of a dwelling house.

13 Development in the Cobar Airport environs

- (1) Consent must not be granted to development on land for which an Australian Noise Exposure Forecast (ANEF) has been prepared, and the contours of which are shown on a map that is held in the Council's office, for:
 - (a) residential purposes, where the ANEF exceeds 25, or
 - (b) schools, hospitals, churches or theatres, where the ANEF exceeds 20, or
 - (c) hotels, motels, offices or public buildings, where the ANEF exceeds 30.
- (2) However, the Council may grant consent to development:
 - (a) for residential purposes, where the ANEF is between 20 and 25, or
 - (b) for the purpose of hotels, motels, offices or public buildings, where the ANEF is between 25 and 30, or
 - (c) for the purpose of commercial or industrial premises, where the ANEF exceeds 30,

as identified by the "Cobar Airport Australian Noise Exposure Forecast Plan", held in the Council's office, where measures are taken to ensure that interior noise levels of that development accord with the provisions of AS 2021-1994 entitled "Acoustics—Aircraft noise intrusion—Building siting and construction" published by Standards Australia in 1994.

14 Development on land within the Open Space (Existing Recreation) Zone

Consent must not be granted to the carrying out of development on land within Zone No 6 (a), being land owned or controlled by the Council, unless the consent authority has considered:

- (a) the need for the proposed development on that land, and
- (b) the impact of the proposed development on the existing or likely future use of the land, and
- (c) the need to retain the land for its existing or likely future use.

15 Development along arterial roads

Consent must not be granted to the carrying out of development on land, which has frontage to an arterial road unless, in the opinion of the consent authority, the safety and efficiency of the arterial road will not be adversely affected by:

- (a) the design of the access to the proposed development, or
- (b) the emission of smoke or dust from the proposed development, or
- (c) the nature, volume or frequency of vehicles using the arterial road to gain access to the proposed development.

Note. All traffic-generating development with access to an arterial road must comply with the requirements of *State Environmental Planning Policy No 11—Traffic Generating Developments*.

2001 No 378

Clause 16 Cobar Local Environmental Plan 2001

Part 4 Subdivision of land

Part 4 Subdivision of land

16 Subdivision of land generally

- (1) Development consent is required to subdivide land.
- (2) Consent must not be granted for a subdivision if the area or road frontage of an allotment created by the subdivision is less than that shown in the Table below.

Zone	Minimum area	Minimal road frontage
1 (b) Rural Living	2 ha	60 m
1 (c) Rural Residential	1 ha	30 m
2 (a) Residential A	464 m ²	18.5 m
2 (b) Residential B	464 m ²	18.5 m
2 (e) Village	1,000 m ²	18.5 m
3 (a) General Business	100 m ²	5 m
4 (a) General Industrial	1,000 m ²	25 m
4 (b) Airport and Industrial	2,000 m ²	25 m

- (3) Consent must not be granted to subdivision unless the consent authority is satisfied that the land will be adequately serviced with basic utility services.

17 Subdivision within the General Rural Zone

Consent must not be granted to a subdivision within Zone No 1 (a) if it creates a lot that is less than 1,000 hectares in area unless the consent authority is satisfied that:

- (a) the lots created are suitable for and capable of sustaining the proposed use of the land, and
- (b) that use of the land is appropriate to the locality, and
- (c) prime crop and pasture land is maintained, and
- (d) any services can be provided economically, and
- (e) the minimum road frontage is 200 metres, and
- (f) an adequate water supply is available, and

- (g) adverse on-site and off-site impacts on the environment and any other sector of the community have been minimised, and
- (h) the proposed use is financially viable and ecologically sustainable as evidenced by a farm plan.

18 Subdivision within the Rural Living and Rural Residential Zones

Consent must not be granted to a subdivision of land within Zone No 1 (b) or 1 (c) unless the consent authority has taken into consideration:

- (a) whether the design of the subdivision is appropriate to a rural location and sympathetic with the environmental characteristics of the land and the cost of providing public services and amenities, and
- (b) the desirability of providing a range and mixture of allotment sizes to meet various individual needs and to ensure that the density of development is compatible with land capability (including soil resources and soil stability), natural constraints and hazards of the land, and
- (c) the need to conserve trees and natural vegetation where conservation of the vegetation is relevant to retaining scenic amenity or natural habitat or is likely to control land degradation.

