



New South Wales

Goulburn Mulwaree Local Environmental Plan 2009

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, pursuant to section 33A of the *Environmental Planning and Assessment Act 1979*, adopt the mandatory provisions of the *Standard Instrument (Local Environmental Plans) Order 2006* and prescribe matters required or permitted by that Order so as to make a local environmental plan as follows.
(S07/01284/PC)

KRISTINA KENEALLY MP
Minister for Planning

2009 No 56

Goulburn Mulwaree Local Environmental Plan 2009

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Clause 1.1 Goulburn Mulwaree Local Environmental Plan 2009

Part 1 Preliminary

Goulburn Mulwaree Local Environmental Plan 2009

under the

Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1.1 Name of Plan

This Plan is *Goulburn Mulwaree Local Environmental Plan 2009*.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Goulburn Mulwaree in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to promote and co-ordinate the orderly and economic use and development of land in the area,
 - (b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,
 - (c) to encourage the sustainable management, development and conservation of natural resources,
 - (d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,
 - (e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,
 - (f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,
 - (g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,
 - (h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,

- (i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,
- (j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,
- (k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.

1.3 Land to which Plan applies

This Plan applies to the land identified on the Land Application Map.

1.4 Definitions

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

1.5 Notes

Notes in this Plan are provided for guidance and do not form part of this Plan.

1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

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Clause 1.8 Goulburn Mulwaree Local Environmental Plan 2009

Part 1 Preliminary

- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the Department of Planning's website.

1.8 Repeal of other local planning instruments applying to land

- (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.
- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

Note. *Goulburn Local Environmental Plan 1990* and *Mulwaree Local Environmental Plan 1995* are repealed by this Plan.

1.8A Savings provision relating to pending development approvals

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

1.9 Application of SEPPs and REPs

- (1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.

Note. Section 36 of the Act generally provides that SEPPs prevail over REPs and LEPs and that REPs prevail over LEPs. However, a LEP may (by an additional provision included in the Plan) displace or amend a SEPP or REP to deal specifically with the relationship between this Plan and the SEPP or REP.

- (2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:

State Environmental Planning Policy No 1—Development Standards

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6 and Parts 3 and 4)

State Environmental Planning Policy No 60—Exempt and Complying Development

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

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Clause 2.1 Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Permitted or prohibited development

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones

RU1 Primary Production

RU2 Rural Landscape

RU3 Forestry

RU5 Village

RU6 Transition

Residential Zones

R1 General Residential

R2 Low Density Residential

R5 Large Lot Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B3 Commercial Core

B4 Mixed Use

B6 Enterprise Corridor

Industrial Zones

IN1 General Industrial

IN2 Light Industrial

IN3 Heavy Industrial

Special Purpose Zones

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

RE2 Private Recreation

Environment Protection Zones

E1 National Parks and Nature Reserves

E2 Environmental Conservation

E3 Environmental Management

E4 Environmental Living

2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

2.3 Zone objectives and land use table

- (1) The Table at the end of this Part specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without consent, and
 - (c) development that may be carried out only with consent, and
 - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Table at the end of this Part:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Plan.

Notes.

- 1 Schedule 1 sets out additional permitted uses for particular land.
- 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.
- 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4 Clause 2.6 requires consent for subdivision of land.
- 5 Part 5 contains other provisions which require consent for particular development. [*see—relevant clauses may be listed here*].

2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with consent.

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Clause 2.5 Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Permitted or prohibited development

- (2) Before granting consent, the consent authority:
 - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and
 - (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
 - (a) with consent, or
 - (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

2.6 Subdivision—consent requirements

- (1) Land to which this Plan applies may be subdivided, but only with consent.
- (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.

2.6A Demolition requires consent

The demolition of a building or work may be carried out only with consent.

Note. If the demolition of a building or work is identified in this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt development, the Act enables it to be carried out without consent.

2.6B Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary purpose for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that:
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period the site will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

2.6C Earthworks

- (1) The objectives of this clause are as follows:
 - (a) to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,
 - (b) to allow earthworks of a minor nature without separate development consent.

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

- (2) Development consent is required for earthworks, unless:
 - (a) the work is exempt development under this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or
 - (b) the consent authority is satisfied the earthworks are of a minor nature.
- (3) Before granting development consent for earthworks, the consent authority must consider the following matters:
 - (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,
 - (b) the effect of the proposed development on the likely future use or redevelopment of the land,
 - (c) the quality of the fill or of the soil to be excavated, or both,
 - (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,
 - (e) the source of any fill material or the destination of any excavated material,
 - (f) the likelihood of disturbing Aboriginal objects or other relics,
 - (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

Land Use Table

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within the zone and with adjoining zones.
- To promote the use of agricultural land for efficient and effective agricultural production.
- To avoid or minimise impacts on the natural environment and protect environmentally sensitive land.

-
- To allow the development of non-agricultural land uses which are compatible with the character of the zone.
 - To allow the development of processing, service and value-adding industries related to agriculture and primary industry production.
 - To protect and enhance the water quality of receiving watercourses and groundwater systems to reduce land degradation.
 - To minimise the visual impact of development on the rural landscape.

2 Permitted without consent

Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Home occupations; Roads

3 Permitted with consent

Cellar door premises; Dwelling houses; Extractive industries; Kiosks; Light industries; Markets; Mining; Roadside stalls; Rural industries; Rural supplies; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Attached dwellings; Boat repair facilities; Bulky goods premises; Business premises; Dual occupancies; Exhibition homes; Exhibition villages; Function centres; Home occupation (sex services); Industrial retail outlets; Industries; Marinas; Multi dwelling housing; Nightclubs; Registered clubs; Residential flat buildings; Restricted premises; Retail premises; Self-storage units; Semi-detached dwellings; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Vehicle sales or hire premises; Water recreation structures

Zone RU2 Rural Landscape**1 Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic values.

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

- To protect and enhance the water quality of receiving watercourses and groundwater systems and reduce their degradation.
- To preserve environmentally sensitive land, including catchment areas, and prevent development likely to result in environmental harm.
- To minimise the potential for conflict between adjoining land uses.

2 Permitted without consent

Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Home occupations; Roads

3 Permitted with consent

Cellar door premises; Dwelling houses; Kiosks; Markets; Roadside stalls; Rural industries; Any other development not specified in item 2 or 4

4 Prohibited

Airports; Attached dwellings; Boat repair facilities; Business premises; Caravan parks; Dual occupancies; Exhibition homes; Exhibition villages; Feedlots; Freight transport facilities; Group homes; Home occupation (sex services); Hotel or motel accommodation; Industries; Liquid fuel depots; Marinas; Mortuaries; Multi dwelling housing; Nightclubs; Passenger transport facilities; Residential flat buildings; Retail premises; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Service stations; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone RU3 Forestry

1 Objectives of zone

- To enable development for forestry purposes.
- To enable other development that is compatible with forestry land uses.

2 Permitted without consent

Roads; Uses authorised under the *Forestry Act 1916*

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To protect and enhance the quality of water received by surface water and groundwater water sources and reduce their degradation.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Child care centres; Community facilities; Dwelling houses; Home industries; Light industries; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Schools; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Correctional centres; Crematoria; Electricity generating works; Farm stay accommodation; Freight transport facilities; Helipads; Home occupation (sex services); Industries; Liquid fuel depots; Marinas; Restricted premises; Restriction facilities; Rural industries; Rural workers' dwellings; Sex services premises; Storage premises; Waste or resource management facilities; Water recreation structures

Zone RU6 Transition

1 Objectives of zone

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

2 Permitted without consent

Environmental facilities; Environmental protection works; Extensive agriculture; Home occupations; Roads

3 Permitted with consent

Dwelling houses; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Boat repair facilities; Business premises; Crematoria; Dual occupancies; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Group homes; Heavy industries; Helipads; Highway service centres; Home occupation (sex services); Intensive livestock agriculture; Intensive plant agriculture; Liquid fuel depots; Livestock processing industries; Marinas; Mortuaries; Multi dwelling housing; Passenger transport facilities; Places of public entertainment; Recreation facilities (major); Registered clubs; Residential flat buildings; Retail premises; Rural workers' dwellings; Sawmill or log processing works; Semi-detached dwellings; Seniors housing; Service stations; Sex services premises; Shop top housing; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public

worship; Residential flat buildings; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Boat repair facilities; Charter and tourism boating facilities; Correctional centres; Crematoria; Electricity generating works; Entertainment facilities; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Helipads; Highway service centres; Home occupation (sex services); Industries; Liquid fuel depots; Marinas; Mortuaries; Moveable dwellings; Nightclubs; Passenger transport facilities; Places of public entertainment; Recreation facilities (major); Registered clubs; Restriction facilities; Retail premises; Rural workers' dwellings; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Dwelling houses; Group homes; Home industries; Neighbourhood shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Boarding houses; Boat repair facilities; Business premises; Charter and tourism boating facilities; Correctional centres; Crematoria; Electricity generating works; Entertainment facilities; Farm buildings; Farm stay accommodation; Forestry; Freight transport

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Part 2 Land Use Table

facilities; Function centres; Helipads; Highway service centres; Home occupation (sex services); Industries; Hostels; Liquid fuel depots; Marinas; Mortuaries; Moveable dwellings; Nightclubs; Office premises; Passenger transport facilities; Places of public entertainment; Recreation facilities (major); Registered clubs; Residential care facilities; Residential flat buildings; Restriction facilities; Retail premises; Rural workers' dwellings; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.
- To ensure that large residential allotments do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.
- To encourage subdivision of land that is consistent with the constraints and opportunities of the land.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Dwelling houses; Home industries; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Biosolid waste applications; Boat repair facilities; Business premises; Charter and tourism boating facilities; Correctional centres; Crematoria; Dairies (pasture-based);

Electricity generating works; Entertainment facilities; Freight transport facilities; Function centres; Helipads; Highway service centres; Home occupation (sex services); Hotel or motel accommodation; Industries; Intensive livestock agriculture; Intensive plant agriculture; Liquid fuel depots; Marinas; Mortuaries; Moveable dwellings; Multi dwelling housing; Nightclubs; Office premises; Passenger transport facilities; Places of public entertainment; Recreation facilities (major); Registered clubs; Residential flat buildings; Restriction facilities; Retail premises; Rural workers' dwellings; Serviced apartments; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses which serve the needs of people who live or work in the surrounding neighbourhood.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Business premises; Child care centres; Community facilities; Home industries; Neighbourhood shops; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Bed and breakfast accommodation; Biosolid waste applications; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Electricity generating works; Exhibition villages; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Helipads; Home occupation (sex services); Industries; Liquid fuel depots; Marinas; Residential accommodation; Restriction facilities; Sex services premises; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses which serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Electricity generating works; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Group homes; Helipads; Home occupation (sex services); Industries; Liquid fuel depots; Marinas; Residential flat buildings; Restriction facilities; Rural workers' dwellings; Sex services premises; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

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- To reinforce the status of Goulburn as a regional centre.
 - To ensure the scale and density of development complements the desired future character of the commercial core.
 - To protect the historic importance of Goulburn and protect heritage integrity of its historic built form.

2 Permitted without consent

Roads

3 Permitted with consent

Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Boat repair facilities; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Helipads; Highway service centres; Home occupation (sex services); Industries; Liquid fuel depots; Marinas; Moveable dwellings; Residential accommodation; Restriction facilities; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Home occupations; Roads

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolid waste applications; Boat repair facilities; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industries; Helipads; Home occupation (sex services); Liquid fuel depots; Marinas; Moveable dwellings; Restriction facilities; Rural industries; Rural workers' dwellings; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures

Zone B6 Enterprise Corridor

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses) and residential uses (but only as part of a mixed development).
- To maintain the economic strength of centres by limiting the retailing activity.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Business premises; Community facilities; Hotel or motel accommodation; Landscape and garden supplies; Light industries; Office premises; Passenger transport facilities; Retail premises; Timber and building supplies; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boarding houses; Biosolid waste applications; Cemeteries; Charter and tourism boating facilities; Correctional centres; Electricity generating works; Farm buildings; Forestry; Group homes; Helipads; Home occupation (sex services); Industries; Marinas; Residential flat buildings; Restriction facilities; Rural industries; Rural workers' dwellings; Sex services premises; Shop top housing; Waste or resources management facilities; Water recreation structures

Zone IN1 General Industrial**1 Objectives of zone**

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.

2 Permitted without consent

Roads

3 Permitted with consent

Depots; Freight transport facilities; Light industries; Neighbourhood shops; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolid waste applications; Business premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Exhibition homes; Exhibition villages; Function centres; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupation (sex services); Industries; Intensive livestock agriculture; Marinas; Nightclubs; Residential accommodation; Restriction facilities; Retail premises; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Zone IN2 Light Industrial**1 Objectives of zone**

- To provide a wide range of light industrial, warehouse and related land uses.

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Part 2 Land Use Table

- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Depots; Extensive agriculture; Light industries; Neighbourhood shops; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Attached dwellings; Biosolid waste applications; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Function centres; Group homes; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupation (sex services); Industries; Marinas; Multi dwelling housing; Nightclubs; Residential flat buildings; Restriction facilities; Retail premises; Rural industries; Rural workers' dwellings; Seniors housing; Sex services premises; Shop top housing; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures

Zone IN3 Heavy Industrial

1 Objectives of zone

- To provide suitable areas for those industries that need to be separated from other land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of heavy industry on other land uses.
- To recognise and provide for the diverse demands and implications of industry, warehousing, transport and servicing activities and ancillary land uses.

2 Permitted without consent

Roads

3 Permitted with consent

Depots; Freight transport facilities; Hazardous industries; Hazardous storage establishments; Heavy industries; Offensive industries; Offensive storage establishments; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Amusement centres; Business premises; Cemeteries; Charter and tourism boating facilities; Entertainment facilities; Function centres; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupation (sex services); Marinas; Nightclubs; Places of public entertainment; Places of public worship; Recreation facilities (major); Residential accommodation; Restriction facilities; Retail premises; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Wholesale supplies

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

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Part 2 Land Use Table

- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Information and education facilities; Kiosks; Markets; Moveable dwellings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Signage; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

Amusement centres; Backpackers' accommodation; Bed and breakfast accommodation; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Food and drink premises; Function centres; Helipads; Information and education facilities; Kiosks; Marinas; Markets; Moveable dwellings; Neighbourhood shops; Office premises; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Signage; Water recreation structures; Water recycling facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone E1 National Parks and Nature Reserves

1 Objectives of zone

- To enable the management and appropriate use of land that is reserved under the *National Parks and Wildlife Act 1974* or that is acquired under Part 11 of that Act.
- To enable uses authorised under the *National Parks and Wildlife Act 1974*.
- To identify land that is to be reserved under the *National Parks and Wildlife Act 1974* and to protect the environmental significance of that land.

2 Permitted without consent

Uses authorised under the *National Parks and Wildlife Act 1974*; Roads

3 Permitted with consent

Nil

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Extensive agriculture; Information and education facilities; Moveable dwellings; Recreation areas; Signage

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Retail premises; Seniors housing; Service stations;

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Clause 2.6C Goulburn Mulwaree Local Environmental Plan 2009

Part 2 Land Use Table

Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To facilitate the management of water catchment areas, environmentally sensitive land and areas of high conservation value.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Agriculture; Air strips; Cemeteries; Community facilities; Depots; Dwelling houses; Environmental facilities; Farm buildings; Forestry; Home-based child care; Home businesses; Home industries; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Secondary dwellings; Signage; Tourist and visitor accommodation; Water recycling facilities

4 Prohibited

Industries; Intensive livestock agriculture; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To avoid or minimise impacts on the natural environment and to protect environmentally sensitive land.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Community facilities; Dwelling houses; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Forestry; Home-based child care; Home businesses; Home industries; Information and education facilities; Recreation areas; Secondary dwellings; Signage; Water recycling facilities

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

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Clause 3.1 Goulburn Mulwaree Local Environmental Plan 2009

Part 3 Exempt and complying development

Part 3 Exempt and complying development

3.1 Exempt development

Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*, and
 - (e) must not be carried out in an environmentally sensitive area for exempt or complying development (as defined in clause 3.3).
 - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
 - (4A) A heading to an item in Schedule 2 is taken to be part of that Schedule.

3.2 Complying development

Note. Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
 - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
 - (c) the development is designated development, or
 - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
 - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment and Climate Change in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*), or
 - (f) the development is on land identified as an environmentally sensitive area.
- (1) The objective of this clause is to identify development as complying development.
 - (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:
 - (a) the development standards specified in relation to that development, and
 - (b) the requirements of this Part,
 is complying development.

Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.
 - (3) To be complying development, the development must:
 - (a) be permissible, with consent, in the zone in which it is carried out, and
 - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.
 - (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out in Part 2 of that Schedule.

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Clause 3.3 Goulburn Mulwaree Local Environmental Plan 2009

Part 3 Exempt and complying development

(4A) A heading to an item in Schedule 3 is taken to be part of that Schedule.

3.3 Environmentally sensitive areas excluded

(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.

