

Gloucester Local Environmental Plan 2000

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New South Wales

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New South Wales

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Gloucester Local Environmental Plan 2000



New South Wales

Part 1 Preliminary

1 Name of plan

This plan is the *Gloucester Local Environmental Plan 2000*.

2 What are the aims of the plan?

The aims of this plan are as follows:

- (a) to manage the resources of the Gloucester area,
- (b) to protect prime crop and pasture land and places of natural and cultural significance,
- (c) to manage development to benefit the community,
- (d) to embrace and promote the principles of ecologically sustainable development.

3 Where does this plan apply?

This plan applies to all land in the local government area of Gloucester.

4 Does this plan affect other plans?

This plan:

- (a) repeals *Gloucester Local Environmental Plan No 4*, and
- (b) repeals all other Local Environmental Plans and deemed environmental planning instruments which applied to the area immediately before this plan takes effect, and
- (c) repeals *Hunter Regional Environmental Plan 1989 (Heritage)*, and
- (d) amends *State Environmental Planning Policy No 4—Development Without Consent* by inserting the following words in alphabetical order in Schedule 2 (Land excepted from clauses 6–10):

Gloucester local government area

5 Definitions

(1) In this plan:

advertisement means a display by the use of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

agriculture means:

- (a) the production of crops or fodder, or
 - (b) horticulture, including fruit, vegetable and flower crop production and use of land for wholesale plant nurseries, or
 - (c) the grazing of livestock, or
 - (d) the keeping and breeding of livestock, including poultry, other birds, and bees,
- but does not include any other use or activity elsewhere defined in this plan.

animal boarding, breeding or training establishment means a building or group of buildings (including exercise areas, stables and kennels or the like) used for the commercial boarding, breeding or training of animals.

archaeological site means a site identified in Part 3 of Schedule 5 and shown, by heavy black broken edging on the map.

bed and breakfast accommodation means a dwelling that is used by the permanent residents of the dwelling to provide temporary accommodation for travellers for commercial purposes, and which:

- (a) offers meals for guests only, and
- (b) does not accommodate more than 12 persons, and
- (c) does not contain cooking facilities in rooms for the preparation of meals by guests, and
- (d) is not in whole or in part used for the long-term accommodation of any person other than the persons who normally reside in the dwelling.

brothel means premises habitually used for the purpose of prostitution:

- (a) whether or not used by only one prostitute for the purpose of prostitution, and
- (b) irrespective of any other services which may also be provided, such as massage, relaxation therapy, photography or other services of the like nature.

caravan park means land used as sites for movable dwellings, including tents and caravans or other vehicles used for temporary accommodation.

cemetery means an area used for the internment of human remains.

clearing of land means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning (other than authorised burning for bush fire control purposes) of trees.

cluster housing means 2 or more dwellings (such as townhouses or villas) on a site with common access and open space and site facilities.

commercial sign means an advertisement whether illuminated or not which:

- (a) does not exceed 0.75 square metres in area, and
- (b) in respect of any place or premises to which it is affixed, contains only:
 - (i) a reference to the identification or description of the place or premises, or
 - (ii) a reference to the identification or description of any person residing or carrying on an occupation at the place or premises, or
 - (iii) particulars of any occupation carried on at the place or premises, or
 - (iv) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there, or
 - (v) particulars or notifications required or permitted to be displayed by or under any Act of the Commonwealth, or
 - (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
 - (vii) particulars of any activities held or to be held at the place or premises.

Council means the Gloucester Shire Council.

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

dual occupancy means 2 attached dwellings on a single allotment of land one of which is intended for occupation by the owner of the land and constitutes at least 75% of the total floor area of the dwellings.

environmentally sensitive land means land shown hatched on the map.

exhibition home means a dwelling erected for display purposes.

external surfaces includes external wall and any cladding thereon, doors, door and window frames (but not window panes), columns, roofs, fences and any other surface visible from the exterior.

flood free access has the meaning given to it by the policy for “Flood Free Access” adopted by the Council.

flood liable land means land inundated by the 1% AEP flood event or as otherwise defined in any Flood Management Plan adopted by Council.

heritage conservation area means an area identified as a heritage conservation area in Part 1 of Schedule 5 and edged heavy black and marked ‘Heritage Conservation Area’.

heritage item means a building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) described in Part 2 of Schedule 5.