19 Dwellings in the General Rural Zone

- (1) A dwelling house may be erected on vacant land within Zone No 1 (a), but only with consent and where the land:
 - (a) comprises the whole of an existing holding, or
 - (b) is an allotment created in accordance with clause 17, or
 - (c) is an allotment created in accordance with a development consent granted in accordance with a previous environmental planning instrument, or deemed environmental planning instrument, being an allotment on which a dwelling could have been erected immediately before the appointed day.
- (2) A dwelling may be erected, with development consent, on land that contains an existing habitable dwelling house where it is intended to replace the existing dwelling house which shall be either demolished or altered so that it may be used for an outbuilding or other use allowed within the zone, but not as a dwelling.

2001 No 378

Clause 19 Cobar Local Environmental Plan 2001

Part 4 Subdivision of land

- (3) Consent may be granted to one additional dwelling to be occupied by a rural worker or relative of the owner on land to which subclause (1) (a), (b) or (c) applies if the dwelling shares a common access to a public road.
- (4) Consent must not be granted to a dwelling:
 - (a) on land which is unsewered, unless the consent authority is satisfied that the land is suitable for the disposal of effluent arising from the use of the land, or
 - (b) on prime crop and pasture land, unless the dwelling is essential to the use of the land for agriculture and no reasonable alternative exists.

Part 5 Heritage provisions

20 Objectives

The objectives of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the local government area of Cobar, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal cultural significance are conserved, and
- (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items by an environmental planning instrument, and
- (e) to ensure that the heritage conservation areas throughout Cobar retain their heritage significance.

21 Protection of heritage items

- (1) The following development may be carried out only with development consent:
 - (a) demolishing or moving a heritage item,
 - (b) altering a heritage item by making structural or non-structural changes to its exterior, including changes to the detail, fabric, finish or appearance of its exterior,
 - (c) altering a heritage item by making structural changes to its interior,
 - (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (e) moving the whole or a part of a heritage item,
 - (f) erecting a building on, or subdividing, land upon which a heritage item is located.

2001 No 378

Clause 21 Cobar Local Environmental Plan 2001

Part 5 Heritage provisions

- (2) Development consent is not required by this clause if, in the opinion of the Council:
- (a) the proposed development is of a minor nature or consists of maintenance of the item, and
 - (b) the proposed development would not adversely affect the significance of the heritage item, and
 - (c) the proponent has notified the Council in writing of the proposed work and the Council has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this exception and that development consent is not required by any other clause in this plan.
- (3) Development consent is not required by this clause for:
- (a) the creation of a new grave or monument, or
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers,
- in a cemetery or burial ground where there will be no disturbance to human remains, relics in the form of grave goods including personal effects or to a place of Aboriginal heritage significance.
- (4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned. This is to include (but is not limited to) an assessment of:
- (a) the heritage significance of the item as part of the environmental heritage of the local government area of Cobar, and
 - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (c) the measures proposed to conserve the heritage significance of the item and its setting, and
 - (d) whether any archaeological site or potential archaeological site would be adversely affected, and
 - (e) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

- (f) any submission received in relation to the proposed development in response to the notification or advertising of the application.
- (5) Before granting a development consent required by this clause, the consent authority:
 - (a) must consider a heritage impact statement which includes an assessment of the matters raised in subclause (5) (a)–(e), as the case may require, and
 - (b) where it requires that a conservation management plan should also be considered, may refuse to grant the consent unless it has considered a conservation management plan.

22 Notification of demolition to the Heritage Council

Before granting consent for the demolition of a heritage item identified by this plan as being of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

23 Development of places of Aboriginal heritage significance or of known or potential archaeological sites of Aboriginal cultural significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site that has Aboriginal cultural heritage significance or a place that has the potential to have Aboriginal heritage significance, the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the development is integrated development, notify the local Aboriginal Land Council (in such a way as it thinks appropriate) and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice was sent.

2001 No 378

Clause 24 Cobar Local Environmental Plan 2001

Part 5 Heritage provisions

24 Development of other known or potential archaeological sites

- (1) Before granting consent for development that will be carried out on any other archaeological site or on a potential archaeological site which is not a place of Aboriginal heritage significance, the consent authority must:
 - (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days of the notice being sent.
- (2) This clause does not apply if the proposed development:
 - (a) does not involve disturbance of below-ground relics and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) is integrated development.

25 Development in the vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, including work:
 - (a) which may affect its setting, such as by obscuring a significant view to or from the heritage item or by overshadowing it, or
 - (b) which may undermine or otherwise cause physical damage to the heritage item, or
 - (c) which will otherwise have an adverse impact on the heritage significance of a heritage item,the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.
- (2) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

- (3) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the significance of the heritage item.