(2) For the purposes of this clause:

environmentally sensitive area for exempt or complying development means any of the following:

- (a) the coastal waters of the State,
- (b) a coastal lake,
- (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*,
- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to provide a minimum lot size for the subdivision of land.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.
- (4A) This clause does not apply in relation to the subdivision of land for the purpose of erecting an attached dwelling or a semi-detached dwelling in a residential zone.

4.2 Rural subdivision

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) This clause applies to the following rural zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Rural Small Holdings,
 - (d) Zone RU6 Transition.
- (3) Land in a zone to which this clause applies may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (5) A dwelling cannot be erected on such a lot.

Note. A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).

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Clause 4.2A Goulburn Mulwaree Local Environmental Plan 2009

Part 4 Principal development standards

4.2A Erection of dwelling houses on land in certain rural and environmental zones

- (1) This clause applies to land in the following zones:
 - Zone RU1 Primary Production,
 - Zone RU2 Rural Landscape,
 - Zone RU3 Forestry,
 - Zone RU6 Transition,
 - Zone E2 Environmental Conservation,
 - Zone E3 Environmental Management.
- (2) Development consent must not be granted for the erection of a dwelling house on a lot in a zone to which this clause applies, and on which no dwelling house has been erected, unless the lot is:
 - (a) a lot created in accordance with clause 4.1, or
 - (b) a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
 - (c) a lot created before this Plan commenced that is at least the minimum lot size specified for that lot by the Lot Size Map, or
 - (d) a lot for which subdivision approval was granted and the plan of subdivision registered before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
 - (e) an existing holding.

Note. A dwelling cannot be erected on a lot created under clause 9 of *State Environmental Planning Policy (Rural Lands) 2008* or clause 4.2.
- (3) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:
 - (a) there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house, or
 - (b) the land would have been a lot or a holding referred to in subclause (2) had it not been affected by:
 - (i) a minor realignment of its boundaries that did not create an additional lot, or
 - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose.

- (4) In this clause:

existing holding means all adjoining land, even if separated by a road or railway, held in the same ownership:

- (a) on 15 May 1970, and
- (b) at the time of lodging a development application for the erection of a dwelling house under this clause,

and includes any other land adjoining that land acquired by the owner since 15 May 1970.

4.2B No strata plan or community title subdivisions in certain rural zones

- (1) The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
- (2) This clause applies to land in the following zones that is used, or proposed to be used, for residential accommodation or tourist and visitor accommodation:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape.
- (3) Development consent must not be granted for the subdivision of a lot to which this clause applies for a strata plan or community title scheme that would create lots below the minimum size shown on the Lot Size Map for that land.

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to ensure the height of buildings complements the streetscape or the rural character of the area in which the buildings are located,
 - (b) to protect the heritage character and significance of buildings and avoid an adverse effect on the integrity of heritage items,
 - (c) to ensure the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

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Clause 4.4 Goulburn Mulwaree Local Environmental Plan 2009

Part 4 Principal development standards

4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure the bulk and scale of development does not have an unacceptable impact on the streetscape and character of the area in which the development is located.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

4.5 Calculation of floor space ratio and site area

(1) Objectives

The objectives of this clause are as follows:

- (a) to define *floor space ratio*,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:
 - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
 - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
 - (iii) require community land and public places to be dealt with separately.

(2) Definition of “floor space ratio”

The *floor space ratio* of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

(3) Site area

In determining the site area of proposed development for the purpose of applying a floor space ratio, the *site area* is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

(4) Exclusions from site area

The following land must be excluded from the site area:

- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
- (b) community land or a public place (except as provided by subclause (7)).

(5) Strata subdivisions

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) Only significant development to be included

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) Certain public land to be separately considered

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) Existing buildings

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) Covenants to prevent “double dipping”

When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

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Clause 4.6 Goulburn Mulwaree Local Environmental Plan 2009

Part 4 Principal development standards

(10) **Covenants affect consolidated sites**

If:

- (a) a covenant of the kind referred to in subclause (9) applies to any land (*affected land*), and
- (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) **Definition**

In this clause, *public place* has the same meaning as it has in the *Local Government Act 1993*.

4.6 Exceptions to development standards

- (1) The objectives of this clause are:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

-
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (b) the concurrence of the Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General must consider:
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the development standard, and
- (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) Consent must not be granted under this clause for a subdivision of land in Zone RU1, RU2, RU3, RU4, RU6, R5, E2, E3 or E4 if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
- (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow consent to be granted for development that would contravene any of the following:
- (a) a development standard for complying development,
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
- (c) clause 5.4.

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Clause 5.1 Goulburn Mulwaree Local Environmental Plan 2009

Part 5 Miscellaneous provisions

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991* (**the owner-initiated acquisition provisions**).

Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Traffic Authority
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>

Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority under this Part. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.
- Note.** Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.
- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
- (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

Note. In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.

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Clause 5.3 Goulburn Mulwaree Local Environmental Plan 2009

Part 5 Miscellaneous provisions

5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 50 metres.
- (3) This clause does not apply to:
 - (a) land zoned RE1 Public Recreation, E1 National Parks and Nature Reserves, E2 Environmental Conservation, E3 Environmental Management or W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (5) The clause does not prescribe a development standard that may be varied under this Plan.

5.4 Controls relating to miscellaneous permissible uses

- (1) **Bed and breakfast accommodation**

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 7 bedrooms.
- (2) **Home businesses**

If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.

(3) **Home industries**

If development for the purposes of a home industry is permitted under this Plan, the carrying on of the light industry must not involve the use of more than 30 square metres of floor area.

(4) **Industrial retail outlets**

If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:

- (a) 40% of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or
 - (b) 400 square metres,
- whichever is the lesser.

(5) **Farm stay accommodation**

If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 7 bedrooms.

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 100 square metres.

(7) **Neighbourhood shops**

If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 1000 square metres.

(8) **Roadside stalls**

If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.

(9) **Secondary dwellings**

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 80% of the total floor area of both the self-contained dwelling and the principal dwelling.

5.5 Development within the coastal zone

Not applicable

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Clause 5.6 Goulburn Mulwaree Local Environmental Plan 2009

Part 5 Miscellaneous provisions

5.6 Architectural roof features

- (1) The objectives of this clause are:
 - (a) to provide flexibility in the application of standards for height limitations to allow architectural roof features to exceed the standard in certain circumstances.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
 - (a) the architectural roof feature:
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

5.7 Development below mean high water mark

Not applicable

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by New South Wales Fire Brigades or by a private service provider.
- (2) The following development may be carried out, but only with consent:
 - (a) converting a fire alarm system from connection with the alarm monitoring system of New South Wales Fire Brigades to connection with the alarm monitoring system of a private service provider,
 - (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
 - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection

with a different alarm monitoring system of the same private service provider.

- (3) Development to which subclause (2) applies is complying development if it consists only of:
- (a) internal alterations to a building, or
 - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm x 100mm x 100mm.
- (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.
- (5) In this clause:
private service provider means a person or body that has entered into an agreement that is in force with New South Wales Fire Brigades to monitor fire alarm systems.

5.9 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
- (a) development consent, or
 - (b) a permit granted by the Council.
- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.

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Clause 5.10 Goulburn Mulwaree Local Environmental Plan 2009

Part 5 Miscellaneous provisions

- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
- (a) that is or forms part of a heritage item, or
 - (b) that is within a heritage conservation area.
- Note.** As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.
- (8) This clause does not apply to or in respect of:
- (a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003* or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
 - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
 - (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying Act 2002*, or
 - (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.

5.10 Heritage conservation

Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.

(1) Objectives

The objectives of this clause are:

- (a) to conserve the environmental heritage of Goulburn Mulwaree, and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and

- (d) to conserve places of Aboriginal heritage significance.

(2) **Requirement for consent**

Development consent is required for any of the following:

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

(3) **When consent not required**

However, consent under this clause is not required if:

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

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- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) **Effect on heritage significance**

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) **Heritage impact assessment**

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or
- (b) within a heritage conservation area, or
- (c) within the vicinity of land referred to in paragraph (a) or (b),

require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) **Heritage conservation management plans**

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

(7) **Archaeological sites**

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

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

(8) **Places of Aboriginal heritage significance**

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

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

(9) **Demolition of item of State significance**

The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

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

(10) **Conservation incentives**

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

- (a) the conservation of the heritage item is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

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Clause 5.11 Goulburn Mulwaree Local Environmental Plan 2009

Part 5 Miscellaneous provisions

5.11 Bush fire hazard reduction

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

Note. The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

5.12 Infrastructure development and use of existing buildings of the Crown

- (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out without consent under the *State Environmental Planning Policy (Infrastructure) 2007*.
- (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

Part 6 Urban release areas

6.1 Arrangements for designated State public infrastructure

- (1) This clause applies to land in an urban release area, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (2) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (3) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (4) Subclause (3) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or
 - (b) any lot created by a subdivision previously consented to in accordance with this clause, or
 - (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or
 - (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

6.2 Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

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Clause 6.3 Goulburn Mulwaree Local Environmental Plan 2009

Part 6 Urban release areas

6.3 Relationship between Part and remainder of Plan

A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

Part 7 Additional local provisions

7.1 Flood planning land

- (1) The objectives of this clause are as follows:
 - (a) to maintain the existing flood regime and flow conveyance capacity,
 - (b) to enable safe occupation and evacuation of land subject to flooding,
 - (c) to avoid significant adverse impacts on flood behaviour,
 - (d) to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,
 - (e) to limit uses to those compatible with flow conveyance function and flood hazard.
- (2) This clause applies to land shown as “flood planning land” on the Flood Planning Land Map.
- (3) Development consent is required for any development on land to which this clause applies.
- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will not:
 - (a) adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, or
 - (b) significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, or
 - (c) affect the safe occupation or evacuation of the land, or
 - (d) significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, or
 - (e) be likely to result in unsustainable social and economic costs to the community as a consequence of flooding, or
 - (f) if located in a floodway:
 - (i) be incompatible with the flow conveyance function of the floodway, or
 - (ii) cause or increase a flood hazard in the floodway.

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Clause 7.2 Goulburn Mulwaree Local Environmental Plan 2009

Part 7 Additional local provisions

7.2 Environmentally sensitive land—biodiversity

- (1) The objectives of this clause are to protect, maintain or improve the diversity of the native vegetation, including:
 - (a) protecting biological diversity of native flora and fauna, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the recovery of threatened species, communities or populations and their habitats.
- (2) This clause applies to development on land that is identified as “environmentally sensitive land—biodiversity” on the Natural Resources Sensitivity Map—Biodiversity.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered a report that addresses the following matters:
 - (a) identification of any potential adverse impact of the proposed development on any of the following:
 - (i) a native vegetation community,
 - (ii) the habitat of any threatened species, population or ecological community,
 - (iii) a regionally significant species of plant, animal or habitat,
 - (iv) a habitat corridor,
 - (v) a wetland,
 - (vi) the biodiversity values within a reserve, including a road reserve or a stock route, and
 - (b) a description of any proposed measures to be undertaken to ameliorate any such potential adverse impact.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and:
 - (a) the development is designed, sited and managed to avoid the potential adverse environmental impact, or
 - (b) if a potential adverse impact cannot be avoided, the development:
 - (i) is designed and sited so as to have minimum adverse impact, and
 - (ii) incorporates effective measures so as to have minimal adverse impact, and
 - (iii) mitigates any residual adverse impact through the restoration of any existing disturbed or modified area on the site.

7.3 Subdivision for residential purposes in Zones RU5 and R5

- (1) This clause applies to:
 - (a) land in Zone RU5 Village, and
 - (b) land in Zone R5 Large Lot Residential.
- (2) Development consent must not be granted for the subdivision of land to which this clause applies for residential purposes unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (3) For the purpose of considering the availability of public utility infrastructure in subclause (2), the consent authority must include consideration of the following matters:
 - (a) water quality associated with the management of effluent disposal and stormwater,
 - (b) the provision of an adequate water supply for drinking and for fire fighting purposes.

7.4 Restrictions on development adjoining mines and extractive resource sites

- (1) The objective of this clause is to provide for the proper management and development of mineral and extractive resources for the purpose of promoting social and economic benefits to Goulburn Mulwaree and the State.
- (2) This clause applies to land adjoining, or in the vicinity of, land shown as “Minerals and extractive resources” on the Minerals and Extractive Resources Land Map.
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the following:
 - (a) whether the proposed development would have any adverse impact on the availability of mineral or extractive resources,
 - (b) whether there would be any adverse impact on the proposed development arising from noise, dust, vibration or reduced visual amenity from the mine or extractive industry.

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Schedule 1 Additional permitted uses

Schedule 1 Additional permitted uses

(Clause 2.5)

(When this Plan was made this Schedule was blank.)

Schedule 2 Exempt development

(Clause 3.1)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application and commences on 27 February 2009.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Access ramps and walkways

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

Construction of access ramps and walkways:

- (a) maximum height—1 metre from ground level (existing), and
- (b) maximum grade—1:14 (vertical: horizontal), and
- (c) must be constructed in accordance with AS 1428.1—2001, *Design for access and mobility—Part 1:General requirements for access—New building work*, and
- (d) must be constructed of metal, concrete or timber, and
- (e) must not obstruct surcharge gullies.

Note. Attention is drawn to the requirements of the *Disability Discrimination Act 1992* of the Commonwealth.

Advertising structures and displays

Erection of an advertising structure and display of an advertisement on it, or the display of an advertisement that is not an advertising structure (other than an illuminated sign in a residential zone), in any of the following circumstances:

- (a) the advertisement and any structure are not visible from outside the site on which they are displayed,
- (b) the advertisement is behind the glass line of a shop window,
- (c) the advertisement is a public notice displayed by a public authority giving information about a service,
- (d) the advertisement is a real estate sign advertising that the premises on which it is displayed are for sale or lease, if the advertisement and any associated structure together have a maximum area of 2.5m² within Environmental Protection Zones, or 3.5m² within all other zones,

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Schedule 2 Exempt development

- (e) the advertisement replaces one lawfully displayed on the same structure,
- (f) the advertisement displays a message relating to the lawful use of the premises on which it is situated, and the advertisement and any associated structure together have:
 - (i) a maximum area of:
 - 0.75m² in Zones RU1, RU2, RU5, R1, R2, R5, E2, E3 and E4, or
 - 25% of the front elevation of a building on which it is displayed in Zones B2, B3, B4 and B6, or
 - 2.5m² in any other zone, and
 - (ii) a maximum height of either 3m above ground level (existing) or the height of the underside of any awning, whichever is the greater, and
if the advertisement is suspended from an awning along a public road, it is not lower than 2.6m above ground/pavement level.

Aerials, antennae and microwave antennae for domestic use

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum height (measured from natural ground level)—8m.
- (2) Maximum number—1 per dwelling.
- (3) Must not be in the front yard.

Air-conditioning units for dwellings

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must be attached to external wall or ground mounted.
- (2) Must not be less than 3m from any property boundary.
- (3) Building work must not reduce the structural integrity of the building to which it is attached.
- (4) Any opening must be adequately weatherproofed.

Aviaries

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—10m².

-
- (2) Maximum height (measured from ground level (existing))—2.4m.
 - (3) Minimum distance from boundary—1m.
 - (4) Maximum number—2.
 - (5) Must not be in an easement.
 - (6) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
 - (7) Must be behind the rear building alignment.

Awnings, canopies and storm blinds for dwellings

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—10m².
- (2) Must be wholly within property boundaries.
- (3) Must not project further than 1.5m from wall.

Barbecues

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—3m².
- (2) Maximum height of 2m from ground level (existing).
- (3) Must be behind the rear building alignment.
- (4) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.

Bed and breakfast accommodation

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) The dwelling used for bed and breakfast accommodation:
 - (a) must have a maximum area of 300m², and
 - (b) must be connected to reticulated sewer or other approved onsite wastewater management system.
- (2) Must not have more than 7 guest rooms and must not be capable of accommodating more than 14 guests at any one time.
- (3) No more than one external advertising sign with a maximum area 0.75m².

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Schedule 2 Exempt development

- (4) One on-site parking space per guest room must be behind the building line of the dwelling.
- (5) Must be no key release dead locks on guest room or exit doors.
- (6) Must be no bars or other restrictions to exit on guest room windows.

Building alterations for persons with disabilities

Building alterations to provide sanitary facilities for people with disabilities:

- (a) must be non-structural alterations to the exterior of a building or interior alterations to a building that do not affect the load bearing capacity of any load bearing component of the building, and
- (b) must be constructed in accordance with AS 1428.1—2001, *Design for access and mobility—Part 1: General requirements for access—New building work*.

Cabanas, gazebos and greenhouses

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—10m².
- (2) Maximum wall or post height (measured from ground level (existing))—2.4m.
- (3) Maximum overall height (measured from ground level (existing))—2.7m.
- (4) Maximum number—2.
- (5) Must not be in an easement.
- (6) Must not be located over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (7) Minimum distance from side and rear boundaries—900mm.
- (8) Must be behind the rear building alignment.
- (9) Maximum excavation—200mm.

Carports

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum size—20m².
- (2) Maximum height—2.4m metres to ceiling level and offset 900mm.

-
- (3) Minimum distance from front street boundary—5.5m.

Clothes hoists or lines

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must not be in front of the dwelling or main building.
- (2) Must not be in an easement.
- (3) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (4) Must not be visible from a public place.