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

holiday cabin means a dwelling used, constructed or adapted to be used for the provision of holiday accommodation only, or being of a group of similar dwellings erected on an allotment of land or allotments of land in the same ownership.

home business means an activity, pursuit, occupation or profession, carried on for personal gain in a dwelling or a room or a number of rooms forming part of, attached to or on the same parcel of land as a dwelling, which is undertaken by one or more of the permanent residents of the dwelling and does not involve:

- (a) the employment or contracting of more than two non-residents in the dwelling, or
- (b) interference with the amenity of the locality by reason of traffic generation, insufficient car parking, or the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise, or
- (c) exposure to view from any adjacent premises or from any public place of any unsightly matter, or
- (d) the provision of any essential service main of a greater capacity than that available in the locality, or
- (e) the exhibition of any notice, advertisement or sign, other than a notice, advertisement or sign (not exceeding 1.2 metres by 0.6 metres) exhibited on that dwelling to indicate the name and occupation of the resident, or a description of the activity, pursuit, occupation or profession, or

(f) the sale of items (whether goods or material) or the exposure or offer for sale of items, by retail, or

(g) a land use elsewhere defined in this plan.

intensive agriculture means:

(a) the permanent cultivation by irrigation of fruits, vegetable or flower crops, turf farming or the like or the cultivation of plants in a wholesale plant nursery for commercial purposes, or

(b) the commercial keeping or breeding (or both) of livestock which are dependent on high quality forage produced from the land, such as horse studs, or similar enterprises,

but does not include an intensive livestock keeping establishment or an animal boarding, breeding or training establishment.

intensive livestock keeping establishment includes cattle feed lots, poultry sheds and piggeries.

karst conservation areas means the land hatched black and marked “Karst Conservation Area” on the map.

local light industry means any light industry which:

(a) is carried on in a building or buildings, the floor space of which does not exceed 500 square metres, and

(b) occupies a site which does not exceed 1,000 square metres in area, and

(c) does not require the provision of any essential service of a greater capacity than that required for the normal development in the locality, and

(d) does not, by the carriage of goods or materials, create traffic upon public roads in the locality likely to create congestion or danger or require roads of a higher standard than would be necessary for the normal development in the locality.

offensive or hazardous industry has the meaning given to it under [State Environmental Planning Policy No 33—Hazardous and Offensive Development](#).

parcel, in relation to land, means any area of adjoining or adjacent land held in the same ownership.

plant depot means a building or place used for the parking or servicing of movable plant by the owner or lessee of that building or place in the pursuit of an occupation or business carried on at some other location.

potential archaeological site means a site identified in Part 4 of Schedule 5 and

shown by cross hatching on the map marked “Archaeological Site” and includes a site known to the Council to have archaeological potential even if it is not so identified and shown.

prime crop and pasture land means land within an area identified on a map prepared by or on behalf of the Director-General of the Department of Agriculture, copies of which are deposited in the office of the Council as Class 1, Class 2 or Class 3 or as land of merit for special agricultural uses, but does not include land which the Director-General of Agriculture has notified the Council in writing is not prime crop and pasture land for the purposes of this plan.

principles of ecologically sustainable development means the following statements of principle:

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- (a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
 - (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
 - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
 - (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and
 - (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural

resources and assets and the ultimate disposal of any waste, and

- (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

reception establishment means a building or place used for the purpose of wedding receptions, birthday parties and the like where admission is by private invitation, but does not include a refreshment room or hotel.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) relating to the use or settlement of the area of Gloucester, not being Aboriginal habitation, which is more than 50 years old, or
- (b) any deposit, object or material evidence (which may consist of human remains) relating to Aboriginal habitation of the area of Gloucester whether before or after its occupation by persons of European extraction.

rural worker's building means a building containing one or more dwellings for the residential accommodation of persons engaged in rural occupations on the land on which it is situated.

setting means the area of land (including land covered by water) surrounding a heritage item which is essential for retaining and interpreting its heritage significance. It can apply to either:

- (a) land which is integral to the heritage significance of items of the built heritage, or
- (b) a precinct which includes buildings, works, relics, trees or places and their setting.

stable means a building or place used or designed for use for the purpose of receiving, maintaining, boarding or the keeping of up to 4 horses.

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

- (a) used principally for storage, or
- (b) used principally for parking.

the map means the series of maps marked "*Gloucester Local Environmental Plan 2000*", as amended by the maps (or sheets of maps) marked as follows:

tree means any tree with a height exceeding 3 metres or a trunk girth exceeding 0.5

metres at a height of 1 metre above the ground or a branch spread exceeding 3 metres in diameter.

water body means a creek, river, stream or the like whether permanent or intermittent and shown on the CMA 1:25,000 series maps as a full or dotted blue line.

- (2) In this plan, a reference to a map is to a map kept at the office of the Council.
- (3) Notes in this plan do not form part of this plan.

6 Adoption of Model Provisions

- (1) Subject to subclause (2), the *Environmental Planning and Assessment Model Provisions 1980* except:
 - (a) the definition of **agriculture** and **rural worker's dwelling**, and
 - (b) clauses 15 and 29, and
 - (c) Schedule 1, clause 9 as it relates to land in Zone 7 (d) (Environment Protection (Scenic) Zone),are adopted for the purposes of this plan.
- (2) For the purpose of this plan, the *Environmental Planning and Assessment Model Provisions 1980*, shall be read as if clause 8 of Schedule 1 of those Provisions extends to the widening of a road on land acquired by the Council for that purpose, despite anything to the contrary in that clause.