26 Conservation incentives

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

- (a) the retention of the heritage item depends on the granting of consent, and
- (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the Council, and
- (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

2001 No 378

Clause 27 Cobar Local Environmental Plan 2001

Part 6 Special environmental considerations

Part 6 Special environmental considerations

27 Environmentally sensitive land

- (1) The objectives of this clause are:
 - (a) to reduce soil erosion and other land degradation,
 - (b) to reduce the loss of scenic amenity, and
 - (c) to reduce the loss of important vegetation systems or wildlife habitats.
- (2) The land identified in Schedule 5 is environmentally sensitive land.
- (3) Consent must not be granted to development of environmentally sensitive land unless the consent authority is satisfied that:
 - (a) effective measures have been incorporated into the proposal to minimise the impact on the environmentally sensitive land after consideration of the following:
 - (i) the impact on the scientific and natural significance of the environmentally sensitive land,
 - (ii) the loss of important vegetation systems, natural wildlife habitats and corridors, including threatened species, populations or ecological communities,
 - (iii) the risk of soil erosion or other land degradation,
 - (iv) the loss of scenic amenity, and
 - (b) the development is consistent with attaining the objectives of this clause.

28 Flood prone land

- (1) Despite any other provision of this plan, development consent is required to erect a building or carry out a work on flood prone land.
- (2) The aims of this plan in relation to flood prone land are:
 - (a) to ensure that the floor level of those parts of a building used for human habitation are constructed at least 500mm above the highest water level calculated or established in determining that the land is flood prone land, and
 - (b) that the buildings on any such land are designed to withstand the impact of flooding.

- (3) Before consenting to development on flood prone land, the consent authority must consider the following:
- (a) the potential for interference with natural periodic flooding of the floodplain and the distribution of flood waters across the floodplain,
 - (b) the potential for pollution in the event of a flood,
 - (c) the immediate and cumulative impact of the proposed development on flood flows.

29 Land subject to bushfire hazards

Consent must not be granted to development within Zone No 1 (a) or 1 (b) on land which is subject to bushfire hazards by reason of the vegetation on the land or on any adjacent land unless, in the opinion of the consent authority:

- (a) adequate provision is made for access for fire fighting vehicles, and
- (b) adequate safeguards are adopted in the form of fire breaks, and
- (c) adequate water supplies are available for fire fighting purposes.

2001 No 378

Clause 30 Cobar Local Environmental Plan 2001

Part 7 Miscellaneous special provisions

Part 7 Miscellaneous special provisions

30 What development must be advertised?

The following development is identified as advertised development:

- (a) the demolition of a heritage item, and
- (b) the carrying out of any development allowed by clause 26 (relating to conservation incentives), and
- (c) development described in Schedule 6 proposed to be carried out on land within a zone specified in Schedule 6 in relation to that development, other than development involving alterations or additions to any existing building which alterations or additions are, in the opinion of the Council, of a minor nature and do not to any significant extent adversely affect the existing or likely future amenity of the neighbourhood.

31 Community use of school sites etc

- (1) This clause applies to all land on which development for the purpose of schools, colleges or other educational establishments may be carried out.
- (2) Despite any other provision of this plan, consent may be granted to:
 - (a) the community use of the facilities and sites of schools, colleges, and other educational establishments, and
 - (b) the commercial operation of those facilities and sites, and
 - (c) the carrying out of development for community purposes on land used for the purpose of schools, colleges or other educational establishments, whether or not the development is ancillary to any such use on land to which this clause applies.

32 Roads, drainage, recreational areas and parking

- (1) Nothing in this plan prevents the Council from carrying out, or requires the Council to obtain its own consent to carry out, development on land within the local government area of Cobar for the purpose of roads, stormwater drainage, recreational areas, landscaping, gardening, bushfire hazard reduction, amenities buildings or parking.

- (2) A person other than the Council may, with the consent of the Council, carry out development referred to in subclause (1) on land within the local government area of Cobar.

33 Storm water drainage

- (1) The carrying out of a work that will result in the disposal of storm water into any river requires development consent.
- (2) Development consent may be granted to a work that will result in the disposal of storm water into a river only if the water will be subjected to measures, satisfactory to the Council, designed to reduce litter, suspended solids, nutrients and other substances that might adversely affect the river.