Change of building use and building alterations

- (1) A new use of a lawfully existing building that continues to comply with all other development consent conditions, if:
- (a) the new use is consistent with the classification of the building under the *Building Code of Australia* and replaces a former use being carried out in accordance with a development consent, and
 - (b) the existing or new use is not actually or potentially a hazardous or offensive industry, and
 - (c) the new use does not involve the handling, preparation or storage of food for sale or consumption, and
 - (d) the new use is not prohibited by any provision in an environmental planning instrument applying to the land, and
 - (e) the change of use complies with subclauses (2)–(4).
- (2) A change of building use from a shop to an office premises or from an office premises to a shop if the change applies to not more than 200m² of floor space.
- (3) A change of building use from a shop to a business premises or from a business premises to a shop, or internal alterations to a shop or a business premises that does not alter the load-bearing capacity of load-bearing components, if:
- (a) the total floor area of the building does not increase, and
 - (b) not more than 2000m² of floor area changes from a business premises to a shop, and
 - (c) the demand for the provision of parking does not increase, and
 - (d) the area of existing landscaping does not change, and
 - (e) the existing hours of operation do not change, and

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- (f) the new use is not for the purpose of restricted premises or sex services premises.
- (4) A change of building use from an industry to a light industry or a light industry to another light industry or internal building alterations to an industrial building with a maximum floor space of 1000m² that does not alter the load-bearing capacity of load-bearing components, if:
 - (a) the total floor area of the building does not increase, and
 - (b) the demand for the provision of parking does not increase, and
 - (d) the existing hours of operation do not change, and
 - (e) the area of existing landscaping does not change.

Cubby houses, playground equipment at ground level

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum overall height—2.7m.
- (2) Maximum wall height—2.1m.
- (3) Maximum area—10m².
- (4) Must not be in an easement.
- (5) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (6) Must be located behind the rear building alignment.

Decks (attached to dwellings)

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—20m².
- (2) Finished surface level must not be greater than 900mm above ground level (existing).
- (3) Minimum distance from side and rear boundaries—900mm.
- (4) Must not be in an easement.
- (5) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (6) Must not be in front of the dwelling.

Demolition

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies to the demolition of exempt development under that Policy.

- (1) Demolition of any structure the erection of which would be exempt development under this Plan, or a temporary building the erection of which would be complying development under this Plan.
- (2) Must be carried out in accordance with AS 2601—2001, *Demolition of structures*.
- (3) Maximum area—25m².
- (4) Must not be within 3m of a property boundary or be likely to collapse onto adjoining land or a public place.

Fences in Zone R1, R2 or R5

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must not prevent or obstruct the natural flow of stormwater drainage or run off.
- (2) Boundary fences:
 - (a) side fences (between building line and street or any other public place) and front fences:
 - (i) if the fence is not solid—maximum height of 1.2m from ground level (existing) if constructed of timber, metal or lightweight materials, and
 - (ii) if the fence is solid—maximum height of 600mm from ground level (existing), and
 - (b) side fences (between building line and rear boundary) and rear boundary fences:
 - (i) maximum height—1.8 metres from ground level (existing) if constructed of timber, metal or lightweight materials, and
 - (ii) if in front of the building line, set back from the boundary with a 45 degree splay and a minimum length of 1.2 metres.
- (3) Masonry or brick fences—Maximum height 600mm from ground level (existing).
- (4) Chainwire fences surrounding industrial premises—maximum height 1.8m from ground level (existing) along the side and rear boundaries behind the front wall of the main building on the land.

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Filming

- (1) May only be carried out:
 - (a) on private land, or
 - (b) in the Sydney Olympic Park within the meaning of the *Sydney Olympic Park Authority Act 2001*, or
 - (c) on Trust lands within the meaning of the *Royal Botanic Gardens and Domain Trust Act 1980*, or
 - (d) on Trust lands within the meaning of the *Centennial Park and Moore Park Trust Act 1983*, or
 - (e) on part of the foreshore area within the meaning of the *Sydney Harbour Foreshore Authority Act 1998*, or
 - (f) on Crown land.
- (2) May only be carried out on land:
 - (a) on which there is a heritage item, or
 - (b) within a heritage conservation area, or
 - (c) identified in clause 3.3 as an environmentally sensitive area for exempt development,if the filming does not involve or result in any of the following:
 - (d) any changes or additions that are not merely superficial and temporary to any part of a heritage item, a heritage conservation area or an environmentally sensitive area,
 - (e) the mounting or fixing of any object or article on any part of such an item or area (including any building or structure),
 - (f) the movement, parking or standing of any vehicle or equipment on or over any part of such an item or area that is not specifically designed for the movement, parking or standing of a vehicle or equipment on or over it,
 - (g) any changes to the vegetation on, or level of, such an item or area or any changes to any other natural or physical feature of the item or area.
- (3) Must not create significant interference with the neighbourhood.
- (4) The person carrying out the filming must obtain a policy of insurance that adequately covers the public liability of the person in respect of the filming for an amount of not less than \$10,000,000.
- (5) If the filming is carried out on private land, the filming must not be carried out for more than 30 days within a 12-month period at the particular location.

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- (6) A filming management plan must be prepared and lodged with the consent authority for the location at least 5 days before the commencement of filming at the location. The plan must contain the following information and be accompanied by the following documents (without limiting the information or documents that may be submitted):
- (a) the name, address and telephone number of the person carrying out the filming (such as a production company) and of the producer for the filming,
 - (b) a brief description of the filming to be carried out (for example, a television commercial, a television series, a feature film or a documentary),
 - (c) the proposed location of the filming,
 - (d) the proposed commencement and completion dates for the filming at the location,
 - (e) the proposed daily length of filming at the location,
 - (f) the number of persons to be involved in the filming,
 - (g) details of any temporary structures (for example, tents or marquees) to be erected at the location for the purposes of the filming,
 - (h) the type of filming equipment to be used in the filming (such as a hand-held or mounted camera),
 - (i) proposed arrangements for parking vehicles associated with the filming during the filming,
 - (j) whether there will be any disruption to the location of the filming or the surrounding area and the amenity of the neighbourhood (for example, by the discharge of firearms or explosives, the production of offensive noise, vibrations, disruption to traffic flow or the release of smells, fumes, vapour, steam, soot, ash, dust, waste water, grit or oil),
 - (k) whether the filming will involve the use of outdoor lighting or any other special effects equipment,
 - (l) a copy of the public liability insurance policy that covers the filming at the location,
 - (m) a copy of any approval given by a public or local authority to carry out an activity associated with the proposed filming at the location, such as the following:
 - (i) an approval by the Roads and Traffic Authority for the closure of a road,
 - (ii) an approval by the Council for the erection of a temporary structure, closure of a road or a public footpath, or a restriction in pedestrian access,
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- (iii) an approval by the Environment Protection Authority for an open fire,
 - (iv) an approval by the NSW Police Force for the discharge of firearms,
 - (v) an approval by the Department of Lands for the use of Crown land.
- (7) The person carrying out the filming must, at least 5 days before the commencement of filming at the particular location, give notice in writing (by way of a letter-box drop) of the filming to residents within a 50m radius of the location. The notice must contain the following information:
- (a) the name and telephone number of the person carrying out the filming (such as a production company) and of a contact representative of that person,
 - (b) a brief description of the filming to be carried out at the location, and any proposed disruptions to the location or the surrounding area or the amenity of the neighbourhood,
 - (c) the proposed commencement and completion dates for the filming at the location,
 - (d) the proposed daily length of filming at the location.

Flagpoles

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum height—6m.
- (2) Must be wholly within property boundaries.
- (3) Maximum number—1 per premises.
- (4) Must be structurally adequate.
- (5) Must not involve the display of an advertisement, business name or logo or promotional material.

Garden sheds (free-standing) in Zone R1, R2 or R5

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum floor area—10m².
- (2) Maximum wall height—2.1m from ground level (existing).
- (3) Maximum overall height—2.4m from ground level (existing).

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- (4) Maximum number—2.
 - (5) Must be behind the rear building alignment.
 - (6) Must not be in an easement.
 - (7) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
 - (8) Minimum side/rear boundary setback—900mm.

Minor internal alterations to domestic single dwellings

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

Building alterations or renovations to previously approved and completed buildings (other than the making of, or an alteration to the size of any opening in the wall or roof of a building, such as a doorway, window or skylight) comprising:

- (a) non-structural building alterations to the exterior of a building, such as painting, plastering, cement rendering, cladding, attaching fittings and decorative work, or
- (b) interior alterations to a building that do not affect the load bearing capacity of any load bearing component of the building, or
- (c) replacement of doors, wall, ceiling or floor linings, or deteriorated frame members with equivalent or improved quality materials, or
- (d) renovation of bathrooms or kitchens or inclusions of built-in fixtures such as vanities, cupboards and wardrobes, or
- (e) work that does not change the configuration of rooms whether by the removal of existing walls or partitions or by other means, or
- (f) work that does not cause a reduction in window space for light and ventilation or involve the enclosure of open areas.

Minor trellises, garden arches or lychgates constructed of timber, metal or lightweight materials

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—4m².
- (2) Maximum height—2.4m from ground level (existing).

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Pergolas (roofed or unroofed)

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—20m².
- (2) Maximum height—2.4m from ground level (existing).
- (3) Minimum distance from side and rear boundaries—900mm.
- (4) Maximum number—2.
- (5) Must be behind rear building alignment.
- (6) Must not be in an easement.
- (7) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (8) Roof water must be connected to stormwater disposal and land surrounding the structure is graded to divert surface water clear of adjoining premises.

Rainwater tanks

Note. Rainwater tanks are exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must not be installed or erected on land:
 - (a) that is within a heritage conservation area or within the curtilage of a heritage item, or
 - (b) that is within 40m of a perennial watercourse identified by a 1:50,000 topographic map held by the Department of Lands, or
 - (c) the surface of which has a slope greater than 18 degrees from the horizontal, or
 - (d) that is a lot within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*.
- (2) Must be located:
 - (a) behind the front alignment to the street of the building to which the tank is connected (or in the case of a building on a corner block, behind both the street front and the street side alignments of the building), and
 - (b) at least 450mm from any property boundary.

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- (3) Must not be installed or erected:
- (a) over or immediately adjacent to a water main or sewer main unless it is installed in accordance with any requirements of the public authority that has responsibility for the main, or
 - (b) over any structure or fitting used by a public authority to maintain a water main or sewer main, or
 - (c) on a footing of any building or other structure, including a retaining wall.
- (4) The installation or erection of the rainwater tank must not:
- (a) require a tree to be removed, or
 - (b) involve the excavation of more than 1m from the existing ground level, or the filling of more than 1m above the existing ground level.
- (5) Subject to this clause, the capacity of the rainwater tank, or the combined capacity of the tanks, on a lot must not exceed 10,000L (or in the case of a tank or tanks used for an educational establishment, 25,000L).
- (6) The rainwater tank must:
- (a) be designed to capture and store roof water from gutters or downpipes on a building, and
 - (b) be fitted with a first-flush device, being a device that causes the initial run-off of any rain to bypass the tank to reduce pollutants entering the tank, and
 - (c) be structurally sound, and
 - (d) be prefabricated, or be constructed from prefabricated elements that were designed and manufactured for the purpose of the construction of a rainwater tank, and
 - (e) be assembled and installed in accordance with the manufacturer's or tank designer's specifications, and
 - (f) be installed and maintained (including any stand for the tank) in accordance with any requirements of the public authority that has responsibility for the supply of water to the premises on which the tank is installed, and
 - (g) be enclosed, and any inlet to the tank must be screened or filtered, to prevent the entry of foreign matter or creatures, and
 - (h) be maintained at all times so as not to cause a nuisance with respect to mosquito breeding or overland flow of water, and
 - (i) have a sign affixed to it clearly stating that the water in the tank is rainwater.
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- (7) The rainwater tank must not:
 - (a) collect water from a source other than gutters or downpipes on a building or a water supply service pipe, or
 - (b) exceed 3m in height above ground level, including any stand for the tank.
- (8) Any overflow from the rainwater tank must be directed into an existing stormwater system.
- (9) Any plumbing work undertaken on or for the rainwater tank that affects a water supply service pipe or a water main must be undertaken:
 - (a) with the consent of the public authority that has responsibility for the water supply service pipe or water main, and
 - (b) in accordance with any requirements by the public authority for the plumbing work, and
 - (c) by a licensed plumber in accordance with the *New South Wales Code of Practice for Plumbing and Drainage* produced by the Committee on Uniformity of Plumbing and Drainage Regulations in NSW.
- (10) Any motorised or electric pump used to draw water from the rainwater tank or to transfer water between rainwater tanks:
 - (a) must not create an offensive noise, and
 - (b) in the case of a permanent electric pump, must be installed by a licensed electrician.

Recladding

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

Recladding a roof or wall of an existing dwelling if existing materials are being replaced with similar materials:

- (a) that does not involve structural alterations, and
- (b) is not carried out on a dwelling identified in Schedule 5.

Retaining walls associated with a dwelling house

Note. This development is complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum height—600mm from ground level (existing).
- (2) Masonry walls must comply with *AS 3700—2001, Masonry Structures*, *AS 3600—2001, Concrete Structures* and *AS 1170—Loading Code*.

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- (3) Timber walls must comply with AS 1720—2001, *Timber Structures* and AS 1170—*Loading Code*.
 - (4) Must not be in an easement.
 - (5) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
 - (6) Groundwater must be directed to stormwater drain.
 - (7) Must not cause nuisance to adjoining residents.
 - (8) Must not prevent or obstruct the natural flow of stormwater drainage or run off.
 - (9) Fill adjacent to boundaries must be bounded by a fence 1.8m above ground level (existing).

Rural development

Note. This development is partly exempt development and partly complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Development (such as bore tripods, fences, garden sheds, rural sheds, stables and the like) on land zoned RU1, RU2, RU3, RU5 or RU6, subject to the following requirements:
 - (a) minimum set back from any boundary—10m,
 - (b) maximum area—300m²,
 - (c) ground floor level of the structure must not be more than 1m from the natural ground level,
 - (d) maximum height—10m,
 - (e) any spillage from chemicals or fuel stored in the structure must be caught by an adequately sized bund.
- (2) Activities ancillary to the rural nature and operations of the land, including:
 - (a) earthworks, and
 - (b) the use, servicing and maintenance of rural machinery and equipment, and
 - (c) on-property livestock sales.

Satellite TV dishes

Note. Satellite TV dishes are exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must not be installed or erected:

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- (a) on land within a heritage conservation area or within the curtilage of a heritage item, or
 - (b) less than 1m from any easement or sewer main.
- (2) Must be installed or erected wholly within the boundaries of a property.
- (3) If roof mounted, must have a diameter not exceeding 90cm (excluding any projecting feed element) and its height at any point must not exceed the highest point of the roof (if the roof is peaked) or 1.2m above the roof (if the roof is flat).
- (4) If ground mounted, must have a diameter not exceeding 90cm (excluding any projecting feed element) and its height must not exceed 1.2m above the highest point of the roof of the dwelling on which, or adjacent to which, it is erected.
- (5) If installed or erected on land within a Business or Industrial zone, must comply with the following:
 - (a) if roof mounted, must have a diameter not exceeding 1.8m (excluding any projecting feed element) and its height at any point must not exceed 1.8m above the highest point of the roof structure,
 - (b) if ground mounted, must have a diameter not exceeding 1.8m (excluding any projecting feed element) and its height must not exceed 1.8m above the highest point of the roof of any building on which, or adjacent to which, it is erected.
- (6) Must be installed in accordance with the manufacturer's specifications and any relevant standard specified by Standards Australia.
- (7) Must not affect the structural integrity of any building on which it is erected.

Skylight roof windows including Solartube or similar type installation

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Maximum area—1m².
- (2) Must not be less than 900mm from a property boundary.
- (3) Must not be less than 900mm from a wall separating attached dwellings.
- (4) Structural integrity of the building must not be reduced and no structural alterations must be required.
- (5) Any opening created by the installation must be completely weatherproofed.
- (6) Roof openings must be flush with the roof pitch.

Solar water heaters

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Freestanding installations must not be in front of the main building on the premises.
- (2) Must be installed by an appropriately licensed person.
- (3) The structural integrity of the building must not be reduced and no structural alterations.
- (4) Any opening created by the installation must be completely weatherproofed.
- (5) Must not be on the front elevation of a building.