7 Who is the consent authority?

The Council is the consent authority for the purposes of this plan.

Part 2 General restrictions

8 What zones apply?

The following zones apply, as shown on the map:

- 1 (a) Rural—coloured Light Brown and lettered “1 (a)”
- 1 (c) Small Rural Holdings—coloured Light Brown and lettered “1 (c)”
- 1 (f) Forestry—coloured Light Brown and lettered “1 (f)”
- 2 (a) Residential—coloured Light Scarlet and lettered “2 (a)”
- 2 (v) Village or Township—coloured Light Scarlet and lettered “V”
- 3 (a) General Business—coloured Light Blue and lettered “3 (a)”

4 (a) Industrial—coloured Purple and lettered “4 (a)”

5 (a) Special Uses—coloured Yellow and lettered “5 (a)”

6 (a) Open Space—coloured Dark Green and lettered “6 (a)”

7 (d) Environment Protection (Scenic)—coloured Orange and lettered “7 (d)”

7 (j) Environment Protection (Scientific)—coloured Orange and lettered “7 (j)”

7 (l) Environment Protection (Wildlife Habitat)—coloured Orange and lettered “7 (l)”

8 (a) National Parks and Nature Reserves—shown edged heavy black and lettered “8 (a)”

9 What are the objectives of each zone?

- (1) Except as otherwise provided by this plan, the Council shall not grant consent to the carrying out of development on land to which this plan applies unless the Council is of the opinion that the carrying out of the development is consistent with the objectives of the zone with which the development is proposed to be carried out.
- (2) **What are the objectives of the 1 (a) Rural Zone?** The objectives of Zone 1 (a) are as follows:
 - (a) to encourage continued growth in the area’s rural economic base,
 - (b) to protect and conserve agricultural land and to encourage continuing, viable and sustainable agriculture,
 - (c) to maintain the scenic amenity and landscape quality of the area,
 - (d) to promote the protection and preservation of natural ecological systems and processes,
 - (e) to provide proper and coordinated use and protection of rivers and water catchment areas,
 - (f) to promote provision of roads that are compatible with the nature and intensity of development and the character of the area,
 - (g) to allow mining where environmental and cultural impacts do not exceed acceptable limits and the land is satisfactorily rehabilitated after mining,
 - (h) to recognise and encourage agriculture as a significant contributor to the area,
 - (i) to encourage other forms of development, including tourism, that are compatible with agricultural activities and do not create undesirable environmental and cultural impacts.

- (3) **What are the objectives of the 1 (c) Small Rural Holdings Zone?** The objectives of Zone 1 (c) are as follows:
- (a) To facilitate and provide rural residential development in appropriate locations, taking into account natural constraints,
 - (b) to maintain and enhance the character, amenity and landscape quality of rural residential areas,
 - (c) to provide for adequate, efficient and orderly servicing,
 - (d) to ensure that development is carried out in a manner that minimises adverse affects on the environment,
 - (e) to ensure that development does not create an unreasonable or uneconomic demand for the provision or extension of services or public amenities.
- (4) **What are the objectives of the 1 (f) Forestry Zone?** The objectives of Zone 1 (f) are as follows:
- (a) to enable the continuance and expansion of forestry and development for associated purposes,
 - (b) to maintain the scenic amenity and landscape quality of the area,
 - (c) to promote the protection and preservation of natural ecological systems and processes.
- (5) **What are the objectives of the 2 (a) Residential Zone?** The objectives of Zone 2 (a) are as follows:
- (a) to allow residential development, including dwelling-houses and residential flat buildings,
 - (b) to maintain and enhance the character of residential areas, to promote good design and retain heritage values,
 - (c) to allow people to carry out a reasonable range of activities from their homes, where such activities do not adversely affect the amenity of the neighbourhood,
 - (d) to enable development which serves the need of the residential areas,
 - (e) to ensure that development does not have an unacceptable impact on adjoining land, by way of shadowing, invasion of privacy, noise and the like.
- (6) **What are the objectives of the 2 (v) Village or Township Zone?** The objectives of Zone 2 (v) are as follows:
- (a) to recognise the existing villages and allow for future development of a residential

nature, in relation to existing levels of services,

- (b) to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services or public amenities,
- (c) to ensure future development does not impact on or restrict existing development in the area,
- (d) to ensure the existing village character of the area is maintained,
- (e) to provide for a reasonable range of activities to be carried out,
- (f) to ensure development does not adversely impact on the environment.

