



New South Wales

Goulburn Mulwaree Local Environmental Plan 2009 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

WARWICK L BENNETT, GENERAL MANAGER
GOULBURN MULWAREE COUNCIL
As delegate for the local plan-making authority

Goulburn Mulwaree Local Environmental Plan 2009 (Amendment No 23)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Goulburn Mulwaree Local Environmental Plan 2009 (Amendment No 23)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Goulburn Mulwaree Local Environmental Plan 2009* applies.

Schedule 1 Amendment of Goulburn Mulwaree Local Environmental Plan 2009

Schedule 2 Exempt development

Omit the matter relating to “Advertising structures and displays”.

Insert instead—

Community events on council land

- (1) Must be for the purposes of temporary uses including community events such as ceremonies, cultural celebrations, exhibitions, fetes, fairs, gatherings, markets and sporting events.
- (2) Must take place on—
 - (a) land owned by the Council, or
 - (b) land for which the Council has care, control and management, including Crown land, or
 - (c) a public road for which the Council is the roads authority under the *Roads Act 1993*.
- (3) Must provide access for pedestrians and emergency vehicles.
- (4) Must provide adequate on-site and on-street car parking.
- (5) Must not involve a permanent physical change to the land or road.

Note— The development may involve activities that require approvals under the *Local Government Act 1993* or other legislation.

Display of goods on footpath

- (1) Must be associated with a lawfully established business carried out on land used for the purposes of—
 - (a) retail premises, if located on land in Zone B3 Commercial Core or Zone B4 Mixed Use, or
 - (b) a neighbourhood shop, if located on land in Zone R3 Medium Density Residential.
- (2) Must be on the part of the footpath that is directly adjacent to the primary frontage of the business.
- (3) Must be on the footpath of a road for which the Council is the roads authority under the *Roads Act 1993*.
- (4) Must not obstruct pedestrian traffic.
- (5) Must not obstruct access to the premises or adjoining premises.
- (6) All materials and equipment must be removed from the footpath at the close of each business day.

Note— An approval or authorisation to use the footpath may be required under other legislation.

External lighting

- (1) Must not be for the lighting of tennis courts or sports fields.
- (2) Must not cause glare to adjoining properties or streets.
- (3) Must not be directed at a classified road within the meaning of the *Roads Act 1993*.

- (4) The light fixture must not be more than 3.6 metres above ground level (existing).
- (5) Must not be fixed to a heritage item.
- (6) Must comply with AS/NZS 4282–2019, *Control of the Obtrusive Effects of Outdoor Lighting*.

Letterboxes constructed or installed on or in a heritage item of local significance

- (1) Must be free standing.
- (2) Must be located on the lot of the property the letterbox serves.
- (3) Must be accessible from the road.
- (4) Must be no higher than 1.2 metres above ground level (existing).
- (5) Must be designed to complement the architectural style of the building in relation to style and materials.

Signage—A-frame signs on private land in Zones B2, B3, B4, B6, IN1 or IN2

- (1) Must not result in more than 1 A-frame sign for each premises.
- (2) Must not have a display area of more than 500mm² on each side.
- (3) Must not involve flashing lights or a video or audio recording.
- (4) Must not obstruct—
 - (a) access to the land or adjacent land, or
 - (b) pedestrian traffic.
- (5) Must not involve construction work.
- (6) Must be removed at the close of each business day.

Signage—other specified signage

(1) **General requirements**

Signage of the types specified in this clause—

- (a) must not advertise or be located on restricted premises, and
- (b) must relate to a lawful use of the premises on which it is located, and
- (c) must not be constructed or installed on or in a heritage item of State significance, and
- (d) must not cover mechanical ventilation inlets or outlets, and
- (e) must not be animated, flashing, illuminated or moving, or include a video or audio recording, and
- (f) must be at least 600mm from the kerb of a public road, and
- (g) must not obstruct the sight line of vehicle or pedestrian traffic.

(2) **Fascia signs**

A sign attached to a building fascia or return of an awning—

- (a) must not project more than 300mm from the facade of the fascia or awning, and
- (b) must not project beyond the return end of the fascia or awning, and
- (c) must be no more than 2.5m² in area.

(3) Top hamper signs

A sign above a display window or attached to the transom of a doorway—

- (a) must not be constructed or installed on a heritage item, and
- (b) must be no more than 2.5m² in area, and
- (c) must not result in more than 1 sign of this type for each ground floor tenancy, and
- (d) must not project below the top edge of a doorway or window, and
- (e) must not project more than 300mm from the building, and
- (f) must be erected with the lower edge at least 2.6m above the footpath.

(4) Under awning signs

A sign suspended below the existing awning of a building—

- (a) must not result in more than 1 sign of this type for each ground floor premises, and
- (b) must not be more than 1.5m² in area, and
- (c) must be erected with the lower edge at least 2.6m above the footpath, and
- (d) must be at least 300mm from the outer edge of the awning.

(5) Wall signs projecting less than 300mm

A sign attached to the wall of a building, other than the transom of a doorway or a display window, that projects less than 300mm from the wall—

- (a) must not result in more than 1 wall sign of this type for the building, and
- (b) must be located below the level of the awning, and
- (c) if the building is a heritage item or located in a heritage conservation area—
 - (i) must not extend over an architectural decorative feature on the building, and
 - (ii) must not use primary colours as background colours, and
 - (iii) must not be painted directly onto the wall, and
 - (iv) must not be affixed directly to face brickwork, but may be fixed to mortar joints, and
 - (v) must not alter, damage or demolish part of the building to accommodate the sign.

(6) Wall signs projecting more than 300mm

A sign attached to the wall of a building, other than the transom of a doorway or a display window, that projects more than 300mm from the wall—

- (a) must be attached to the wall of a building to which the sign relates, and
- (b) must not result in more than 1 wall sign of this type for each premises or for each street frontage, whichever is greater, and
- (c) must not be located in or attached to a heritage item or located in a heritage conservation area, and
- (d) must be erected with the lower edge at least 2.6m above ground level (existing), and
- (e) must be erected at right angles to the building, and
- (f) must be no more than 1.5m² in area, and

(g) must project no more than 1.5m from the building.

(7) **Window signs other than business identification signs**

A sign displayed in or on a window—

- (a) must not cover more than 20% of the window area of the ground floor building frontage or 6m², whichever is greater, and
- (b) must not result in more than 1 sign of this type for each ground floor tenancy, and
- (c) must be located on the facade fronting the primary street address on the ground floor.