Swimming pools for private use ancillary to approved dwellings

Note. This development is complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Must be behind the rear building alignment.
 - (2) Any coping and decking around the swimming pool must be not more than 500mm above the natural ground level.
 - (3) Minimum distance from side and rear boundaries—1.8m.
 - (4) Noise level of any filtration equipment or pumps must not exceed 5 dBA above the ambient background level measured at the property boundary.
 - (5) Minimum of 20% of the site must be soft landscaped (not hard surfaces).
 - (6) All waste water is to be conveyed to Council's sewerage system by discharging waste water over a sewer yard gully in accordance with clause 10.9 of AS/NZS—3500.2:2003, *Plumbing and drainage—Sanitary plumbing and drainage*.
 - (7) Filtration motor pump unit must be housed in a sound attenuating enclosure.
 - (8) Must not change natural or ground level (existing) below the dripline of any existing tree.
 - (9) Must not require tree removal.
 - (10) Must not be in an easement.
 - (11) Must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
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Tents or marquees used solely for filming purposes

- (1) May only be used in connection with filming that is exempt development.
- (2) Total floor area of all tents or marquees on location at the same time must not exceed 200m².
- (3) Must be located within at least 3m from any boundary adjoining a public road and at least 1m from any other boundary.
- (4) Must have the following number of exits arranged so as to afford a ready means of egress from all parts of the tent or marquee to open space or a road:
 - (a) 1 exit if the floor area of the tent or marquee does not exceed 25m²,
 - (b) 2 exits in any other case.
- (5) Width of each exit must be at least:
 - (a) 800mm if the floor area of the tent or marquee is less than 150m²,
or
 - (b) 1m in any other case.
- (6) Height of the walls must not exceed:
 - (a) 4m if erected on private land, or
 - (b) 5m in any other case.
- (7) Height as measured from the surface on which the tent or marquee is erected to the highest point of the tent or marquee must not exceed 6m.
- (8) Must resist loads determined in accordance with the following Australian and New Zealand Standards entitled:
 - (a) AS/NZS 1170.0:2002, *Structural design actions—General principles*,
 - (b) AS/NZS 1170.1:2002, *Structural design actions—Permanent, imposed and other actions*,
 - (c) AS/NZS 1170.2:2002, *Structural design actions—Wind actions*.
- (9) Must not remain at the location more than 2 days after the completion of the filming at the location.

Water heaters (installation or replacement, other than solar hot water systems)

- (1) The structural integrity of the building must not be reduced and no structural alterations must be required.
- (2) Installation must be by an appropriately licensed person.

Windows, glazed area and external doors (replacement on dwelling houses)

Note. This development is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. From 27 February 2009 only that Policy applies.

- (1) Replacement in residential premises must use materials that comply with:
 - (a) AS 1288—2006, *Glass in Buildings—Selection and Installation*, and
 - (b) AS/NZS 2208:1996, *Safety Glazing Materials in Buildings*.
- (2) The area provided for light and ventilation must not be reduced.
- (3) Structural support members must not be removed.

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Schedule 3 Complying development

Schedule 3 Complying development

(Clause 3.2)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application and commences on 27 February 2009.

Note 2. Information relevant to this Part is also contained in the Act, the *Environmental Planning and Assessment Regulation 2000*, the *Protection of the Environment Operations Act 1997* and the *Roads Act 1993*.

Part 1 Complying development

Dwelling-houses

Note. This category of complying development does not apply to heritage items listed in Schedule 5.

- (1) Construction of single storey, single domicile dwellings including:
 - (a) detached dwellings, and
 - (b) alterations and additions to existing dwellings, and
 - (c) development ancillary or incidental to existing dwellings, including carports and garages.
- (2) General:
 - (a) lot must be connected to reticulated sewer system, and
 - (b) any earthworks required to change ground level (existing) are limited to the following:
 - (i) not deeper than 600mm,
 - (ii) fill extending beyond the perimeter or footprint of the building not deeper than 400mm,
 - (iii) no fill permitted to change ground level (existing) at the property boundary.
- (3) Siting:
 - (a) any part of the structure must be set back a minimum of 6m from the front boundary, and
 - (b) dwellings facing public streets and accessways must have a front door or window to a habitable room facing the street, and
 - (c) the external wall of any structure must be at least 900mm from the side or rear boundary, and
 - (d) must be a minimum of 675mm between the outside edge of the eaves, gutter or overhang of the dwelling and the side and rear boundaries, and

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- (e) the dwelling together with all outbuildings must not occupy more than two-thirds of the allotment, and
 - (f) must not be in an easement, and
 - (g) must not be over sewer mains or within a distance from a point on the surface over the sewer main equal to the depth of the sewer main.
- (4) Bulk and scale:
- (a) carports and garages facing a public street or accessway must not be wider than 6m or 50% of the frontage of the subject lot, whichever is the lesser, and
 - (b) the ground floor level of the structure at any point must not be more than 900mm above ground level (existing), and
 - (c) the distance between the ground floor level and the underside of the eaves must be no more than 2.7m, and
 - (d) for new dwellings, minimum roof pitch is 17.5° degrees and maximum roof pitch is 24° and any openings must be flush with the roof pitch.
- (5) Privacy—windows in a habitable room that provide an outlook to a habitable room window in an adjoining dwelling and are within 9m of the adjoining dwelling must:
- (a) be offset from the edge of each window by a distance of 500mm, or
 - (b) have sill heights of 1.7m above floor level, or
 - (c) have fixed obscure glazing in any part of the window below 1.7m above floor level.
- (6) Shadow—the adjoining property’s main private open space area or any habitable rooms must not have hours of sunlight between 9am and 3pm on 21 June (winter solstice) reduced below 4 hours.
- (7) Open space and landscaping:
- (a) minimum of 20% of the site must be soft landscaped (ie other than hard surfaces), and
 - (b) must not have more than one-third of the front setback area paved or sealed, and
 - (c) must not change to natural or ground level (existing) below the dripline of any existing tree, and
 - (d) must not require tree removal.
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Schedule 3 Complying development

- (8) Drainage—roof and surface stormwater collected on the site must be drained to a street stormwater drainage system or a legal inter-allotment drainage system.
- (9) Driveways:
 - (a) must conform with Goulburn Mulwaree Council's Standards for Engineering Works as in force at the commencement of this Plan, and
 - (b) must be constructed in accordance with AS/NZS 2890:2004, *Parking facilities* and must include appropriate transition zones, and
 - (c) minimum distance from any road intersection—6m.

Part 2 Complying development certificate conditions

General conditions—all categories

- (1) The applicant must give any occupier of adjoining premises at least 2 days notice before work begins.
- (2) Before any site works, building or demolition begins the applicant or builder must:
 - (a) notify Council of the name, address, telephone number and licence number of the builder, and
 - (b) erect a sign (minimum size 600mm × 450mm) in the front of the property with the builder's name, licence number, site address and complying certificate number, and
 - (c) provide, or ensure the provision of, a temporary on-site toilet, and
 - (d) protect and support any neighbouring buildings, and
 - (e) ensure any adjoining public place is protected from obstruction or inconvenience resulting from the carrying out of the development, and
 - (f) prevent any substance from falling onto a public place.
- (3) The applicant must ensure any damage caused to kerb, guttering or footpath during building operations is rectified to the satisfaction of the Council.
- (4) The applicant must ensure the footpath or road reserve is not used for construction purposes or placing of building materials without the prior consent of the Council.
- (5) The applicant must ensure the following run-off and erosion controls are implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land:

-
- (a) diversion of uncontaminated run-off around cleared or disturbed areas,
 - (b) erection of a silt fence to prevent debris escaping into drainage systems or waterways,
 - (c) prevention of tracking of sediment by vehicles onto roads,
 - (d) stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site.
- (6) The applicant must ensure that removal or disturbance of vegetation and top soil is confined to within 3m of the approved building or site works area.
- (7) The applicant must ensure the land surrounding any structure is graded to divert surface water to a street stormwater drainage system or a legal inter-allotment drainage system and must be clear of existing and proposed structures and adjoining premises.
- (8) The applicant must ensure that building work is carried out:
- (a) if it is audible in adjoining residential premises—only between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturday, and
 - (b) in any other case—only between 7.00am and 6.00pm Monday to Friday and 8.00am to 5.00pm on Saturday, and
- no work is to be undertaken on Sunday or a public holiday.
- (9) A survey report prepared by a registered surveyor must be given to the principal certifying authority for the following development:
- (a) all new dwellings,
 - (b) dwelling additions with a boundary setback less than 1.2m,
 - (c) outbuildings with a boundary setback less than 1.0m,
 - (d) buildings with a floor level or swimming pools with a coping level more than 750mm above ground level (existing),
 - (e) swimming pools with a boundary setback less than 2m,
- detailing the relevant location, floor level or coping level of the structure for the purpose of checking compliance with the approved plans. The required report must be provided once the location of external walls or outer structure edge and relevant levels are established and before construction proceeds above floor level or the filling of a pool with water.
- (10) Driveways and vehicle entries must conform with Goulburn Mulwaree Council's Standards for Engineering Works as in force at the commencement of this Plan.
-

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Schedule 3 Complying development

- (11) Driveways must be a minimum of 6m from any road intersection.
- (12) Driveways must be constructed in accordance with AS/NZS 2890:2004, *Parking facilities* and must include appropriate transition zones.

Specific conditions—subdivision

- (1) The development must be carried out generally in accordance with the plans and details submitted with the application.
- (2) The subdivision plan must be prepared by a registered surveyor and show that all existing services are wholly contained within the lot served.

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description
Manfred Park	Land known as Manfred Park, bounded by Clinton Street, Glebe Avenue and Auburn Street, Goulburn, Book 1247, Number 285.

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Nil		

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description
Nil	

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Schedule 5 Environmental heritage

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage Items

Note. Items of heritage significance showing (*) are also subject to National or Commonwealth listing.

Suburb	Item name	Address	Property description	Significance	Item No
Baw Baw	Bishopthorpe	Bishopthorpe Lane, off Wheeo Road	Lot 51, DP 857094	Local*	1
Baw Baw	Rossi Bridge	Grabben Gullen Road	Road Reserve	State*	2
Baw Baw	“Cole Park” Homestead	115 Gurrundah Road	Lot 1, DP 790767	Local	3
Boxers Creek	Nooga	Boxers Creek Road	Lot 98, DP 802308	Local	4
Brayton	Brayton Cemetery	Bulls Pit Road, Old South Road	Lot 1, DP 327939	Local	5
Brayton	Marble Quarry	Bulls Pit Road	Lot 9, DP 750003	Local	6
Brisbane Grove	Dwelling, “Wyoming”	55 Barretts Lane	Lot 1, DP 794750	Local	7
Brisbane Grove	Dwelling, “The Towers” (c 1840)	5477 Braidwood Road	Lot 50, DP 1009468	Local	8
Brisbane Grove	Dwelling, “Allfarthing”	2 Brisbane Grove Road	Lot 73, DP 976708	Local	9
Brisbane Grove	Dwellings, “Brigadoon” and “Wyandra”	54 and 56 Brisbane Grove Road	Lots 66 and 67, DP 976708	Local	10
Brisbane Grove	Dwelling, “Sofala”	137 Brisbane Grove Road	Lot 20, DP 976708	Local	11
Brisbane Grove	Dwelling, “Weston”	242 Brisbane Grove Road	Lot 2, DP 1055961	Local	12
Brisbane Grove	Dwelling, “Corrinyah”	Corrinyah Road	Lots 6 and 7, DP 594115	Local	13
Brisbane Grove	Dwelling, “Homeden”	46 Mountain Ash Road	Lot 67, DP 126140	Local	14

Suburb	Item name	Address	Property description	Significance	Item No
Brisbane Grove	Homestead, "Yattalunga" (1860)	Johnson Lane	Lot 80, DP 976708	Local	15
Brisbane Grove	Dwelling, "Rosebank"	262 Windellama Road	Lot 4, DP 803430	Local	16
Bungonia	St Michaels Catholic Church, "Hope Inn" (former)	Eliza Champion Street, Hay Street	Lot 15, DP 89404; Lot 1 and Part Lot 2; Sec 1, DP 758184	Local	17
Bungonia	Reevesdale	346 Inverary Road	Lot 1, DP 1012650	Local	18
Bungonia	Inverary Park	710 Inverary Road	Lot 2, DP 84966	Local*	19
Bungonia	Bungonia Hall	King Street	Lot 1, Sec 20, DP 758184	Local	20
Bungonia	Bungonia Police Station, Bungonia Public School (former)	King Street	Lots 4 and 8, Sec 19, DP 758184	Local	21
Bungonia	Bungonia Rifle Range	King Street	Lot 7006, DP 1025596	Local	22
Bungonia	Christ Church, Anglican	King Street	Lot 18, Sec 3, DP 758184	State	23
Bungonia	"Victoria Inn", Ruins	King Street	Lots 13 and 14, Sec 3, DP 758184	Local	24
Bungonia	The Parsonage	King Street	Lot 7002, DP 1025594	Local	25
Bungonia	War Memorial	King Street	Lot 1, Sec 19, DP 758184	Local	26
Bungonia	Bungonia State Recreation Area	Lookdown Road	Reserve	Local*	27
Bungonia	Caarne Historic Site	Lookdown Road	Part Lot 67, DP 750020	Local*	28
Bungonia	Brisbane Meadows	393 Lookdown Road	Lot 2, DP 794232	Local	29

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Schedule 5 Environmental heritage

Suburb	Item name	Address	Property description	Significance	Item No
Bungonia	“Lumley Park” Homestead, Outbuildings, Curtilage	Oallen Ford Road	Lot 3, DP 775839	Local*	30
Bungonia	Cemetery Reserve	Oallen Ford Road	Reserve	Local*	31
Carrick	Lockyersleigh, Ruins of Kyle	1412 Carrick Road	Lot 2, DP 574255	Local	32
Carrick	“Lockyersleigh” Homestead, Gardens	1092 Towrang Road	Lot 1, DP 574255	Local	33
Goulburn	Dwellings, Georgian	5, 7, 9, 11 and 13 Addison Street	Lot 1, DP 712474; Lots 1–4, DP 32582	Local	34
Goulburn	South Goulburn School Building (c 1880)	19 Addison Street	Lot 19, Sec 56, DP 758468	Local	35
Goulburn	Church (1884), Rectory	128–130 Addison Street	Lot A, DP 542189; Lots 1 and 2, DP 510683	Local	36
Goulburn	Dwelling	202 Addison Street	Lot 11, DP 542953	Local	37
Goulburn	Dwelling, “Pineleigh” (1890)	216 Addison Street	Lot 3, DP 777093	Local	38
Goulburn	House, Federation	22 Argyle Street	Lot 2, DP 150692	Local	39
Goulburn	Dwellings	2–6 Auburn Street	Lot B, DP 150983; Lot 4, DP 709365	Local	40
Goulburn	Dwellings, Terraces (c 1882)	32 and 34 Auburn Street	Lot 2, DP 535758; Lot 1, DP 603711	Local	41
Goulburn	Dwelling, Victorian Italianate (c 1860)	45 Auburn Street	Lot A, DP 157769	Local	42

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	“Tattersall’s Hotel”, Shop	76, 90, 94, 96 and 98 Auburn Street	Lot 1, DP 660925; Lot 1, DP 65543; Lot 1, DP 194492; Lot 1, DP 715887	Local	43
Goulburn	Shop, Flat above	100 Auburn Street	Lot 1, DP 780541	Local	44
Goulburn	Shops, Hotel, “Salutation” (former)	103, 105, 107, 109, 111, 113, 115, 117, 119 and 121 Auburn Street	Lot 5, DP 70056; Lot 1, DP 84626; Lot 3, DP 736266; Lot 2, Sec 1, DP 84512; Lot 1, DP 708876; Lots 20 and 21, DP 621874; Lot 1, DP 986490	Local	45
Goulburn	Shops (c 1925, c 1926)	110, 112 and 114–116 Auburn Street	Lot 3, DP 1085838; Lot 2, DP 997506; Lot 1, DP 196198	Local	46
Goulburn	Shops, Flats over, Bakery Buildings (former)	126a Auburn Street	Lot 23 and 24, DP 556500	Local	47
Goulburn	Shops (c 1980, c 1935, c 1940)	127, 129, 131, 133 and 137 Auburn Street	Lot 2, DP 797255; Lot 1, DP 618927; Lot 1, DP 711709; Lots A and B, DP 154501	Local	48
Goulburn	Bank (former, c1900), Hotel, “Hibernian” (c 1850), Shop (c 1890)	139, 145, 147, 149 and 151 Auburn Street	Lot 1, DP 72817; Lot 11, DP 572439; Lot 1, DP 195143; Lots 1 and 2, DP 872603	Local	49
Goulburn	Building, Two Storey (c 1880)	146 and 148 Auburn Street	Lot 13, DP 232446; Lot 15, DP 232446	Local	50

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Goulburn Town Hall (former, 1887)	163 Auburn Street	Lot 17, Sec 2, DP 758468	Local*	51
Goulburn	Building, Two Storey (c 1890)	164 Auburn Street	Lot 2, DP 217779	Local	52
Goulburn	Post Office (c 1880), Mechanics Institute (c 1860), Technical School (c 1886)	165 and 167 Auburn Street	Lot 1, DP 774508; Lot 1, DP 774822	State*; Local	53
Goulburn	Belmore Park (1867), Monuments, Rotunda, Vegetation	170 Auburn Street	Lot 701, DP 96772	Local*	54
Goulburn	Building, Two Storey (c 1887), Department Store (c 1890)	174 and 180–186 Auburn Street	Lot 1, DP 82984; Lot 35, DP 228950; Lot 1, DP 62099; Lot 1, DP 66301; Lot 3, DP 63207; Lot 32, DP 22694; Lot 4, DP 741570	Local	55
Goulburn	AMP Society Building (1927)	191 Auburn Street	Lot 1, DP 77371	Local*	56
Goulburn	Buildings, Commercial, "Hollis", (c 1930)	194, 196a, 198, 202, 206 and 210 Auburn Street	Lot 1, DP 34651; Lot 1, DP 912700; Lot 1, DP 198143; Lot 1, DP 1058169; Lot 1, DP 1043585	Local	57
Goulburn	Goulburn Post Building, Art Deco	199 Auburn Street	Lots 3 and 4, DP 995381	Local	58
Goulburn	Building, Two Storey (c 1910)	203 Auburn Street	Lot 1, DP 199993	Local	59
Goulburn	Building, Two Storey, CML Building (1933)	207 Auburn Street	Lot 1, DP 716965	State	60