(7) **What are the objectives of the 3 (a) General Business Zone?** The objectives of Zone 3 (a) are as follows:

- (a) to maintain the status and encourage future growth of the Gloucester Business Centre as a retail, service, commercial and administration centre, while maintaining the centre's compact form,
- (b) to encourage the provision of shopping and other services to the residents of and visitors to Gloucester,
- (c) to enable a wide range of land uses that are associated with, ancillary to or supportive of retail and service functions of the business centre,
- (d) to promote and facilitate the maintenance and enhancement of visual variety, diversity and interest, through the rejuvenation and redevelopment of the business centre, in accordance with its heritage character.

(8) **What are the objectives of the 4 (a) Industrial Zone?** The objectives of the Zone 4 (a) are as follows:

- (a) to allocate sufficient land in suitable locations, to facilitate and promote the establishment of a broad range of industrial and related uses,
- (b) to allow other forms of development where they are associated with or ancillary to industrial uses on the site,
- (c) to ensure that development does not adversely impact on the environment,
- (d) to ensure that development does not create an unreasonable or uneconomic demand for services.

(9) **What are the objectives of the 5 (a) Special Uses Zone?** The objectives of Zone 5 (a) are as follows:

- (a) to recognise existing public land uses and enable their continued operation,

growth and expansion to accommodate associated, ancillary or otherwise related use,

(b) to restrict land uses that may conflict with, or adversely affect, the intended use of land required for public purposes.

(10) **What are the objectives of the 6 (a) Open Space Zone?** The objectives of Zone 6 (a) are as follows:

(a) to identify land which is used or intended to be used for public recreation, including passive and active open space and associated activities,

(b) to provide opportunities for the enhancement of the environmental quality of the area of Gloucester.

(11) **What are the objectives of the 7 (d) Environment Protection (Scenic) Zone?** The objectives of Zone 7 (d) are as follows:

(a) to encourage the preservation of existing wooded hilltops, parts of river valley systems, major scenic corridors and other local features of scenic attraction,

(b) to enable development of a similar nature to that intended for Zone 1 (a), except for development that by its nature would be visually destructive or intrusive, provided such development is carried out in a manner which minimises its visual impact,

(c) to ensure that development in this zone on land adjoining land in Zone 8 (a) is compatible with the management objectives for that land.

(12) **What are the objectives of the 7 (j) Environment Protection (Scientific) Zone?** The objective of Zone 7 (j) is to provide protection for areas of land identified to contain natural features, flora or fauna that are of recognised scientific value.

(13) **What are the objectives of the 7 (l) Environment Protection (Wildlife Habitat) Zone?** The objectives of Zone 7 (l) are as follows:

(a) to provide protection for areas of land identified to possess a high wildlife habitat value,

(b) to enable development to be carried out in the zone that will not have a significant detrimental effect on wildlife habitats, with the consent of the Council.

(14) **What are the objectives of the 8 (a) National Parks and Nature Reserves Zone?** The objective of Zone 8 (a) is to identify, preserve and manage National Parks and Nature Reserves for conservation and recreational purposes and to provide for their continued management under the [National Parks and Wildlife Act 1974](#).

10 What categories of development apply?

The following categories of development apply:

- (a) development that does not require the consent of the Council,
- (b) development that may be carried out only with the consent of the Council,
- (c) prohibited development.

11 1 (a) Rural Zone

- (1) What development does not require the consent of Council in Zone 1 (a)?

Development for the purpose of:

- agriculture
- forestry
- stables

- (2) What development may be carried out only with the consent of the Council in Zone 1 (a)?

Development for the purpose of:

- aircraft facilities
- animal boarding, breeding or training establishments
- bed and breakfast accommodation
- bulk stores
- bus depots
- bush fire fighting establishments
- cemeteries
- community halls
- dual occupancies
- dwelling-houses
- educational establishments
- extractive industries
- garbage disposal areas

- general stores
- helipads
- heliports
- institutions
- intensive agriculture
- intensive livestock keeping establishments
- livestock processing industries
- mines
- offensive or hazardous industries
- picnic grounds
- places of public worship
- plant depots
- reception establishments
- recreation establishments
- recreation facilities
- retail plant nurseries
- road side stalls
- road transport terminals
- rural industries
- rural worker's buildings
- sawmills
- stock and sale yards
- tourist facilities
- veterinary hospitals

Development ancillary to, or usually associated with or similar to, a development listed in this subclause

(3) In Zone 1 (a), any development not listed in subclause (1) or (2) is prohibited.

12 1 (c) Small Rural Holdings Zone

(1) What development does not require the consent of the Council in Zone 1 (c)?

Development for the purpose of agriculture

(2) What development may be carried out only with the consent of the Council in Zone 1 (c)?

Development for the purpose of:

- bed and breakfast accommodation
- community halls
- dual occupancies
- dwelling houses
- exhibition houses
- general stores
- picnic grounds
- places of public worship
- recreation establishments
- recreation facilities
- retail plant nurseries
- stables
- sheds or other outbuildings
- veterinary hospitals

Development ancillary to, or usually associated with or similar to, a development listed in this subclause

(3) In Zone 1 (c) any development not listed in subclause (1) or (2) is prohibited.