34 Irrigated development

- (1) Despite any other provision of this plan, development consent is required for:
- (a) any irrigated development, including agriculture involving irrigation, where the proposed development is to be carried out on land that has the benefit of a licence to irrigate issued under any Act or regulation, and
 - (b) the construction of the irrigation system required to carry out that development.
- (2) Development consent is also required for the drainage of wetlands, cowals, swamps or bogs.
- (3) A consent required by this clause must not be granted unless the consent authority has made an assessment of:
- (a) the potential for the development to impact on:
 - (i) a water body, or
 - (ii) ground water quality and resources, or
 - (iii) stormwater drainage, or
 - (iv) the flow of flood water, including likely effects of flooding on adjoining land and other land in the locality, or
 - (v) access to private property or public land, and
 - (b) measures required to mitigate possible impacts.

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 1 Items of environmental heritage

Schedule 1 Items of environmental heritage

(Clause 5 (1))

Barton Street

- (1) Police Station and Barracks, 1886, J. Barnett, being lot 9 of section 1 in DP 459.
- (2) Police Station, Lock-up and Cells, 1886, J. Barnett. (Part of the Courthouse Group), being lot 10 of section 1 in DP 459.
- (3) Courthouse, 1887, J. Barnett. (Part of the Courthouse Group), being lot 11 of section 1 in DP 459.
- (4) Church of England, being lots 13 and 14 of section 1 in DP 459.
- (5) Fire Station, being lot 15 of section 1 in DP 459.
- (6) Uniting Church (former Methodist Church), being lot 17 of section 1 in DP 459.
- (7) Professional offices (former Tattersalls then Court House Hotel), corner Broomfield Street, being lot 11 in DP 627815.

Becker Street

- (8) Dwelling house (former Presbyterian Manse), being lots 1 and 2 of section 1 in DP 459.
- (9) CSIRO, Soil Research Division (former School of Arts), being lot 5 of section 3 in DP 2659.

Blakey Street

- (10) Schoolmaster's residence, being part lots 64 and 65.

Bourke Street

- (11) Masonic Hall (former Band Hall 1905), being part lot 85.

Brough Street

- (12) Dwelling house, being lot 2 of section 9 in DP 3177.

Linsley Street

- (13) Hotel Corner, Marshall Street, Great Western Hotel 1895, being part lot 112 of section 8 in DP 459.
- (14) Bulk store (former Wright Heaton Bulk Store), being lots 1 and 2 of section 2 in DP 2659.

- (15) Cobar Post Office being lot 7 of section 4 in DP 459.
- (16) Municipal Council Chambers, being lot 82 in DP 539846.

Murray Street

- (17) Dwelling house, corner Bradley Street, being lot 2 in DP 521345.
- (18) Dwelling house, being lots 27 and 30 in DP 599.
- (19) Dwelling house, being lots 20 and 21 in DP 599.

Nyngan Road

- (20) Cobar Pastoral and Mining Technological Museum, 1910, (former Mining Administration Offices, Great Cobar Mines).

Prince Street

- (21) Building (former Roman Catholic Presbytery circa 1880), being lot 93 in DP 599.
- (22) St. Lawrence O'Toole Roman Catholic Church, being lot 124 in DP 599.
- (23) Sisters of Mercy Convent and Classrooms 1884, being lots 123, 125 and 126 in DP 599.

South Railway Parade

- (24) Railway Station.

Fort Bourke Hill

- (25) Towser's Huts.

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

Schedule 2 Land classified as operational

(Clause 7)

No	Lot	Section	DP	Street	Location	Description
0001	18	1	459	45 Barton Street	Cobar	Surgery
0002	1		105639	45 Barton Street	Cobar	Surgery
0003	1		913246	45 Barton Street	Cobar	Dwelling
0004	1		344526	37 Barton Street	Cobar	Dwelling
0005	34		236049	5 Barton Street	Cobar	Shire Hall
0006	2		513634	5 Barton Street	Cobar	Shire Hall
0007	3		513634	5 Barton Street	Cobar	Shire Hall
0008	1		922862	5 Barton Street	Cobar	Shire Hall
0009	2		860711	4 Bannister Court	Cobar	Vacant Land
0010	3		860711	6 Bannister Court	Cobar	Vacant Land
0011	14		860711	5 Bannister Court	Cobar	Vacant Land
0012	395		43254	105 Marshall Street	Cobar	Vacant Land
0013	161		611489	11 Becker Street	Cobar	Arts Building
0014				Belagoy Street	Cobar	Pump Station
0015	161		611489	11 Becker Street	Cobar	Arts Building
0016				Belagoy Street	Cobar	Pump Station
0017	7		262665	8 Belagoy Street	Cobar	Dwelling
0018	33		807694	17 Blakey Street	Cobar	Dwelling
0019	100		575642	2/4 Blakey Street	Cobar	Depot
0020	1		213195	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0021	1		216151	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0022	101		575642	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0023	4		213415	4 Booroomugga Street	Cobar	Dwelling