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Building, Two Storey (c 1900)	212 Auburn Street	Lot 1, DP 731662	Local	61
Goulburn	Buildings, Two Storey (c 1900, c 1890, c 1886)	228, 230 and 232 Auburn Street	Lot 1, DP 737801; Lot 1, DP 1042590; Lot 1, DP 783764	Local	62
Goulburn	Building, Single Storey (c 1930)	249 and 251 Auburn Street	Lot 5, DP 3801	Local	63
Goulburn	Buildings, Two Storey, Banks (c 1930, c 1920)	253 and 257 Auburn Street	Lot 1, DP 86199; Lot 2, DP 633790	Local	64
Goulburn	Building, Two Storey, Bank of Australasia (former, c 1910)	256 Auburn Street	Lot 2, DP 924793	Local*	65
Goulburn	Buildings, Two Storey (c 1930)	276, 278, 280 and 282 Auburn Street	Lot H, I and J, DP 162786; Lot 2, DP 222916	Local	66
Goulburn	Building, Single Storey (c 1920)	277 Auburn Street	Lot A, DP 331882	Local	67
Goulburn	Building, Two Storey, "Empire Hotel" (c 1920)	286 Auburn Street	Lot 1, DP 85786	Local	68
Goulburn	Buildings, Two Storey (c 1890, c 1886, c 1890)	312, 314, 316, 318, 320 and 322-326 Auburn Street	Lot 5, DP 234810; Lot 2, DP 214254; Lot E, DP 163781; Lot D, DP 39211; Lot C, Sec 5, DP 39211; Lot A, DP 39211; Lot 1, DP 77886	Local	69

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Buildings, Two Storey and Single Storey (c 1910, c 1882, c 1930, c 1900, c 1920, c 1892)	330–336, 338–340, 342–344, 346–348, 350, 354 and 356–358 Auburn Street	Lot 1, DP 136821; Lot 1, DP 546737; Lot 2, DP 1101517; Lot M, Sec 19, DP 162785; Lot L, DP 162785; Lot 1, DP 203197; Lot 2, DP 203197; Lot 12, DP 263274; Lot 1, DP 781372; Lot 1, DP 770738	Local	70
Goulburn	Buildings, Single Storey and Two Storey (c 1910, c 1907, c 1890, c 1920, c 1930, c 1910, c 1900, c 1940, c 1920)	378, 380, 384, 388, 394, 396, 400–402 and 404 Auburn Street	Lot 1, DP 742230; Lot 11, DP 708995; Lot 1, DP 194283; Lot 1, DP 197616; Lot 3, DP 197616; Lot 6, DP 1100269; Lot 1, DP 770996	Local	71
Goulburn	Dwellings, Workers Cottages, Georgian	458, 460, 462 and 464 Auburn Street	Lots A, B, C and D, DP 161030	Local	72
Goulburn	Workers Cottages	2, 4, 6, 8, 10, 12, 14 and 16 Australia Street	Lots 11–15, DP 511501; Lot 8, DP 1100579; Lot 1, DP 798144; Lot 10, DP 997032	Local	73
Goulburn	Workers Cottages	20, 22, 24, 26, 28 and 30 Australia Street	Lot 1, DP 742411; Lot 1, DP 986309; Lot 24, DP 1106097; Lot 1, DP 199718; Lots 1 and 2, DP 595625	Local	74
Goulburn	Dwellings, Federation	2 and 4 Belmore Street	Lot 12, DP 831826; Lot 3, DP 744992	Local	75

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwelling, Federation	10 Belmore Street	Lot 6, DP 730677	Local	76
Goulburn	Dwelling	5 Beppo Street	Lot 1, DP 199830	Local	77
Goulburn	Dwellings, Federation	8 and 10 Beppo Street	Lot 1, DP 742054; Lot 1, DP 742448	Local	78
Goulburn	Dwellings, Terraces	16 and 18 Beppo Street	Lot 1, DP 995528; Lot 1, DP 196607	Local	79
Goulburn	Dwelling, "St Kilda Cottage" (former, 1862)	21-23 Beppo Street	Lot 1, DP 32513	Local	80
Goulburn	Dwelling, Federation	24 Beppo Street	Lot 26, DP 1085848	Local	81
Goulburn	Dwelling, "Railway Gate House" (c 1869)	Blackshaw Road	Railway land	Local	82
Goulburn	"Blackshaw's Wells"	Blackshaw Road	Road reserve	Local	83
Goulburn	School Building, Two Storey (former)	91 Bourke Street	Lot 2, DP 1060354	Local	84
Goulburn	Dwelling, "Claremont Manor"	101 Bourke Street	Lot 1, DP 871967	Local	85
Goulburn	Dwellings, Two Storey Terraces	118-132 Bourke Street	Lot 1, DP 1043125	Local	86
Goulburn	Masonic Temple (c 1928), Two Storey Terrace, Commercial	121 and 125 Bourke	Lot 2, DP 831827; Lot 1, DP 986941	Local	87
Goulburn	Goulburn Technical College (1901), Baptist Church, Dwelling, Victorian	160, 164, 166 and 168 Bourke Street	Lot 10, DP 866386; Part Lot 3, DP 758468; Lot 1, DP 745512; Lot 1, DP 737502	Local	88

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings	167, 169 and 171 Bourke Street	Lot 1, DP 194477; Lot 1, DP 198850; Lots 1 and 2, DP 199061	Local	89
Goulburn	St Saviours Church Hall, St Saviours Cathedral (1884)	170 Bourke Street	Part Lot 1, DP 721647	Local	90
Goulburn	Dwellings, Semi-detached, Federation	175 and 177 Bourke Street	Lots 20 and 21, Sec 5, DP 230987	Local	91
Goulburn	Goulburn Public School (1897)	196 Bourke Street	Lot 2, DP 810735	Local	92
Goulburn	Dwelling, Two Storey, Victorian	224 Bourke Street	Lot 2, DP 915248	Local	93
Goulburn	Dwellings, Victorian and Gothic	276 and 278 Bourke Street	Lot 1, DP 196582; Lot 1, DP 112575	Local	94
Goulburn	Cottages	2, 4 and 6 Bradley Street	Lot 1, DP 741074; Lots 11 and 12, DP 509861	Local	95
Goulburn	Dwellings, Attached	10 and 12 Bradley Street	Lots 1 and 2, DP 730060	Local	96
Goulburn	Dwellings, Terraces	11, 13, 15 and 17 Bradley Street	Lot 1, DP 433522	Local	97
Goulburn	Dwellings, Terraces, Georgian	14, 16, 18 and 20 Bradley Street	Lots 1 and 2, DP 986793	Local	98
Goulburn	Dwelling, Federation and Victorian Italianate	85 and 87 Bradley Street	Lot 1, DP 198184; Lot 2, DP 742448	Local	99
Goulburn	“Lynburn”, Two Storey, Georgian	93 Bradley Street	Lot 1, DP 719486	Local	100
Goulburn	Dwellings, Terraces, Victorian	99 and 101 Bradley Street	Lots A and B, DP 151375	Local	101

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Mansion, "Carrawarra" (1883)	104 Bradley Street	Lot 2, DP 718227	Local	102
Goulburn	Dwellings, Victorian Italianate	111 and 113 Bradley Street	Lot 1, DP 986232; Lot 1, DP 744037	Local	103
Goulburn	Dwelling, "Rossneath"	114 Bradley Street	Lot 1, DP 150531	Local	104
Goulburn	Dwelling, Two Storey	1 Braidwood Road	Lot 1, DP 734041	Local	105
Goulburn	Railway Roundhouse, Part of (former) Railway Infrastructure, Turntable	12 Braidwood Road	Lot 2, DP 1002813	Local	106
Goulburn	"Garroorigang", Stables	209 Braidwood Road	Lot 1, DP 1065231	Local*	107
Goulburn	Lansdowne Bridge, Timber Truss Bridge	Bungonia Road	Mulwaree River	Local*	108
Goulburn	Dwelling, "Broughton", Goulburn Brewery	3-21 and 23 Bungonia Road	Lot 4, DP 717606; Lots 3-8, Sec 1, DP 979593; Lots 1-2, DP 770671; Lots 2-3, DP 67346	Local; State*	109
Goulburn	"Lansdowne" (c 1830)	33 Bungonia Road	Lot 1, DP 598475	State*	110
Goulburn	St Saviours Cemetery	Cemetery Street	Lots 7058-7060, DP 96805	Local	111
Goulburn	Dwelling, Stables, North Goulburn Rectory (former), Victorian Gothic	2-4 Chantry Street	Lot 1, DP 111/758468; Lot B, DP 159923	Local	112
Goulburn	Dwellings, Attached	20 and 22 Chantry Street	Lot 1, DP 199475; Lot 1, DP 986447	Local	113

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Rocky Hill Memorial (1925)	1 Chiswick Street	Lot 31, DP 750050; Lot 100, DP 132937; Lot 30, DP 750050	Local*	114
Goulburn	Dwelling, Queen Anne, Federation	4 Church Street	Lot 5, DP 150371	Local	115
Goulburn	Dwelling, "Highgate", Queen Anne, Federation, Late Victorian	14 and 16 Church Street	Lot 1, DP 770428; Lot 45, DP 1071632	Local	116
Goulburn	Dwelling, Federation	20 Church Street	Lot 1, DP 797186	Local	117
Goulburn	Dwelling, "Strathalbyn", Federation	7 Citizen Street	Lot 1, DP 195012	Local	118
Goulburn	Dwelling, Federation	40 Citizen Street	Lots 1 and 2, DP 745993	Local	119
Goulburn	Dwellings, "Roborough", "Hazledell", Victorian Italianate	51 and 53 Citizen Street	Lot 1, DP 742750; Lot 53, DP 1089363	Local	120
Goulburn	Dwelling, Victorian (c 1880)	71 Citizen Street	Lot 50, DP 520303	Local	121
Goulburn	Dwelling	85 Citizen Street	Lot 1, DP 613518	Local	122
Goulburn	Presbyterian Church (1923)	25 Clifford Street	Lot 2, DP 304885	Local	123
Goulburn	Terrace, Two Storey, Free Standing	62 Clifford Street	Lot X, DP 38646	Local	124
Goulburn	Dwelling, Stables, Georgian (c 1850)	82 Clifford Street	Lots 1 and 2, DP 856540	Local	125
Goulburn	Dwelling, Two Storey	88 Clifford Street	Lot 1, DP 708094	Local	126
Goulburn	Dwellings, Two Storey Terraces	123, 125 and 127 Clifford Street	Lot 16, Sec 16, DP 758468	Local	127

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwelling, "Clifftoria"	128 Clifford Street	Lot A, DP 101570	Local	128
Goulburn	Dwelling, Early Georgian	145 Clifford Street	Lot 3, DP 543814	Local	129
Goulburn	Dwellings (former), Commercial Use	5-7 Clinton Street	Lot 2, DP 700313	Local	130
Goulburn	Our Lady of Mercy Convent, Chapel (1861)	29 Clinton Street	Lot 18, DP 456849	Local*	131
Goulburn	Dwelling, Two Storey, Fence, Victorian (1886)	63 Clinton Street	Lot 4, DP 1103385	Local	132
Goulburn	Dwellings, Victorian (1885, 1886)	65, 67 and 69 Clinton Street	Lot 2, DP 818300; Lots 13 and 20, Sec 9, DP 758468	Local	133
Goulburn	Dwellings, Edwardian	122, 124, 126, 128, 130, 132, 134, 136, 138, 140 and 142 Clinton Street	Lots 1 and 2, DP 152007; Lot 1, DP 1037210; Lot 1, Sec 43, DP 730564; Lot 1, DP 742401; Lot 60, DP 599528; Lot 34, DP 1055313; Lot 1, DP 713345; Lot 1, DP 196329; Lot 1, DP 197130; Lot B, DP 161395	Local	134
Goulburn	St Patricks Collage (1873)	Clinton Street	Lots 144-153, DP 750015	Local	135
Goulburn	Dwellings, Victorian (c 1880)	10, 14 and 16 Cole Street	Lot 1, DP 995033; Lot 1, DP 999727	Local	136
Goulburn	Dwelling, Federation	33 Cole Street	Lot 8, DP 997783	Local	137
Goulburn	Dwelling, Victorian Italianate	39 Cole Street	Lot B, DP 154488	Local	138

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Gill Waminda Nursing Home	2 Combermere Street	Lot 1, DP 82079	Local	139
Goulburn	Kings College (former), E.C. Manfred Arch	47-49 Combermere Street	Lot 8, DP 38656	Local	140
Goulburn	Brick Works, Chimneys, Kilns, Dwelling, "The Potteries" (c 1985)	2-12, 14 Common Street	Lot 12, DP 861360; Lot 2, DP 740958	Local	141
Goulburn	Cottages, "Araluen"	6 and 8 Cooma Ave	Lot 1, DP 745589	Local	142
Goulburn	Dwelling, Cottage	11 Cooma Ave	Lot X, DP 156244	Local	143
Goulburn	Dwelling, "Ardgowan", Late Georgian	10 Cowper Street	Lot 1, DP 826563	Local	144
Goulburn	Dwellings, "Bishopthorpe" (c 1881), "Wandara", Two Storey, Victorian (c 1882)	126, 130, 134 and 138 Cowper Street	Lots 1-3, DP 456809; Lot 1, DP 81815; Lots 1 and 2, DP 526976	Local	145
Goulburn	Dwelling, Single Storey, Federation	131 Cowper Street	Lot 13, DP 2593	Local	146
Goulburn	Dwellings, "Clandulla", Victorian (c 1882)	142 and 144 Cowper Street	Lot 1, DP 715771; Lot 2, DP 511910	Local	147

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings, Single Storey Terraces (c 1870)	150, 152, 154, 156, 158, 160, 162, 164, 168, 170, 172, 176, 178 and 180 Cowper Street	Lot 1, DP 784955; Lots A and B, DP 157036; Lots 2, 3 and 4, DP 150326; Lot 1, Sec 15, DP 150326; Lot 1, Sec 15, DP 719079; Lot 2, DP 719079; Lots 1 and 2, Sec 15, DP 743441; Lot 1, DP 997044; Lot 15, DP 1085071; Lots 1 and 2, DP 195289	Local	148
Goulburn	Shop, Residence, Corner Store (former, c 1860)	188 Cowper Street	Lot 1, DP 735845	Local	149
Goulburn	Dwellings, "Louise Garden", Federation (c 1900)	203 and 205 Cowper Street	Lot 2, DP 434166; Lot 1, DP 1003147	Local*	150
Goulburn	Dwellings, "Cropper House", Georgian and Victorian (c 1980)	209 and 211 Cowper Street	Lots 1 and 2, DP 1101308; Lot 2, DP 634062	Local	151
Goulburn	Dwelling, Victorian Italianate (c 1890)	210 Cowper Street	Lots 1 and 2, DP 199448	Local	152
Goulburn	Dwelling, Victorian	215 Cowper Street	Lot 1, DP 718227	Local	153
Goulburn	Dwellings, "Fermoy" (c 1920), Dwelling (c 1912), "Birkless", Victorian (c 1885)	216, 218 and 220 Cowper Street	Part Lot 1, Sec 17, DP 758468; Lot 2, Sec 17, DP 758468; Lot A, DP 318055	Local	154
Goulburn	Dwelling (1885)	227 Cowper Street	Lot 2, DP 151065	Local	155

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings, "Repton", Late Victorian, "Kiaburn", "Woomerah"	228, 230 and 232 Cowper Street	Part Lot 6, DP 1099546; Lot 1, DP 741728; Part Lot 7, DP 1104885	Local	156
Goulburn	Dwelling, "Rosscraig", Gothic	236–238 Cowper Street	Lots C and D, DP 155339	Local	157
Goulburn	Dwelling, "Bulwarra", Fences, Gate	246 Cowper Street	Lot 5, DP 37689	Local	158
Goulburn	Presbyterian Church, Manse, School (former)	2a, 4 Craig Street	Lots 4–6, DP 37286	Local	159
Goulburn	Dwelling, Victorian (c 1880)	74 Deccan Street	Lot 8, DP 14243	Local	160
Goulburn	Dwellings (c 1946, c 1949)	78 and 80 Deccan Street	Lots 5 and 6, DP 14243	Local	161
Goulburn	War Memorial Swimming Pool Complex (1964)	85 Deccan Street	Part Lot 1, DP 117890	Local	162
Goulburn	Dwellings, International (c 1960), "Cambria", Georgian (c 1870)	98 and 100 Deccan Street	Lot 5, DP 414322; Lot 39, DP 620175	Local	163
Goulburn	Dwelling, Two Storey (1951)	104 Deccan Street	Lots 8 and 9, DP 376016	Local	164
Goulburn	Dwelling, Cottage	16 East Street	Lot 8, DP 1038721	Local	165
Goulburn	Dwelling, Two Storey (1906)	45 Eldon Street	Lot 1, DP 1047575	Local	166
Goulburn	Church at rear of block	29 Emma Street	Lot 12, DP 18/979849	Local	167