13 1 (f) Forestry Zone

(1) What Development does not require the consent of the Council in Zone 1 (f)?

Development for the purpose of:

- agriculture

- forestry
- any other purpose authorised under the *Forestry Act 1916*

(2) What development may be carried out only with the consent of the Council in Zone 1 (f)?

Development for the purpose of:

- extractive industries
- dwelling-houses
- mines
- rural workers buildings
- tourist facilities

Development ancillary to, or usually associated with or similar to, development listed in this subclause

(3) In Zone 1 (f), any development not listed in subclause (1) or (2) is prohibited.

14 2 (a) Residential Zone

(1) What development does not require the consent of the Council in Zone 2 (a)?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 2 (a)?

Development for the purpose of:

- bed and breakfast accommodation
- boarding houses
- childcare centres
- cluster housing
- community centres
- dual occupancies
- dwelling-houses
- educational establishments
- exhibition homes

- general stores
- hospitals
- places of public worship
- professional consulting rooms
- recreational facilities
- residential flat buildings

Development ancillary to, or usually associated with or similar to, a development listed in this subclause

(3) In Zone 2 (a), any development not listed in subclause (2) is prohibited.

15 2 (v) Village or Township Zone

(1) What development does not require the consent of the Council in Zone 2 (v)?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 2 (v)?

Development for the purpose of:

- agriculture
- bed and breakfast accommodation
- bus depots
- car repair stations
- child care centres
- clubs
- commercial premises
- community centres
- dwelling houses
- educational establishments
- exhibition homes
- hospitals

- hotels
- light industries
- motels
- motor showrooms
- picnic grounds
- places of assembly
- places of public worship
- professional consulting rooms
- public buildings
- reception establishments
- recreation establishments
- recreation facilities
- refreshment rooms
- retail plant nurseries
- road transport terminals
- rural industries
- shops
- tourist facilities

Development ancillary to, or usually associated with or similar to, a development listed in this subclause

(3) In Zone 2 (v), any development not listed in subclause (2) is prohibited.

16 3 (a) General Business Zone

(1) What development does not require the consent of the Council in Zone 3 (a) General Business?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 3 (a)?

Development for any purpose not listed in subclause (3)

(3) What development is prohibited in Zone 3 (a)?

In Zone 3 (a), the following development is prohibited:

Development for the purpose of:

- bus depots
- bus stations
- caravan parks
- dwelling-houses (other than those used in conjunction with shops or commercial premises)
- industries (other than local light industries)
- institutions
- junk yards
- liquid fuel depots
- mines
- offensive and hazardous industries
- road transport terminals
- sawmills
- stables
- stock and sale yards

17 4 (a) Industrial Zone

(1) What Development does not require the consent of the Council in Zone 4 (a)?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 4 (a)?

Development for the purpose of:

- advertising signs
- any purpose, including a shop, refreshment room, commercial premises or childcare centre, primarily intended to serve persons occupied or employed in the use of land for purposes otherwise permitted in this zone

- brothels
- bulk stores
- car repair stations
- helipads
- heliports
- industries (other than extractive industries or offensive or hazardous industries)
- institutions
- junk yards
- light industries
- liquid fuel depots
- Places of public worship
- sawmills
- service stations
- stock and sale yards
- timber yards
- transport terminals
- utility installations
- warehouses

Development ancillary to, or usually associated with or similar to, development listed in this subclause

(3) In Zone 4 (a) any development not listed in subclause (2) is prohibited.

18 5 (a) Special Uses Zone

(1) What Development does not require the consent of the Council in Zone 5 (a)?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 5 (a)?

Development for the purpose of:

- the particular purpose marked on the map
- any purpose ordinarily incidental or subsidiary to the purpose marked on the map

(3) In Zone 5 (a), any development not listed in subclause (2) is prohibited.

19 6 (a) Open Space Zone

(1) What Development does not require the consent of the Council in Zone 6 (a)?

Nil

(2) What development may be carried out only with the consent of the Council in Zone 6 (a)?

Development for the purpose of:

- camping grounds
- caravan parks
- clubs
- gardening and landscaping
- recreation facilities

Development ancillary to, or usually associated with or similar to, development listed in this subclause

(3) In Zone 6 (a), any development not listed in subclause (2) is prohibited.

20 7 (d) Environment Protection (Scenic) Zone

(1) What development does not require the consent of the Council in Zone 7 (d)?

Development for the purpose of agriculture

(2) What development may be carried out only with the consent of the Council in Zone 7 (d)?