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0024	8		213415	6 Booroomugga Street	Cobar	Pre School
0025	17		213415	6 Booroomugga Street	Cobar	Ward Oval Drain Easement
0026	31		22820	2 Brennan Street	Cobar	Scout Hall
0027	373		755649	48 Brough Street	Cobar	Dwelling
0028	9		786152	Campbell Street	Cobar	Vacant Land
0029	10		786152	Campbell Street	Cobar	Vacant Land
0030	2		786152	Campbell Street	Cobar	Industrial Reserve Pump Station
0031	30		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant land
0032	33		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0033	34		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0034	35		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0035	36		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0036	37		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0037	39		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0038	40		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0039	41		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0040	42		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0041	43		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0042	44		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0043	45		786152	Cornish Street & Brickworks Road	Cobar	Vacant Land
0044	1	E	4852	22 Cowper Street	Cobar	Pump Station
0045	13		228086	Elizabeth Crescent	Cobar	Vacant Land
0046	72		860711	Elizabeth Crescent	Cobar	Vacant Land
0047	54		860711	Elizabeth Crescent	Cobar	Pump Station
0048	32		807694	28 Harcourt Street	Cobar	Surgery
0049	1		822678	24–26 Harcourt Street	Cobar	Vacant Land
0050	2		622678	24–26 Harcourt Street	Cobar	Surgery & Dwelling
0051	48		860711	3 Hogan Place	Cobar	Vacant Land
0052	49		860711	5 Hogan Place	Cobar	Vacant Land
0053	50		860711	7 Hogan Place	Cobar	Vacant Land
0054	51		860711	6 Hogan Place	Cobar	Vacant Land
0055	52		860711	4 Hogan Place	Cobar	Vacant Land
0056	20		860711	4 James Place	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0057	21		860711	6 James Place	Cobar	Vacant Land
0058	22		860711	8 James Place	Cobar	Vacant Land
0059	23		860711	10 James Place	Cobar	Vacant Land
0060	28		860711	20 James Place	Cobar	Vacant Land
0061	29		860711	22 James Place	Cobar	Vacant Land
0062	32		860711	21 James Place	Cobar	Vacant Land
0063	33		860711	19 James Place	Cobar	Vacant Land
0064	34		860711	17 James Place	Cobar	Vacant Land
0065	35		860711	15 James Place	Cobar	Vacant Land
0066	36		860711	13 James Place	Cobar	Vacant Land
0067	37		860711	11 James Place	Cobar	Vacant Land
0068	39		860711	7 James Place	Cobar	Vacant Land
0069	40		860711	5 James Place	Cobar	Vacant Land
0070	41		860711	3 James Place	Cobar	Vacant Land
0071	1		455250	7 Lewis Street	Cobar	Youth Centre
0072	2		455250	7 Lewis Street	Cobar	Youth Centre
0073	1		24250	26 Linsley Street	Cobar	Cobar Aged Persons Building
0074	1		538453	26 Linsley Street	Cobar	Cobar Aged Persons Building
0075	1		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0076	2		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0077	4		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0078	1		241665	26 Linsley Street	Cobar	Cobar Aged Persons Building