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings, "Finchley", "Uxbridge", "Edgeware", "St Albans", "Hedon", "Elstree", "Belsize", "Bayswater", Federation	123, 125, 127, 129, 131, 133, 135, 137 and 139 Faithfull Street	Lots 1 and 2, DP 213151; Lots 7 and 8, DP 585428; Lots 5 and 6, DP 584783; Lots 3 and 4, DP 578158; Lot 1, DP 743201	Local	168
Goulburn	Dwellings, Pair	213 and 215 Faithfull Street	Lots 15 and 16, Sec 17, DP 758468	Local	169
Goulburn	Dwelling, Police Barracks (former), Stone Rubble with Contrasting Quoining	219 Faithfull Street	Lot D, DP 37396	Local	170
Goulburn	South Hill Complex, Early Homestead (c 1860)	3 Garroorigang Road	Lot 1, DP 1091308	Local	171
Goulburn	Dwelling, "Antrim House" (c 1871)	11 George Street	Lot B, DP 155890	Local	172
Goulburn	Dwelling (1884)	24 Gilmore Street	Lot 2, DP 236216	Local	173
Goulburn	Dwelling, Georgian (c 1850)	42 Goldsmith Street	Lot 1, DP 83039	Local*	174
Goulburn	Methodist Church	43-47 Goldsmith Street	Lot 1, DP 663179	Local	175
Goulburn	Liedertafel (Lieder) Theatre	52 Goldsmith Street	Lot 1, DP 999644	Local	176
Goulburn	Dwelling, Two Storey, Late Victorian	57 Goldsmith Street	Lot 4A, DP 781	Local*	177
Goulburn	Dwellings, Single Storey Cottages, Georgian	62, 64 and 66 Goldsmith Street	Lot 1, DP 876661	Local	178
Goulburn	Dwellings, Semi-detached, Georgian	81 and 83 Goldsmith Street	Lot 1, DP 715943; Lot 1, DP 797593	Local	179

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Goulburn	Dwellings, Federation	98, 102, 106 and 110 Goldsmith Street	Lots 1 and 2, DP 301287; Lot 1, DP 169562; Lot 1, DP 455382; Lot 8, DP 3910	Local	180
Goulburn	Goulburn Base Hospital, Central Building, Pavilions (former, 1887)	130 Goldsmith Street	Lot 1, DP 133606	Local	181
Goulburn	Goulburn High School, Two Storey, Edwardian (1926)	132 Goldsmith Street	Lot 1, Sec 49, DP 758468	Local*	182
Goulburn	Goulburn General Cemetery, Lychgate	Gorman Road	Lot 7017, DP 94629	Local*	183
Goulburn	House, Fruit Packing Shed (former, c 1900)	67 Gorman Road	Lot 12, DP 1044967	Local	184
Goulburn	Stone Tank, Remains	78 Gorman Road	Lot 13, DP 852931	Local	185
Goulburn	Dwelling, Single Storey, Federation	4 Grafton Street	Lot 60, DP 38627	Local	186
Goulburn	Dwellings, Semi-detached, Georgian and Federation, Detached, Federation	9, 11, 13, 15, 17, 19 and 21 Grafton Street	Lots 3-4 and 6-8, DP 32543; Lot 1, DP 197124; Lot 18, DP 544755	Local	187
Goulburn	Dwellings, Pairs of Semi-Detached	12, 14, 16 and 18 Grafton Street	Lots 1-4, DP 587925	Local	188
Goulburn	Coach and Horses Inn (former), Commercial, Georgian (1849)	27 Grafton Street	Lot 1, DP 32543	Local	189
Goulburn	Dwelling, Federation	32 Grafton Street	Lot 2, DP 531600	Local	190
Goulburn	Dwelling	37 Grafton Street	Lot 81, DP 998714	Local	191

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Goulburn	Dwelling, Federation	40 Grafton Street	Lot 1, DP 742514	Local	192
Goulburn	Dwellings, Detached	44 and 46 Grafton Street	Lot K, DP 19353; Lot L, DP 37909	Local	193
Goulburn	Dwellings, Two Storey Detached, "Grafton House" (former), Georgian	51 and 53 Grafton Street	Lot 41, DP 997722; Lot 1, DP 513316	Local	194
Goulburn	Post Box, Cast Iron, Dwellings, Semi-detached, Georgian, Federation and Victorian (c 1860)	62, 64, 66 and 68 Grafton Street	Lot 1, DP 194383; Lot 1, DP 194824; Lot 66, DP 1103601; Lot 1, DP 780970	Local	195
Goulburn	Dwellings, Single Storey, Attached, "Carinya", Federation	67, 69, 73 and 75 Grafton Street	Lot 2, DP 807716; Lots 2 and 3, DP 735802; Lot 1, DP 198164; Lot 1, DP 744719	Local	196
Goulburn	Dwelling, Single Storey	74 Grafton Street	Lots 1 and 3, DP 744621	Local	197
Goulburn	Dwellings, Single Storey, Attached and Detached, Federation	78, 80, 82, 84, 86 Grafton Street	Lot 1, DP 770890; Lot 1, DP 781039; Lot 3, DP 1035723	Local	198
Goulburn	Dwelling, "Builders Arms Hotel" (former), Two Storey, Georgian (c 1880)	83 Grafton Street	Lot A, DP 151953	Local	199
Goulburn	Dwellings, Single Storey, Attached	90, 92, 94 and 96 Grafton Street	Lots D, E, F and G, DP 161654	Local	200
Goulburn	Dwellings, Detached	91 and 93 Grafton Street	Lot 4, DP 1085076; Lot 1, DP 797075	Local	201
Goulburn	Dwelling, "Zealandia"	99 Grafton Street	Lot 1, DP 847982	Local	202

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Goulburn	Dwellings, Single Storey, Attached	103 and 105 Grafton Street	Lot 2, DP 742240; Lot 1, DP 1046009	Local	203
Goulburn	Dwelling, Single Storey	115 Grafton Street	Lot 1, DP 716858	Local	204
Goulburn	St Joseph's Convent, Residential Wings, Two Storey	118 Grafton Street	Lot 26, DP 572874	Local	205
Goulburn	Dwelling, "Poidevin's Hotel" (former), Two Storey, Georgian	129 Grafton Street	Lot 1, DP 797468	Local	206
Goulburn	Dwelling, (former Shop)	9 Hercules Street	Lot 16, Sec 16, DP 979849	Local	207
Goulburn	Dwelling, (former Church)	17 Hercules Street	Lot 20, Sec 16, DP 979849	Local	208
Goulburn	Dwelling, (former Shop)	24 Hercules Street	Lot 10, Sec 10, DP 979849	Local	209
Goulburn	Dwellings, Detached, Victorian (pre 1882)	1, 2, 3, 4, 5, 6, 7 and 9 Horne Square	Lots 1-8, DP 3195	Local	210
Goulburn	"Oliver Goldsmith Inn"	Hume Street	Lot 2, DP 1065713	Local	211
Goulburn	Goulburn Workers Club Arena, Grandstand, Rifle Range, Nissan Huts (c 1900)	135 Hume Street	Lot 2, DP 218482	Local	212
Goulburn	Dwelling, Federation	6 and 12 Hurst Street	Lots 1 and 2, DP 995906; Lot 910, DP 1084201	Local	213
Goulburn	Dwelling	11 Hurst Street	Lot 32, DP 735445	Local	214
Goulburn	Dwelling, Federation	21 Hurst Street	Lot A, DP 155400	Local	215

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwelling, "Shanklin", Queen Anne, Federation	24 Hurst Street	Lot 3, DP 511968	Local	216
Goulburn	Dwellings, Single Storey	8, 10, 12, 14, 16, 20, 22, 24, 26, 28, 30 and 32 John Street	Lot B, DP 161261; Lot 1, DP 713360; Lot A, Sec 45 DP 161261; Lot 1, DP 779145; Lot 1, DP 782591; Lot 1, DP 714593; Lots 19 and 20, DP 7708123; Lots 1 and 2, DP 115757; Lot 1, DP 995769; Lots 1 and 2, DP 716557	Local	217
Goulburn	Dwelling, "Kentville"	5 Kadwell Street	Lot 16, DP 518388	Local	218
Goulburn	St Michael's Novitiate (former), "Marsden"	13 Kenmore Street	Lot 15, DP 866812	Local	219
Goulburn	Dwelling	14 Kenmore Street	Lot 52, DP 570277	Local	220
Goulburn	St Nicholas Anglican Church (1879-80)	17 Kinghorne Street	Part Lot G, Sec 1, Bk595	Local	221
Goulburn	Dwelling (c 1910)	83 Kinghorne Street	Lot 1, DP 744367	Local	222
Goulburn	Dwelling, Queen Anne (c 1910-12)	113 Kinghorne Street	Lot 1, DP 986667	Local	223
Goulburn	Dwelling, Georgian	169 Kinghorne Street	Lot 4, DP 202919	Local	224
Goulburn	Dwelling, Federation	12 Lagoon Street	Lot B, DP 150996	Local	225
Goulburn	Dwelling, Two Storey	15 Lagoon Street	Lot 21, DP 24243	Local	226

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Goulburn	St Joseph's School, Our Lady of Fatima Church	101 Lagoon Street	Lot 25, DP 572874	Local	227
Goulburn	Dwelling, "Lawrenny" (formerly "Penrice")	8 Lawrenny Ave	Lot 3, DP 586321	Local	228
Goulburn	Lilac City Cinema (c 1959)	1 Lilac Place	Lot 16, DP 163020; Lot 9, DP 39221	Local	229
Goulburn	Dwelling	20 Lisgar Street	Lots 9 and 12, DP 547743	Local	230
Goulburn	Dwellings, Single Storey, Semi-detached, Georgian (c 1840)	4-6 Lithgow Street	Lots 1 and 2, DP 221403	Local	231
Goulburn	Dwelling, Two Storey, (former Shop) (c 1860)	5 Lithgow Street	Lot 1, DP 198733	Local	232
Goulburn	Jewish Cemetery, Foundations of Caretaker's Cottage, Chapel, Filled Well	110 Long Street	Part Lot 24, DP 750050	Local	233
Goulburn	Dwellings, Federation (c 1900)	16, 18 and 20 Lorne Street	Lot 14, DP 735446; Lot 1, DP 198390; Lot 1, DP 744030	Local	234
Goulburn	Dwelling, Late Victorian and Picturesque (c 1880)	24 Lorne Street	Lot 3, DP 153130	Local	235

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Buildings, Commercial, "Goulburn Club", Stone Wall to Lane, Stables, Two Storey Residential Building, Two Storey Terrace, Victorian, "Fireside Inn", Tudor, Two Storey Building	19, 21 and 23 Market Street	Lot 1, DP 61322; Part Lot 1, DP 61322; Part Lots 1-3 Sec 3, DP 758468; Lot 1, DP 195536; Lot B, DP 151685; Lot 1, DP 137467	Local	236
Goulburn	Dwellings, "Ravensworth", Two Storey	124 Mary's Mount Road	Lot 2, DP 632246	Local	237
Goulburn	Dwelling, "Teneriffe"	133 Mary's Mount Road	Lot 28, DP 479	Local	238
Goulburn	Goulburn Gaol, Victorian Classical Revival (c 1883)	15 Maud Street	Part Lot 2, DP 880446	State*	239
Goulburn	Dwellings, Single Storey, Attached (former)	56 May Street	Lot 22, DP 565420	Local	240
Goulburn	Brickworks Site (former)	100 May Street	Lot 17, DP 750050; Lot 100, DP 132944	Local	241
Goulburn	Dwelling, Georgian (c 1860)	25 Mayor Street	Lot A, DP 389798	Local	242
Goulburn	Barn (1870)	99-241 Mazamet Road	Lot 23, DP 774636	Local	243
Goulburn	St Patrick's Cemetery, Chapel	63 Middle Arm Road	Lots 1 and 2, DP 865289; Lot 21, DP 910637	Local*	244
Goulburn	Goulburn Courthouse	4 Montague Street	Lot 2, DP 1103076; Lot 23, DP 758468	State*	245
Goulburn	Offices (c 1915)	5-7 Montague Street	Lot 1, DP 972141	Local	246

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Offices, Central Business, Offices (c 1902), Fire Station (former converted), Two Storey (c 1890)	9, 11 and 13 Montague Street	Lot 1, DP 85001; Lot 22, Sec 6, DP 758468; Lot 106, DP 996372	Local	247
Goulburn	“Elmslea Chambers”, Art Deco (1933-36)	17–19 Montague Street	Lot A, DP 328080	Local	248
Goulburn	Offices, “Halsbury House” (1938)	18–26 Montague Street	Lot 1, DP 194122	Local	249
Goulburn	Offices, Two Storey, Federation (c 1910)	35 Montague Street	Lot 1, DP 162566	Local	250
Goulburn	Flat building, “Montague Court”	38 Montague Street	Lot 5, DP 1013994	Local	251
Goulburn	Dwelling, Federation (1891)	44 Montague Street	Lot B, DP 337932	Local	252
Goulburn	Dwelling, Late Victorian and Federation	50 Montague Street	Lot 4, DP 505455	Local	253
Goulburn	Dwelling, Two Storey (1920-30)	60 Montague Street	Lot D, DP 323881; Lot D1, DP 152078	Local	254
Goulburn	Dwellings, “Ingalara”, Federation	76 Montague Street	Part Lot 76, DP 1100250	Local	255
Goulburn	Mortis Street Cemetery	Mortis Street	Lot 7061, DP 96847; Lot 1, DP 782646; Lot 7062, DP 96847	Local	256
Goulburn	Dwelling	8 Mount Street	Lots C and D, DP 23125	Local	257
Goulburn	Railway Viaduct Crossing Mulwaree Ponds	Mulwaree Street	Railway Land	State	258

Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings, Single storey, Attached	2, 4, 6, 8, 10 and 12 Mulwaree Street	Lots 12–14, DP 32543; Lot 19, DP 544755; Lot 16, Sec 23, DP 32543	Local	259
Goulburn	Dwellings, Semi-detached	32 and 34 Mulwaree Street	Lots 1 and 2, DP 523695	Local	260
Goulburn	Dwellings, Two Storey Terrace, "Hazelmere"	42 and 44 Mulwaree Street	Lot 1, DP 798944	Local	261
Goulburn	St Johns Orphanage (former)	52 Mundy Street	Lot 3, DP 583385	Local	262
Goulburn	Dwelling, "Westella", California Bungalow (1916)	78 Mundy Street	Lot 1, DP 986398	Local	263
Goulburn	Dwelling, Spanish Mission	1 Murray Street	Lots 4 and 5, DP 37462	Local	264
Goulburn	Dwelling, "Tarrawingee" Two Storey, Victorian	10 Opal Street	Lot 2, DP 511979	Local	265
Goulburn	Dwelling (c 1890)	8 Ottiwell Street	Lot 1, DP 557155	Local	266
Goulburn	Dwelling, Single Storey	95 Park Road	Lot 1, DP 196555	Local	267
Goulburn	Dwelling, Single Storey	26 Prince Street	Lot 3, DP 600945	Local	268
Goulburn	Dwelling, "Marlowe"	38 Prince Street	Part Lot 14, DP 977088	Local	269
Goulburn	Dwelling (c 1880)	78 Queen Street	Lot 22, DP 613910	Local	270
Goulburn	Dwellings, Attached	24 and 26 Record Street	Lots 4 and 5, Sec 6, DP 3389	Local	271
Goulburn	Dwelling (former Post Office), Southern Star Hotel, Two Storey (c 1860), Coach House	35 and 43 Reynolds Street	Lot 1, DP 150966; Lot 2, DP 1075995	Local	272

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Suburb	Item name	Address	Property description	Significance	Item No
Goulburn	Dwellings, Georgian (c 1856-59)	57 and 59 Reynolds Street	Lot 1, DP 986603; Lot 13, DP 1084027	Local	273
Goulburn	Goulburn Water Works, (former Marsden Steam Museum)	199 River Street	Part Portion 3 20/22, DP 750050	State*	274
Goulburn	Thorne's Bridge	Road Reserve, Mulwaree Ponds	Road Reserve	Local	275
Goulburn	"Irriwilbin"	7 Rosemont Road, off Boxers Creek Road	Lot 2, DP 853498	Local	276
Goulburn	Dwelling, "Hillside", Single Storey, Georgian (c 1845), Flats, Three Storey, Spanish Mission	1, 3 Shepherd Court	Lots 4 and 5, DP 15449	Local	277
Goulburn	Station Master's House, Railway Station	Sloane Street	Railway land; Lot 3, DP 1002807; Lot 1, DP 1002807	Local*; State*	278
Goulburn	Dwellings, Two Storey, Victorian, "Mandelson's Hotel", Georgian (c 1845), "Coolavin Hotel" (former Railway Hotel) (c 1850)	160, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184 and 188 Sloane Street	Lot 1, DP 779680; Lots 1-10, DP 32565; Lot 2, DP 1017877	Local*	279
Goulburn	Terraces, Two and Three Storey, "Alpine Heritage Hotel"	246 and 248 Sloane Street	Lots A and B, DP 154253	State	280
Goulburn	Courthouse, Police Station (former), Setting, Fence	260 Sloane Street	Reserve	Local*	281