Development for the purpose of:

- aircraft facilities
- animal boarding, breeding or training establishments
- bed and breakfast accommodation
- bush fire fighting establishments
- dual occupancies

- dwelling-houses
- educational establishments
- forestry
- helipads
- heliports
- institutions
- intensive agriculture
- intensive livestock keeping establishments
- offensive or hazardous industries
- picnic grounds
- retail plant nurseries
- road side stalls
- rural industries
- rural worker's buildings
- sawmills
- stables
- veterinary hospitals
- tourist facilities

Development ancillary to, or usually associated with or similar to, development listed in this subclause

- (3) In Zone 7 (d), any development not listed in subclause (1) or (2) is prohibited.
- (4) Despite subclauses (2) and (3), the Council shall not consent to the development of land in Zone 7 (d) unless it is satisfied that:
 - (a) the general impact of the development on the scenic catchment of the town of Gloucester is negligible, and
 - (b) the development is designed and sited, and is of an appropriate scale, to maintain the existing rural character of the locality, to minimise disturbance to the landscape through clearing, earthworks or access roads, and to harmonise with existing development on adjoining land.

21 7 (j) Environment Protection (Scientific) Zone

- (1) What development does not require the consent of the Council in Zone 7 (j)?

Nil

- (2) What development may be carried out only with the consent of the Council in Zone 7 (j)?

Development for the purpose of agriculture (other than the clearing of land for the purpose of agriculture)

Development ancillary to, or usually associated with or similar to, development listed in this subclause

- (3) In Zone 7 (j), any development not listed in subclause (2) is prohibited.

22 7 (l) Environment Protection (Wildlife Habitat) Zone

- (1) What Development does not require the consent of the Council in Zone 7 (l)?

Nil

- (2) What development may be carried out only with the consent of Council in Zone 7 (l)?

Development for the purpose of:

- agriculture
- forestry
- picnic grounds

Development ancillary to, or usually associated with or similar to, development listed in this subclause

- (3) In zone 7 (l), any development not listed in subclause (2) is prohibited.

23 8 (a) National Parks and Nature Reserves Zone

- (1) What development does not require the consent of the Council in Zone 8 (a)?

Any development carried out by or on behalf of the National Parks and Wildlife Service under the [National Parks and Wildlife Act 1974](#)

- (2) What development may be carried out only with the consent of the Council in Zone 8 (a)?

Nil

- (3) In Zone 8 (a), any development not listed in subclause (1) is prohibited.

24 What is exempt development?

- (1) Development that is of nominal environmental impact and that is listed in Schedule 1 is exempt development, subject to subclauses (2) and (3).
- (2) Development is exempt development only if:
 - (a) it does not cause interference with the amenity of the area by the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, and
 - (b) it complies with the deemed to satisfy provisions of the *Building Code of Australia* relevant to the development, and
 - (c) it complies with the requirements set for the development by this plan, and
 - (d) it does not contravene any condition of a development consent applying to the land, and
 - (e) it does not obstruct drainage of the site on which it is carried out, and
 - (f) it does not restrict any vehicular or pedestrian access to or from the site, and
 - (g) it is carried out at least 1 metre from any easement or public sewer main, and
 - (h) it is carried out behind the building line where it is carried out in a heritage conservation area.
- (3) Development is not exempt if it is carried out on land that:
 - (a) comprises or is the site of a heritage item, or
 - (b) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (c) is in Zone 7 (d), 7 (j) or 7 (l), or
 - (d) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (e) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or
 - (f) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
 - (g) is an aquatic reserve declared under the *Fisheries Management Act 1994*.

25 What is complying development?

- (1) Development specified in Schedule 2 is, subject to subclauses (2) and (3), complying development if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use as defined in section 106 of the Act.
- (2) Development is complying development only if the development:
 - (a) complies with the deemed-to-satisfy provisions of the *Building Code of Australia* relevant to the development, and
 - (b) complies with the development standards and other requirements specified in Schedule 2 in respect of the development, and
 - (c) is carried out behind the building line if the site is in a heritage conservation area, and
 - (d) does not contravene any conditions of a development consent applying to the land.
- (3) Development is not complying development if it is carried out on land that:
 - (a) is identified in this or any other environmental planning instrument, or Development Control Plan adopted by the Council as bush fire prone, flood liable or contaminated land, or subject to slip or erosion, or
 - (b) is the site of a heritage item, or
 - (c) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (d) is in an Zone 7 (d), 7 (j) or 7 (l), or
 - (e) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (f) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands*, or
 - (g) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
 - (h) is an aquatic reserve declared under the *Fisheries Management Act 1994*.
- (4) A complying development certificate issued for any such development is to be subject to the conditions for the development specified in Schedule 3.

26 Development that does not require the consent of Council

The carrying out of development for the following purposes does not require the consent of the Council:

- (a) public utility undertakings,
- (b) railways,
- (c) roads.