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0079	1		652837	26 Linsley Street	Cobar	Cobar Aged Persons Building
0080	152		602716	Harcourt Street	Cobar	Stadium
0081	8		2824	Harcourt Street	Cobar	Stadium
0082	7B		328970	Harcourt Street	Cobar	Stadium
0083	4		214174	Lewis Street	Cobar	Basket Ball Courts
0084	42		582543	36 Linsley Street	Cobar	Chambers
0085	2		1252	53 Linsley Street	Cobar	Dwelling
0086	3		1252	53 Linsley Street	Cobar	Dwelling
0087	4		1252	53 Linsley Street	Cobar	Dwelling
0088	5		1252	53 Linsley Street	Cobar	Dwelling
0089	6		1252	53 Linsley Street	Cobar	Dwelling
0090	1		455251	53 Linsley Street	Cobar	Dwelling
0091	109		599	Prince Street	Cobar	Pool
0092	110		599	Prince Street	Cobar	Pool
0093	111		599	Prince Street	Cobar	Pool
0094	112		599	Prince Street	Cobar	Pool
0095	113		599	Prince Street	Cobar	Pool
0096	114		599	Prince Street	Cobar	Pool
0097	432		823909	Railway Parade	Cobar	SES Shed
0098	433		823909	Railway Parade	Cobar	Vacant
0099	11		260360	1 Rosewood Place	Cobar	Dwelling
0100	81		261594	34 Tindera Street	Cobar	Dwelling
0101	61		860711	10 Wood Street	Cobar	Vacant Land
0102	62		860711	12 Wood Street	Cobar	Vacant Land
0103	63		860711	14 Wood Street	Cobar	Vacant Land
0104	84		860711	16 Wood Street	Cobar	Vacant Land
0105	65		860711	23 Wood Street	Cobar	Vacant Land
0106	66		860711	21 Wood Street	Cobar	Vacant Land
0107	68		860711	17 Wood Street	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0108	69		860711	15 Wood Street	Cobar	Vacant Land
0109	1		602387	Sewage Pump Station, Ward Oval	Cobar	Sewage Pump Station
0110	437		46134		Cobar	Reserve for Bush Fire Brigade purposes
0111	82		539846	43 Linsley Street	Cobar	Old Chambers
0112	2		521050	9 Maidens Avenue	Cobar	Dwelling
0113	12		630316	9 Maidens Avenue	Cobar	Dwelling
0114	21		236208	39 Marshall Street	Cobar	Commercial Premises
0115	22		236208	39 Marshall Street	Cobar	Library
0116	317		755649	101 Marshall Street	Cobar	Caravan Park
0117	273		755649	101 Marshall Street	Cobar	Caravan Park
0118	19		262071	4 Mulga Place	Cobar	Dwelling
0119	19		860711	23 Nullamutt Street	Cobar	Duplex
0120	43		860711	27 Nullamutt Street	Cobar	Vacant Land
0121	46		860711	33 Nullamutt Street	Cobar	Duplex
0122	102		615721	2 Nullamutt Street	Cobar	Lilliane Brady Village
0123	1		780264	Nyngan Road	Cobar	Vacant Land
0124	3		780263	Nyngan Road	Cobar	Vacant Land
0125	4		780263	Nyngan Road	Cobar	Vacant Land
0126	9	1	722	Nyngan Road	Cobar	Vacant Land
0127	1		34972	Nyngan Road	Cobar	Museum
0128	4	10	2780	Old Bourke Road	Cobar	Vacant Land
0129	5	10	2780	Old Bourke Road	Cobar	Vacant Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0130	6	10	2780	Old Bourke Road	Cobar	Vacant Land
0131	7	10	2780	Old Bourke Road	Cobar	Vacant Land
0132	1	11	2780	Old Bourke Road	Cobar	Vacant Land
0133	2	11	2780	Old Bourke Road	Cobar	Vacant Land
0134	3	11	2780	Old Bourke Road	Cobar	Vacant Land
0135	11		629270	19 Prince Street	Cobar	Dwelling
0136	1	25	2780	Nyngan Road	Cobar	Vacant Land
0137	1	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0138	3	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0139	4	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0140	6	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0141	8	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0142	9	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0143	10	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0144	5	5	758393	Blaxland Street	Euabalong	Vacant Land
0145	2	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0146	3	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0147	4	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0148	5	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0149	6	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0150	9	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0151	10	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land

No	Lot	Section	DP	Street	Location	Description
0152	62		611485	Farnell Street	Euabalong	Vacant Land
0153	61		611485	Farnell Street	Euabalong	Vacant Land
0154	10	8	758393	Hercules Street	Euabalong	Vacant Land
0155	11	8	758393	Hercules Street	Euabalong	Vacant Land
0156	8	2	758393	Keewong Street	Euabalong	Dwelling
0157	6	2	758393	Keewong Street	Euabalong	Water Supply Tank & Depot
0158	7	2	758393	Keewong Street	Euabalong	Depot
0159	9	20	758393	Lachlan Street	Euabalong	Vacant Land
0160	1	1	758393	Lachlan & Farnell Streets	Euabalong	Land used for SES purposes
0161	2	1	758393	Lachlan & Farnell Streets	Euabalong	Dwelling
0162	3	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0163	4	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0164	5	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0165	9	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0166	10	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0167	1		725397	Lachlan & Farnell Streets	Euabalong	Former School
0168	Part 1		767670	County Blaxland Parish Euabalong	Euabalong	Site of Pump Station servicing Euabalong West
0169	Part 1		767670	County Blaxland Parish Euabalong	Euabalong	Site of Pump Station servicing Euabalong
0170	152		43578	Whoey Street	Euabalong West	Water Tower