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Goulburn	Goulburn Police Station (formerly Goulburn Hospital), Two Storey House	274 Sloane Street	Lot 1, DP 930529	Local	282
Goulburn	Police Barracks (former, 1874), Part of Railway Bowling Club	283 Sloane Street	Lot 1, DP 817431	Local	283
Goulburn	Old Connolly's Mill, Swimming Baths (former)	285 Sloane Street	Lot 8, Sec 21, DP 758468	State	284
Goulburn	R J Sydney Craig Funeral Directors (former "Rock of Cashel Inn") Two Storey (c 1858)	298 Sloane Street	Lot 2, DP 1075819	Local	285
Goulburn	Commercial Property, Joinery, Dwellings, Single Storey, Attached and Two Storey, Victorian (c 1880)	301, 303, 305, 307, 309, 311 and 313 Sloane Street	Lot 5, DP 1085330; Lots 1 and 2, DP 150604; Lots 41 and 42, DP 811437; Lot 1, DP 797938; Lot 1, DP 798717	Local	286
Goulburn	Dwellings, Two Storey, Victorian	310 and 312 Sloane Street	Lot 61, DP 581643	Local	287
Goulburn	Dwelling (former "St Clair") used as Museum (c 1845)	318 Sloane Street	Lot 2, DP 533720; Lot C, DP 380737; Lot 1, DP 995832	State*	288
Goulburn	Commercial Buildings, Flats Above (c 1900)	322 and 324 Sloane Street	Lots A and B, DP 380737	Local	289
Goulburn	Dwelling, Railway Gatehouse, Victorian and Gothic (1867)	112 Sydney Road	Lot 1, DP 836429	Local	290
Goulburn	Kenmore Hospital Cemetery (c 1895-1947)	Taralga Road	Lot 2, DP 1003261	Local	291

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Goulburn	Kenmore Psychiatric Hospital Complex	5 Taralga Road	Lot 5, DP 1078852	State*	292
Goulburn	Kenmore Girls Orphanage (former, 1906)	153 Taralga Road	Lot 2, DP1102202	Local	293
Goulburn	Goulburn North Public School (1876)	1 Union Street	Lot 1, DP 802600	Local	294
Goulburn	St Nicholas Church (former, 1861)	36–38 Union Street	Lot 2, DP 626809	Local	295
Goulburn	Roman Catholic Bishop's Residence, Presbytery, Front Fence (1909)	32 Verner Street	Lot 2, DP 91238	Local*	296
Goulburn	Saint Patrick's School (1914)	57 Verner Street	Lot 1, DP 1060354	Local	297
Goulburn	Nursing Home, Two Storey, Victorian	70 Verner Street	Lot A, DP 154748	Local	298
Goulburn	Dwelling, "Tarcoola"	85 Verner Street	Lots 9 and 10, DP 2593	Local	299
Goulburn	Dwelling, Two Storey (c 1860)	136 Verner Street	Lot 4, DP 366425	Local	300
Goulburn	Goulburn TAFE, Two Storey Dwelling	2 View Street	Lot 31, DP 614501	Local	301
Goulburn	Dwelling, "Riversdale", Single Storey, Georgian (c 1840)	107 Wayo Street	Lot 1, DP 714378	State*	302
Goulburn	Brick Water Cisterns, Ponds	221 Wheeo Road	Lot 1, DP 724398	Local	303
Goulburn	Dwelling, Modern	40 Wollondilly Ave	Lot 4, DP 3257	Local	304
Greenwich Park	Wilds Pass Archaeological Area (c 1820)	Wilds Pass, Cookbundoon Range, off Tarlo River Road	Crown Land	Local	305

Suburb	Item name	Address	Property description	Significance	Item No
Kingsdale	“Kingsdale Hotel” (former)	754 Crookwell Road	Lot 22, DP 832928	Local	306
Kingsdale	Kingsdale Lime Kilns, Quarries	Crookwell Road	Lot 91, DP 1070820	Local	307
Lake Bathurst	WWII Fuel Storage Tanks, Associated Buildings	2571 Braidwood Road	Lot 1, DP 195371	Local	308
Lake Bathurst	Lake Bathurst Public School (former), St John’s Anglican Church, Cemetery	Braidwood Road	Lot 90, DP 750010; Part Lot 86, DP 750010	Local*	309
Lower Boro	“Glen-Dor” Homestead	1594 Sandy Point Road	Lot 14, DP 750036	State	310
Marulan	Old Marulan Anglican Cemetery	Jerrara Road and Marulan South Road	Crown Reserve	Local*	311
Marulan	Wandi, “Robert Plumb’s Inn”	16501 Hume Highway	Lot 5, DP 657521	Local	312
Marulan	St Patrick’s Catholic Cemetery	Hume Highway	Lots 1–3, DP 758653	Local*	313
Marulan	“Glenrock” Homestead, Outbuildings	248 Highland Way	Lot 204, DP 870194	Local*	314
Marulan	Marulan Railway Station, Yard (c 1867)	Marulan Railway Station	Railway land	State	315
Marulan	All Saints Church of England, Rectory	42–44 George Street	Lots 1 and 2, DP 1084961	Local	316
Marulan	“Terminus Hotel”	54 George Street	Lot 2, Sec 1, DP 3012; Lot 8, DP 111640	Local	317
Marulan	Baldock’s Shed, Store (c 1870), Marulan Public School	55, 57–59 and 61–63 George Street	Lots 1 and 2, DP 1053356; Lot 9, Sec 3, DP 47	Local	318

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Marulan	Postmaster's Residence, Post Office (c 1884), "Mooroooolen"	66 and 68 George Street	Lots 3 and 4, DP 1054985	Local	319
Marulan	"Royal Hotel" (c 1878), "Aunty Mary's", Shop, Victorian (c 1880)	69, 73 and 75 George Street	Lots 3, 4 and 6, Sec 3, DP 47	Local	320
Marulan	Shop Group, "Wattle Glen", Georgian (c 1889), "Coronation Stores" (c 1902), Morgan's General Store, "The Boarding House", Victorian	81, 83, 85 and 87 George Street	Lot 0, DP 47; Lots 1 and 2, Sec 1, DP 47; Lot 31, DP 556854	Local	321
Marulan	Dwelling, "Cora-Lyn", St Stephen's Uniting Church	89-91 and 93 George Street	Lots 4-6, Sec 1, DP 47	Local	322
Marulan	Dwelling, "Waverley"	97 George Street	Lot 8, Sec 1, DP 47	Local	323
Middle Arm	"Norwood" Homestead, Outbuildings	94 Norwood Road, off Middle Arm Road	Part Lot 2, DP 210912	Local*	324
Mummel	Mummel Catholic Cemetery	Grabben Gullen Road	Lot 2, DP 89511	Local	325
Parkesbourne	Unity Church, Cemetery	Wesley Road	Lot 11, DP 905728	Local	326
Parkesbourne	"Kippilaw" Homestead, Gardens	Gurrundah Road	Lot 2, DP 788825	Local*	327
Parkesbourne	Merilla Uniting Church Cemetery	Gurrundah Road	Lot 1, DP 194064	Local*	328
Tallong	Badgery's Lookout View	Badgery's Lookout Road	Lot 7001, DP 1032255	Local*	329
Tallong	The Dungeons—Tallawa Waterfall	Badgerys Lookout Road	Reserve, Lot 22, DP 247519	Local	330

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Tallong	Dwelling, Federation, Tallong Public School (original)	Bumballa Road	Lot 1, DP 342719; Lot 1, DP 945438	Local	331
Tallong	Caoura Barn	33 Caoura Street	Lot 7, DP 827118	Local	332
Tallong	War Memorial Hall	Memorial Drive	Lot 1, DP 910637	Local	333
Tallong	Tallong Railway Station, Yard, Water Supply	Railway Parade	Railway Reserve	State	334
Tarago	Tarago Railway Station	Bungendore Road	Railway Reserve	State*	335
Tarago	“The Loaded Dog Hotel”, Outbuildings	1 Bungendore Road	Lot 1, DP 69163	Local	336
Tarlo	Cunningham Private Cemetery Woodlands	Taralga Road	Lot 1, DP 920059	Local	337
Tarlo	“Edinburgh” (former Inn)	737 Taralga Road	Lot 35, DP 750037	Local	338
Tirranaville	Burrungurroolong Homestead, Gardens, Stables	Braidwood Road	Part Lot 9, DP 979798	Local*	339
Tirranaville	“Tirrana” Homestead, Gardens, Gibson Family Cemetery, Veterans Allotments	Braidwood Road	Part Lot 1, DP 979370; Lots 35 and 36, DP 750015	Local*	340
Tirranaville	Tirrana Public School, Church, Cemetery	Braidwood Road	Lot 342, DP 750015; Part Lot 311, DP 750015	Local	341
Tirranaville	“Springfield” Homestead, Outbuildings, Gardens	Braidwood Road	Part Lot 9, DP 750028	Local*	342
Tirranaville	“Pelican” Homestead, Shearing Shed	Braidwood Road	Lot 1, DP 807719; Lot 2, DP 832905	Local	343

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Schedule 5 Environmental heritage

Suburb	Item name	Address	Property description	Significance	Item No
Towrang	Veterans Allotments	67 Gorman Road	Lot 102, DP 791867	Local	344
Towrang	Towrang Bridge, Culverts	Hume Highway	Lot 4, DP 88163	Local*	345
Towrang	Towrang Convict Stockade, Magazine	Hume Highway	Lot 1, DP 1089760	Local*	346
Towrang	Towrang Stockade Graves	Hume Highway	Cemetery Reserve	Local*	347
Towrang	Veterans Allotments	9 and 93 Murrays Flat Road	Lot 11, DP 198294; Lot 3, DP 198294	Local	348
Towrang	“Danganelly” Farmhouse	Towrang Road	Lot 2, DP 1061682	Local*	349
Towrang	St Johns Anglican Church	Towrang Road	Lot 2, DP 931549	Local	350
Towrang	Cookbundoon (former Inn)	531 Towrang Road	Lot 4, DP 583339	Local	351
Wollogorang	Stillwater Church, Ruins	Federal Highway, off Stillwater Road	Lot 2, DP 780588	Local	352
Wollogorang	“Wollogorang” Homestead, Gardens, Stables	164 Wollogorang Road	Lot 11, DP 541594	Local*	353
Yarra	“Malton” Homestead, Outbuildings	204 Coles Lane	Lot 347, DP 750015	Local	354
Yarra	Yarra Anglican Church Ruins, Cemetery	Hume Highway	Lot 11, DP 562178	Local*	355

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on Heritage Map
Goulburn City Conservation Area	Shown by a red outline with red hatching and labelled “Conservation Area—General” on Sheets HER-002 to HER-013 of the Heritage Map

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Environmental heritage

Schedule 5

Name of heritage conservation area	Identification on Heritage Map
Marulan Township Conservation Area	Shown by a red outline with red hatching and labelled "Conservation Area—General" on Sheet HER-020 of the Heritage Map

Dictionary

(Clause 1.4)

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

acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

advertisement has the same meaning as in the Act.

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

advertising structure has the same meaning as in the Act.

Note. The term is defined as a structure used or to be used principally for the display of an advertisement.

affordable housing has the same meaning as in the Act.

Note. The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

agricultural produce industry means an industry involving the handling, treating, processing or packing of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

agriculture means any of the following:

- (a) animal boarding or training establishments,
- (b) aquaculture,
- (c) extensive agriculture,
- (d) farm forestry,
- (e) intensive livestock agriculture,
- (f) intensive plant agriculture.

air transport facility means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

airport means a place used for the landing, taking off, parking, maintenance or repair of aeroplanes (including associated buildings, installations, facilities and movement areas and any heliport that is part of the airport).

airstrip means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

amusement centre means a building or place (not being part of a pub or registered club) used principally for playing:

- (a) billiards, pool or other like games, or
- (b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

aquaculture has the same meaning as in the *Fisheries Management Act 1994*.

Note. The term is defined as follows:

aquaculture means:

- (a) cultivating fish or marine vegetation for the purposes of harvesting the fish or marine vegetation or their progeny with a view to sale, or
- (b) keeping fish or marine vegetation in a confined area for a commercial purpose (such as a fish-out pond),

but does not include:

- (c) keeping anything in a pet shop for sale or in an aquarium for exhibition (including an aquarium operated commercially), or
- (d) anything done for the purposes of maintaining a collection of fish or marine vegetation otherwise than for a commercial purpose, or
- (e) any other thing prescribed by the regulations (made under the *Fisheries Management Act 1994*).

This Dictionary also contains definitions of ***natural water-based aquaculture***, ***pond-based aquaculture*** and ***tank-based aquaculture***.

archaeological site means an area of land:

- (a) shown on the Heritage Map as an archaeological site, and
- (b) the location and nature of which is described in Schedule 5, and
- (c) that contains one or more relics.

attached dwelling means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land (not being an individual lot in a strata plan or community title scheme), and
- (c) none of the dwellings is located above any part of another dwelling.

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

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Schedule 5 Dictionary

backpackers' accommodation means tourist and visitor accommodation:

- (a) that has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (b) that will generally provide accommodation on a bed basis (rather than by room).

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

bed and breakfast accommodation means tourist and visitor accommodation comprising a dwelling (and any ancillary buildings and parking) where the accommodation is provided by the permanent residents of the dwelling and:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms.

biodiversity means biological diversity.

biological diversity has the same meaning as in the *Threatened Species Conservation Act 1995*.

Note. The term is defined as follows:

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

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

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

biosolids treatment facility means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

boarding house means a building:

- (a) that is wholly or partly let in lodgings, and
- (b) that provides lodgers with a principal place of residence for 3 months or more, and
- (c) that generally has shared facilities, such as a communal bathroom, kitchen or laundry, and

(d) that has rooms that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.

boat launching ramp means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

boat repair facility means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

brothel has the same meaning as in the Act.

building has the same meaning as in the Act.

Note. The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

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

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

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

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

whichever distance is the shortest.

bulky goods premises means a building or place used primarily for the sale by retail, wholesale or auction of (or for the hire or display of) bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

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Schedule 5 Dictionary

bush fire hazard reduction work has the same meaning as in the *Rural Fires Act 1997*.

Note. The term is defined as follows:

bush fire hazard reduction work means:

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

but does not include construction of a track, trail or road.

bush fire prone land has the same meaning as in the Act.

Note. The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 146 (2) of the Act.

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

business identification sign means a sign:

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

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

business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis, and may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, medical centres, betting agencies and the like, but does not include sex services premises.

canal estate development means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either:

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:
 - (i) dwellings that are permitted on rural land, and
 - (ii) dwellings that are used for caretaker or staff purposes, or

-
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

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

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

catchment action plan has the same meaning as in the *Catchment Management Authorities Act 2003*.

Note. The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the *Catchment Management Authorities Act 2003*.

cellar door premises means retail premises that sell wine by retail and that are situated on land on which there is a commercial vineyard, where all of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

cemetery means a building or place for the interment of deceased persons or their ashes.

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

child care centre means a building or place used for the supervision and care of children that:

- (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and
- (b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the NSW Office of the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

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- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
 - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - (ii) private tutoring, or
- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of Chapter 12 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

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

Note. The term is defined as follows:

classified road means any of the following:

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(see *Roads Act 1993* for meanings of these terms).

clearing native vegetation has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

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

- (a) cutting down, felling, thinning, logging or removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

(See Division 3 of Part 3 of the *Native Vegetation Act 2003* for the exclusion of routine agricultural management and other farming activities from constituting the clearing of native vegetation if the landholder can establish that any clearing was carried out for the purpose of those activities.)

coastal foreshore means land with frontage to a beach, estuary, coastal lake, headland, cliff or rock platform.

coastal lake means a body of water specified in Schedule 1 to the *State Environmental Planning Policy No 71—Coastal Protection*.

coastal waters of the State—see section 58 of the *Interpretation Act 1987*.

coastal zone has the same meaning as in the *Coastal Protection Act 1979*.

Note. The term is defined as follows:

coastal zone means:

- (a) the area within the coastal waters of the State as defined in Part 10 of the *Interpretation Act 1987* (including any land within those waters), and
- (b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and
- (c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

The coastal zone consists of the area between the western boundary of the coastal zone shown on the maps outlining the coastal zone and the outermost boundary of the coastal waters of the State. The coastal waters of the State extend, generally, to 3 nautical miles from the coastline of the State.

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

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

correctional centre means:

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the *Crimes (Administration of Sentences) Act 1999*, including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5 (1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

Council means the Goulburn Mulwaree Council.

crematorium means a building in which deceased persons or pets are cremated, and includes a funeral chapel.