Part 3 Special provisions

27 Subdivision controls

- (1) Subject to this plan, a person may subdivide land to which this plan applies but only with the consent of the Council.
- (2) Except as provided by this plan, the Council shall not consent to the subdivision of land to which this plan applies unless each lot created has an area of no less than:
 - (a) in the case of land in Zone 1 (a), 1 (f) or 7 (d)—100 hectares, or
 - (b) in the case of land in Zone 1 (c):
 - (i) if the average area of all lots created by the subdivision (excluding lots with an area of more than 2.4 hectares) is greater than 1.2 hectares—8,000 square metres (unless subparagraph (ii) applies), or
 - (ii) if each lot created by the subdivision is connected to the town's water supply and sewerage facilities—4,000 square metres, or
 - (c) in the case of land in Zone 2 (a)—550 square metres, or
 - (d) in the case of land in Zone 2 (v)—2,000 square metres,and the Council is satisfied that:
 - (e) the lots created are suitable for and capable of sustaining the proposed use of land, and
 - (f) the proposed use of the land is appropriate to the locality, and
 - (g) prime crop and pasture land is maintained, and
 - (h) services can be provided economically, and
 - (i) the lots are capable of on site effluent disposal.

28 Subdivision exceptions

- (1) Subject to this clause, the Council may consent to the subdivision of a parcel of land Zone 1 (a) or 7 (d) where an allotment less than 100 hectares in area is created, but only if the Council is satisfied that the allotment is intended to be used for the purposes of:
 - (a) agriculture, intensive agriculture or an intensive livestock keeping establishment and is of a size that is adequate for full-time subsistence, or
 - (b) a permissible purpose, other than agriculture, intensive agriculture, an intensive livestock keeping establishment or forestry, and is of sufficient size for that purpose, or
 - (c) rural residential occupation.
- (2) The Council shall not consent to a subdivision creating an allotment under subclause (1) (c) unless it is satisfied that:
 - (a) the allotment is not situated on prime crop and pasture land, and
 - (b) the creation of the allotment will not have an effect of significantly reducing the long-term agricultural potential of the residue of the land or the adjoining land, and
 - (c) the land is suitable for the on-site disposal of domestic sewage and wastewater, and
 - (d) flood-free access is available to the allotment, and
 - (e) the allotment does not have frontage to a water body, and
 - (f) the allotment contains a building site that provides sufficient separation to adjoining or adjacent properties to minimise any potential land use conflict, having regard to the existing development in the locality, the natural topography, prevailing winds, visual barriers and to any relevant guidelines published by any New South Wales State Government agency or other body acceptable to Council, and
 - (g) the subdivision will not result in the creation of more than:
 - (i) 1 allotment of less than 100 hectares in area from a parcel of land of up to 500 hectares in area as it existed on 6 February 1976, or
 - (ii) 2 allotments of less than 100 hectares in area from a parcel of land of between 500 and 750 hectares in area as it existed at 6 February 1976, or
 - (iii) 3 allotments of less than 100 hectares in area from a parcel of land of 750 hectares in area of greater as it existed on 6 February 1976,

but not including any allotment or allotments created for a public purpose or road widening, and

(h) where it is considered necessary for the purpose of restricting the further fragmentation of a rural holding—the residue of the parcel of land is consolidated.

(3) For the purposes of determining matters referred to in subclause (2) (a), (b) and (c), the Council may require the submission of supporting evidence prepared by suitably qualified and experienced consultants.

29 Dwelling-house constraints Zone 1 (a), 1 (f), 2 (v) or 7 (d)

(1) Subject to this clause, the Council shall not consent to the erection of a dwelling-house on a parcel of land in Zone 1 (a), 1 (f) or 7 (d) unless the parcel:

(a) has an area of not less than 100 hectares, or

(b) comprises an allotment created by a subdivision approved by the Council before the commencement of this plan and on which a dwelling-house could have been erected, or

(c) comprises an allotment created by subdivision in accordance with this plan and the purpose for which the allotment was created has been established to the satisfaction of the Council, or

(d) comprises a parcel of land as it was as at 17 October 1969,

and no other dwelling-house is erected on the parcel of land.

(2) Nothing in subclause (1) shall prevent the erection of a dwelling-house (the **new dwelling-house**) on a parcel of land on which another dwelling-house is erected if the new dwelling-house is intended to replace the original dwelling-house and is not occupied until the original dwelling-house is demolished or is rendered uninhabitable and occupation ceases.

(3) Additional dwelling-houses may, with the consent of the Council, be erected on a parcel of land if any such additional dwelling-house is used exclusively to accommodate a person employed or engaged in the use of the parcel for a permissible purpose.

(4) The Council shall not consent to the erection of a dwelling-house in accordance with subclause (3) unless it is satisfied that:

(a) the need for an additional dwelling on the parcel of land is justified, and

(b) the parcel of land is consolidated.