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0171	4	5	758394	Illewong Street	Euabalong West	Vacant Land
0172	2		225129	Bushfire Shed & Hall	Mount Hope	Bushfire Shed
0173	3	18	758800	Austral Street	Nymagee	Land For Water Tanks
0174	4	E	3443	Hartwood Street	Nymagee	Fire Shed
0175	5	E	3443	Hartwood Street	Nymagee	Fire Shed
0176	6	E	3443	Hartwood Street	Nymagee	Fire Shed
0177	1		224198	Milford Street	Nymagee	Water Supply Ground Tank
0178	42		754800	Nymagee Street	Nymagee	Vacant Land
0179	45		754800	Nymagee Street	Nymagee	Vacant Land
0180	46		754800	Nymagee Street	Nymagee	Vacant Land
0181	287		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0182	304		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0183	295		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0184	21		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0185	22		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0186	23		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0187	1	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0188	2	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0189	3	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0190	4	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0191	5	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0192	6	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0193	7	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0194	8	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0195	9	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0196	1	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0197	2	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0198	3	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0199	4	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0200	5	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0201	6	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0202	7	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0203	1	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0204	2	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0205	3	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0206	5	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0207	6	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0208	7	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0209	8	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0210	9	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0211	10	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0212	11	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0213	12	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0214	13	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0215	14	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0216	15	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0217	16	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0218	17	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0219	18	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0220	20	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0221	10	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0222	11	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0223	12	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0224	13	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0225	14	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0226	15	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0227	16	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0228	17	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0229	18	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0230	19	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0231	20	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0232	1	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0233	2	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0234	3	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0235	4	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0236	5	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0237	6	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0238	7	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0239	4	6	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0240	5	6	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0241	4	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0242	5	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0243	6	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0244	7	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0245	8	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0246	9	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0247	10	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0248	20	2	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0249	1	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0250	2	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0251	3	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0252	4	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0253	5	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0254	6	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0255	7	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0256	8	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0257	9	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0258	8	5	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0259	4	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0260	7	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0261	8	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0262	9	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0263	1	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0264	2	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0265	3	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0266	4	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0267	5	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0268	6	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0269	7	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0270	8	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0271	9	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0272	10	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0273	2	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0274	3	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0275	5	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0276	6	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0277	10	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0278	14	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0279	1	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0280	4	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0281	10	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0282	21	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0283	1	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0284	2	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0285	10	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0286	12	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0287	4	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0288	5	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0289	6	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0290	8	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0291	9	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0292	10	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0293	8	6	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0294	1	7	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0295	2	7	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0296	1	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0297	2	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0298	3	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0299	2	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0300	4	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0301	6	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0302	7	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0303	8	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0304	9	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0305	11	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0306	15	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0307	16	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0308	19	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0309	1	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0310	6	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0311	7	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0312	8	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0313	9	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0314	6	13	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0315	1	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0316	2	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0317	5	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0318	8	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0319	10	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0320	7	21	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0321	8	21	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0322	4	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0323	5	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0324	7	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0325	14	27	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0326	1	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0327	2	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0328	3	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0329	4	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0330	5	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0331	6	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0332	7	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0333	8	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0334	9	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0335	10	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0336	11	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0337	12	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0338	13	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0339	14	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0340	15	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0341	16	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0342	17	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0343	18	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0344	19	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0345	21	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0346	22	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0347	23	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0348	24	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0349	26	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0350	28	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0351	29	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0352	30	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0353	31	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0354	32	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0355	33	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0356	1	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0357	2	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0358	5	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0359	6	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0360	2	3	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0361	1	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0362	3	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0363	4	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0364	7	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0365	8	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0366	12	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0367	18	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0368	2	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0369	4	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0370	5	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0371	6	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0372	7	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0373	8	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0374	1	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0375	2	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0376	4	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0377	5	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0378	6	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0379	7	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0380	10	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0381	11	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0382	12	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0383	13	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0384	14	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0385	15	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0386	16	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0387	17	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0388	18	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0389	19	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0390	31	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0391	32	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0392	1	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0393	2	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0394	8	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0395	7	8	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0396	1	23	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0397	103		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0398	135		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0399	190		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0400	192		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0401	269		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0402	276		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0403	283		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0404	284		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0405	285		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0406	286		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0407	288		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0408	289		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0409	290		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0410	291		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0411	292		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0412	312		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0413	9		667339	Dapville & Wrightville Streets	Cobar	Wrightville Land
0414	13		668012	Dapville & Wrightville Streets	Cobar	Wrightville Land
0415	13		668013	Dapville & Wrightville Streets	Cobar	Wrightville Land
0416	3		932789	Dapville & Wrightville Streets	Cobar	Wrightville Land
0417	1		134322	Dapville & Wrightville Streets	Cobar	Wrightville Land
0418	1		602388	Sewage Treatment Works	Cobar	Sewage Treatment Works
0419	992			Waste Depot	Cobar	Waste Depot
0420	1		701616	Louth Road	Cobar	Water Tower
0421	EA		750694		Mount Hope	Reserve used for Aviation Purposes
0422	120		750663	Rubbish Depot	Euabalong	Reserve
0423	16		754765		Devon	Reserve used for Aviation Purposes
0424	17		754765		Devon	Reserve used for Aviation Purposes
0425	D	4	758800	Rubbish Depot	Nymagee	Reserve
0426	D	12	758393	Rubbish Depot	Euabalong	Reserve