Crown reserve means:

- (a) a reserve within the meaning of Part 5 of the *Crown Lands Act 1989*, or
- (b) a common within the meaning of the *Commons Management Act 1989*, or
- (c) lands within the meaning of the *Trustees of Schools of Arts Enabling Act 1902*,

but does not include land that forms any part of a reserve under Part 5 of the *Crown Lands Act 1989* provided for accommodation.

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

dairy (pasture-based) means a dairy where the only restriction facilities present are the milking sheds and holding yards and where cattle are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

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

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use.

designated State public infrastructure means public facilities or services that are provided by, or financed by, the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

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

dual occupancy means 2 dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme), but does not include a secondary dwelling.

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

dwelling house means a building containing only one dwelling.

earthworks means excavation or filling.

ecologically sustainable development has the same meaning as in the Act.

educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

electricity generating works means a building or place used for the purpose of making or generating electricity.

emergency services facility means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

emergency services organisation means any of the following:

- (a) the Ambulance Service of New South Wales,
- (b) New South Wales Fire Brigades,
- (c) the NSW Rural Fire Service,
- (d) the NSW Police Force,
- (e) the State Emergency Service,
- (f) the New South Wales Volunteer Rescue Association Incorporated,
- (g) the New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*,
- (h) an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub, nightclub or registered club.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like.

Environmentally Sensitive Land Map means Goulburn Mulwaree Local Environmental Plan 2009 Environmentally Sensitive Land Map.

estuary has the same meaning as in the *Water Management Act 2000*.

Note. The term is defined as follows:

estuary means:

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

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

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

extensive agriculture means:

- (a) the production of crops or fodder (including irrigated pasture and fodder crops), or
- (b) the grazing of livestock, or
- (c) bee keeping,

for commercial purposes, but does not include any of the following:

- (d) animal boarding or training establishments,
- (e) aquaculture,
- (f) farm forestry,
- (g) intensive livestock agriculture,
- (h) intensive plant agriculture.

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

farm stay accommodation means tourist and visitor accommodation provided to paying guests on a working farm as a secondary business to primary production.

Note. See clause 5.4 for controls relating to the number of bedrooms.

feedlot means a confined or restricted area used to rear and fatten cattle, sheep or other animals for the purpose of meat production, fed (wholly or substantially) on prepared and manufactured feed, but does not include a poultry farm, dairy or piggery.

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

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include:

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

fish has the same meaning as in the *Fisheries Management Act 1994*.

Note. The term is defined as follows:

Definition of “fish”

- (1) **Fish** means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).
- (2) **Fish** includes:
 - (a) oysters and other aquatic molluscs, and
 - (b) crustaceans, and
 - (c) echinoderms, and
 - (d) beachworms and other aquatic polychaetes.
- (3) **Fish** also includes any part of a fish.
- (4) However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act 1994*.

flood mitigation work means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

Flood Planning Land Map means the Goulburn Mulwaree Local Environmental Plan 2009 Flood Planning Land Map.

floor space ratio—see clause 4.5.

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Floor Space Ratio Map means the Goulburn Mulwaree Local Environmental Plan 2009 Floor Space Ratio Map.

food and drink premises means retail premises used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes restaurants, cafes, take away food and drink premises, milk bars and pubs.

forestry has the same meaning as **forestry operations** in the *Forestry and National Park Estate Act 1998*.

Note. The term is defined as follows:

forestry operations means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or
- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or
- (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

funeral chapel means premises used to arrange, conduct and cater for funerals and memorial services, and includes facilities for the short-term storage, dressing and viewing of bodies of deceased persons, but does not include premises with mortuary facilities.

funeral home means premises used to arrange and conduct funerals and memorial services, and includes facilities for the short-term storage, dressing and viewing of bodies of deceased persons and premises with mortuary facilities.

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

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

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and

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

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

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

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

group home means a dwelling that is a permanent group home or a transitional group home.

group home (permanent) or **permanent group home** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

group home (transitional) or **transitional group home** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

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hazardous industry means development for the purpose of an industry that, 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 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 that, 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 the locality:

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

headland includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

health care professional means any person registered under an Act for the purpose of providing health care.

health consulting rooms means a medical centre that comprises one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals who practise in partnership (if there is more than one such professional) who provide professional health care services to members of the public.

health services facility means a building or place used as a facility to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:

- (a) day surgeries and medical centres,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) facilities for the transport of patients, including helipads and ambulance facilities,
- (e) hospitals.

heavy industry means an industry that requires separation from other land uses because of the nature of the processes involved, or the materials used, stored or produced. It may consist of or include a hazardous or offensive industry or involve the use of a hazardous or offensive storage establishment.

Height of Buildings Map means the Goulburn Mulwaree Local Environmental Plan 2009 Height of Buildings Map.

helipad means a place not open to the public used for the taking off and landing of helicopters.

heliport means a place open to the public used for the taking off and landing of helicopters, whether or not it includes:

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

heritage conservation area means an area of land:

- (a) shown on the Heritage Map as a heritage conservation area or as a place of Aboriginal heritage significance, and
 - (b) the location and nature of which is described in Schedule 5,
- and includes any heritage items situated on or within that area.

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

heritage impact statement means a document consisting of:

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

heritage item means a building, work, archaeological site, tree, place or Aboriginal object:

- (a) shown on the Heritage Map as a heritage item, and
- (b) the location and nature of which is described in Schedule 5, and
- (c) specified in an inventory of heritage items that is available at the office of the Council.

Heritage Map means the Goulburn Mulwaree Local Environmental Plan 2009 Heritage Map.

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

highway service centre means a building or place used as a facility to provide refreshments and vehicle services to highway users, and which may include any one or more of the following:

- (a) restaurants or take away food and drink premises,
- (b) service stations and facilities for emergency vehicle towing and repairs,

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- (c) parking for vehicles,
- (d) rest areas and public amenities.

home-based child care means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- (a) the service is appropriately licensed within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*,
- (b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

home business means a business carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note. See clause 5.4 for controls relating to the floor area used to carry on the business.

home industry means a light industry carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the light industry carried on in the dwelling), or

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building, but does not include bed and breakfast accommodation or sex services premises.

Note. See clause 5.4 for controls relating to the floor area used to carry on the light industry.

home occupation means an occupation carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation 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 to indicate the name of the resident and the occupation carried on in the dwelling), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, a brothel or home occupation (sex services).

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any notice, advertisement or sign, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

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

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling 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 ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,

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- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops or refreshment rooms,
- (e) transport of patients, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not it is carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

hostel means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

hotel or motel accommodation means tourist and visitor accommodation (whether or not licensed premises under the *Liquor Act 2007*):

- (a) comprising rooms or self-contained suites, and
- (b) that may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry (including a light industry) but not in conjunction with a warehouse or distribution centre, and
- (b) is situated on the land on which the industry is carried out, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry is carried out.

Note. See clause 5.4 for controls relating to the retail floor area.

industry means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing or adapting, or the research and development of any goods, chemical substances, food, agricultural or beverage products, or articles for commercial purposes, but does not include extractive industry or a mine.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

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

intensive plant agriculture means any of the following carried out for commercial purposes:

- (a) the cultivation of irrigated crops (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

jetty means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

kiosk means retail premises used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note. See clause 5.4 for controls relating to the gross floor area.

Land Application Map means the Goulburn Mulwaree Local Environmental Plan 2009 Land Application Map.

Land Reservation Acquisition Map means the Goulburn Mulwaree Local Environmental Plan 2009 Land Reservation Acquisition Map.

Land Zoning Map means the Goulburn Mulwaree Local Environmental Plan 2009 Land Zoning Map.

landscape and garden supplies means a building or place where trees, shrubs, plants, bulbs, seeds and propagating material are offered for sale (whether by retail or wholesale), and may include the sale of landscape supplies (including earth products or other landscape and horticulture products) and the carrying out of horticulture.

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

light industry means an industry, not being a hazardous or offensive industry or involving use of a hazardous or offensive storage establishment, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood 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 storage premises that are used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid and at which no retail trade is conducted.

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livestock processing industry means an industry that involves the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes such activities as abattoirs, knackeries, tanneries, woollscours and rendering plants.

Lot Size Map means the Goulburn Mulwaree Local Environmental Plan 2009 Lot Size Map.

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

marina means a permanent boat storage facility (whether located wholly on land, wholly on the waterway or partly on land and partly on the waterway) together with any associated facilities, including:

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats, and
- (b) any facility for providing fuelling, sewage pump-out or other services for boats, and
- (c) any facility for launching or landing boats, such as slipways or hoists, and
- (d) any associated car parking, commercial, tourist or recreational or club facility that is ancillary to a boat storage facility, and
- (e) any associated single mooring.

market means retail premises comprising an open-air area or an existing building used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

mean high water mark means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

medical centre means business premises used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals, and may include the ancillary provision of other health services.

mezzanine means an intermediate floor within a room.

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

mine subsidence district means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

Minerals and Extractive Resources Land Map means the Goulburn Mulwaree Local Environmental Plan 2009 Minerals and Extractive Resources Land Map.

mining means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

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

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the *Local Government Act 1993*.

Note. The term is defined as follows:

moveable dwelling means:

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

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme) each with access at ground level, but does not include a residential flat building.

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

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

native vegetation has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

Meaning of “native vegetation”

- (1) ***Native vegetation*** means any of the following types of indigenous vegetation:
 - (a) trees (including any sapling or shrub, or any scrub),
 - (b) understorey plants,
 - (c) groundcover (being any type of herbaceous vegetation),
 - (d) plants occurring in a wetland.

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- (2) Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.
- (3) **Native vegetation** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

Natural Resources Sensitivity Map—Biodiversity means the Goulburn Mulwaree Local Environmental Plan 2009 Natural Resources Sensitivity Map—Biodiversity.

natural water-based aquaculture means aquaculture undertaken in natural waterbodies (including any part of the aquaculture undertaken in tanks, ponds or other facilities such as during hatchery or depuration phases).

Note. Typical natural water-based aquaculture is fin fish culture in cages and oyster, mussel or scallop culture on or in racks, lines or cages.

navigable waterway means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

neighbourhood shop means retail premises used for the purposes of selling small daily convenience goods such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

Note. See clause 5.4 for controls relating to the retail floor area.

nightclub means premises specified in a nightclub licence under the *Liquor Act 2007*.

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

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

offensive industry means any development for the purpose of an industry that would, 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), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored and that would, 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), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

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

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

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

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

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

place of public entertainment has the same meaning as in the Act.

Note. The term is defined as follows:

place of public entertainment means:

- (a) any theatre or cinema (including a drive-in or open-air theatre or cinema) that is used or intended to be used for the purpose of providing public entertainment, or
- (b) any premises the subject of a licence under the *Liquor Act 2007* or a certificate of registration under the *Registered Clubs Act 1976*, that are used or intended to be used for the purpose of providing entertainment, including public entertainment, but not including amusement provided by means of an approved gaming machine within the meaning of the *Gaming Machines Act 2001*, or
- (c) any public hall that is used or intended to be used for the purpose of providing public entertainment.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

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

Note. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

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

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

property vegetation plan has the same meaning as in the *Native Vegetation Act 2003*.

Note. The term is defined as follows:

property vegetation plan means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*.

pub means licensed premises under the *Liquor Act 2007* the principal purpose of which is the sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold on the premises.

public administration 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, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public entertainment has the same meaning as in the Act.

Note. The term is defined as follows:

public entertainment means entertainment to which admission may ordinarily be gained by members of the public on payment of money or other consideration:

- (a) whether or not some (but not all) persons are admitted free of charge, and
- (b) whether or not the money or other consideration is demanded:
 - (i) as a charge for a meal or other refreshment before admission is granted, or
 - (ii) as a charge for the entertainment after admission is granted.

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

Note. The term is defined as follows:

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

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

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

public utility infrastructure, in relation to an urban release area, includes infrastructure for any of the following:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

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

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

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

rainwater tank means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or
- (b) an area used for community sporting activities, or

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(c) a public park, reserve or garden or the like, and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

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

registered club means a club in respect of which a certificate of registration under the *Registered Clubs Act 1976* is in force.

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

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

research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

residential accommodation means a building or place used predominantly as a place of residence, but does not include tourist and visitor accommodation.

residential care facility means accommodation for seniors (people aged 55 years or more) or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and

- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hospital or psychiatric facility.

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

restaurant means a building or place the principal purpose of which is the provision of food or beverages to people for consumption on the premises and that may also provide takeaway meals and beverages.

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

restricted premises means business premises or retail premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises but does not include hotel or motel accommodation, a pub, home occupation (sex services) or sex services premises.

restriction facilities means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

retail premises means a building or place used for the purpose of selling items by retail, or for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale).

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

roadside stall means a place or temporary structure used for retail selling of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note. See clause 5.4 for controls relating to the gross floor area.

rural industry means an industry that involves the handling, treating, production, processing or packing of animal or plant agricultural products, and includes:

- (a) agricultural produce industry, or
- (b) livestock processing industry, or

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- (c) use of composting facilities and works (including to produce mushroom substrate), or
- (d) use of sawmill or log processing works, or
- (e) use of stock and sale yards, or
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise,

undertaken for commercial purposes.

rural supplies means a building or place used for the display, sale (whether by retail or wholesale) or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

rural worker's dwelling means a dwelling, ancillary to a dwelling house on the same landholding, used as the principal place of residence by persons employed for the purpose of agriculture or a rural industry on that land.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

school means a government school or non-government school within the meaning of the *Education Act 1990*.

secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note. See clause 5.4 for controls relating to the total floor area.

self-storage units means storage premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

semi-detached dwelling means a dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling.

seniors housing means residential accommodation that consists of:

- (a) a residential care facility, or
- (b) a hostel, or
- (c) a group of self-contained dwellings, or
- (d) a combination of these,

and that is, or is intended to be, used permanently for:

- (e) seniors or people who have a disability, or

-
- (f) people who live in the same household with seniors or people who have a disability, or
 - (g) staff employed to assist in the administration of the residential accommodation or in the provision of services to persons living in the accommodation,
- but does not include a hospital.

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

serviced apartment means a building or part of a building providing self-contained tourist and visitor accommodation that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

sewerage system means a biosolids treatment facility, sewage reticulation system, sewage treatment plant, water recycling facility, or any combination of these.

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means retail premises that sell groceries, personal care products, clothing, music, homewares, stationery, electrical goods or other items of general merchandise, and may include a neighbourhood shop, but does not include food and drink premises or restricted premises.

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shop top housing means one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

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

- (a) building identification signs, and
- (b) business identification signs, and
- (c) advertisements,

but does not include traffic signs or traffic control facilities.

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

Note. The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

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

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

spa pool has the same meaning as in the *Swimming Pools Act 1992*.

Note. The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

stock and sale yard means a building or place used on a commercial basis for the purpose of offering livestock or poultry for sale and may be used for the short-term storage and watering of stock.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any business premises or retail premises on the same parcel of land.

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

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

swimming pool has the same meaning as in the *Swimming Pools Act 1992*.

Note. The term is defined as follows:

swimming pool means an excavation, structure or vessel:

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act.

take away food and drink premises means food and drink premises that are predominantly used for the preparation and sale of food or drink (or both) for immediate consumption away from the premises.

tank-based aquaculture means aquaculture utilising structures that are constructed from materials such as fibreglass, plastics, concrete, glass or metals, are usually situated either wholly or partly above ground, and may be contained within a purpose built farm or industrial style sheds or plastic covered hothouse to assist in controlling environmental factors.

telecommunications facility means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or to be used, in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note. The term is defined as follows:

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

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

timber and building supplies means a building or place used for the display, sale (whether by retail or wholesale) or hire of goods or materials that are used in the construction and maintenance of buildings.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes hotel or motel accommodation, serviced apartments, bed and breakfast accommodation and backpackers' accommodation.

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, business, industry or shop.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

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

urban release area means an area of land shown as an “Urban Release Area” on the Urban Release Area Map.

Urban Release Area Map means the Goulburn Mulwaree Local Environmental Plan 2009 Urban Release Area Map.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

vehicle repair station means a building or place used for the purpose of carrying out repairs or the selling of, and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop.

vehicle sales or hire premises means a building or place used for the display, sale (whether by retail or wholesale) or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for commercial purposes for use in the production of fresh or dried fruit or wine.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

waste management facility means a facility used for the storage, treatment, purifying or disposal of waste, whether or not it is also used for the sorting, processing, recycling, recovering, use or reuse of material from that waste, and whether or not any such operations are carried out on a commercial basis. It may include but is not limited to:

- (a) an extractive industry ancillary to, required for or associated with the preparation or remediation of the site for such storage, treatment, purifying or disposal, and
- (b) eco-generating works ancillary to or associated with such storage, treatment, purifying or disposal.

waste or resource management facility means a waste or resource transfer station, a resource recovery facility or a waste disposal facility.

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

water supply system means a water reticulation system, water storage facility, water treatment facility, or any combination of these.

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

waterbody means a waterbody (artificial) or waterbody (natural).

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

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

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

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

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wetland means:

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

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