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0427	EB		755649	Rubbish Depot	Cobar	Reserve
0428	10		754765		Devon	Reserve used for Aviation Purposes
0429	313		755649	Cobar Airport	Cobar	Airport

Schedule 3 Development that does not require consent

(Clause 9)

- (1) The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:
 - (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
 - (b) the erection within the limits of a railway station of buildings for any purpose, but excluding:
 - (i) the construction of new railways, railway stations and bridges over roads, and
 - (ii) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration, so as materially to affect their design, of railway stations or bridges, and
 - (iii) the formation or alteration of any means of access to a road, and
 - (iv) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.
- (2) The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings, that is to say:
 - (a) development of any description at or below the surface of the ground,
 - (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,
 - (c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected,

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 3

Development that does not require consent

- including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
- (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
 - (e) the erection of service reservoirs on land acquired or in process of being acquired for the purpose before the appointed day, provided reasonable notice of the proposed erection is given to the Council, or
 - (f) any other development except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect their design or external appearance, of buildings, or
 - (ii) the formation or alteration of any means of access to a road.
- (3) The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
 - (b) the formation or alteration of any means of access to a road.
- (4) The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or

- (b) the formation or alteration of any means of access to a road.
- (5) The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.
- (6) The carrying out of any forestry work by the Forestry Commission of New South Wales, or a school forest trust empowered under relevant Acts to undertake afforestation, roading, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.
- (7) The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:
 - (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or purpose, or
 - (b) any development designed to change the use or purpose of any such reserve.
- (8) The carrying out or causing to be carried out by a council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Management Act 2000* or the *Farm Water Supplies Act 1946*, except:
 - (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
 - (b) the formation or alteration of any means of access to a road.

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 4 Shops not prohibited in General Industrial Zone

Schedule 4 Shops not prohibited in General Industrial Zone

(Table to Part 2)

Chemist's shop
Confectionery shop or milk bar
Delicatessen
Fruit or vegetable shop
Grocery or health food shop
Hairdressing salon
Newsagency
Sandwich shop
Take-away food shop

Schedule 5 Environmentally sensitive land

(Clause 27)

Land within 50 metres, in a horizontal line, of the normal water level, of the Lachlan and Darling Rivers.

Land that, in the opinion of the Council, is important for the conservation and protection of:

- (a) native vegetation, or
- (b) protected and threatened species, population and ecological communities and their habitats (including corridors).

2001 No 378

Cobar Local Environmental Plan 2001

Schedule 6 Development to be advertised

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(Clause 30)

Development for the purpose of:

- Caravan parks—Zone No 2 (b) or 3 (a)
- Community buildings—Zone No 2 (a)
- Motels—Zone No 2 (a)
- Motor showrooms—Zone No 2 (b) or 3 (a)
- Offensive or hazardous industries—Zone No 4 (a)
- Residential flat buildings—Zone No 2 (a) or 2 (b)
- Shops—Zone No 2 (a) or 2 (b)
- Telecommunications depots—Zone No 2 (a) or 2 (b)
- Transport terminals—Zone No 2 (b) or 3 (a)

BY AUTHORITY