(5) A dwelling-house shall not be erected on a parcel of land in Zone No 2 (v), unless:

- (a) the parcel has an area of not less than 2,000 square metres, and
- (b) no other dwelling-house is erected on the parcel, and
- (c) the Council is satisfied that the parcel is of sufficient size and the soils are of appropriate quality for the effective on-site disposal of domestic sewage and waste water.

30 Suspension of certain laws

- (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, any agreement, covenant or like instrument imposing restrictions on the erection or use of buildings for certain purposes, or as to the use of land for certain purposes, to the extent necessary to serve that purpose, shall not apply to any such development.
- (2) In accordance with section 28 of the Act, the Governor approved of subclause (1) before the making of this plan.

31 Residential flat buildings and cluster housing

- (1) The Council shall not consent to the development of land in Zone 2 (a) or 3 (a) for the purpose of a residential flat building or cluster housing unless the development has:
 - (a) in the case of land in Zone 2 (a)—a maximum density of 6 bedrooms per 1,000 square metres, or
 - (b) in the case of land in Zone 3 (a)—a maximum density of 12.5 bedrooms per 1,000 square metres.
- (2) Despite subclause (1), the Council shall not consent to the development of land in Zone 2 (a) for a purpose referred to in that subclause unless it is satisfied that:
 - (a) the lot to be developed has a minimum area of 1,000 square metres, and
 - (b) the proposed development will not unreasonably overshadow or overlook adjoining land, and
 - (c) the proposed development is in reasonable proportion with existing buildings in the immediate vicinity, and
 - (d) the proposed development will not detract from the level of residential amenity currently enjoyed in the locality, and
 - (e) in regard to building materials and landscaping, the proposed development will be compatible with surrounding development.
- (3) Despite subclause (1), the Council shall not consent to the development of land in

Zone 3 (a) for a purpose referred to in that subclause unless it is satisfied that:

- (a) adequate provision has been made on the site for commercial development at the street frontage, and
- (b) the proposed development will not unreasonably overshadow or overlook adjoining land, and
- (c) vehicular access to the proposed development can be provided at a location which does not interfere with pedestrian or vehicular traffic movement in the main business area of Gloucester, and
- (d) adequate on-site car parking can be provided.

32 Floor space ratios for buildings

- (1) Except as provided by subclause (2), a person shall not erect any building on land with a zone specified in column 1 of the following table, unless the ratio of the gross floor area of the building to the site area of the land on which the building is to be erected does not exceed the ratio shown in column 2:

Column 1	Column 2
Zone No 2 (a)	0.5:1
Zone No 3 (a)	1.5:1

- (2) In the case of land in Zone 3 (a), the ratio of the gross floor area of so much of a building as is used for residential purposes to the site area of the land on which the building is to be erected shall not exceed 0.75:1.

33 Development under community titles legislation

Despite any other provision of this plan, the Council may consent to the subdivision of land under the [Community Land Development Act 1989](#) and the [Community Land Management Act 1989](#), if it is satisfied that:

- (a) the subdivision is associated with development of the land for a permissible purpose, and
- (b) the subdivision is a necessary or desirable component of the development of the land.

34 Environmentally sensitive land

- (1) Despite any other provision of this plan, development for any purpose shall not be carried out on environmentally sensitive land without the consent of the Council.
- (2) The Council shall not consent to development on environmentally sensitive land unless it is satisfied that the carrying out of the development in accordance with the consent will not harm the scientific, natural, aesthetic, archaeological or ecological

significance of the land.

- (3) Any application to carry out development on environmentally sensitive land shall be accompanied by such reports, prepared by suitably qualified and experienced persons, as the Council requires.

35 Flood liable land

The Council shall not consent to the carrying out of development on flood liable land, unless the Council is satisfied that the development will not:

- (a) risk the safety of the community or any residents of the land, and
- (b) impede the flow of water or increase the effect of the flood on the locality, and
- (c) adversely affect the water table in the locality,

and unless the Council has had regard to its Floodplain Management Plan and the provisions of the Floodplain Management Manual prepared by the New South Wales Government.

36 Temporary use of land

Despite any other provision of this plan, the Council may consent to development for the purpose of a street stall or carnival or to other temporary development in any zone for a maximum period of 28 days, whether consecutive or not consecutive, in any one year.

37 Classification and re-classification of public land as operational

- (1) The public land described in Schedule 4 is classified or re-classified as operational land for the purpose of the [Local Government Act 1993](#).
- (2) In accordance with section 30 of the [Local Government Act 1993](#), a parcel of land described in Part 2 of Schedule 4, to the extent that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trust, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:
 - (a) any reservations that except land out of a Crown grant relating to the land, and
 - (b) reservations of minerals within the meaning of the [Crown Lands Act 1989](#).
- (3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 4 was made, the Governor approved of subclause (2) applying to the land.
- (4) In this clause, **the relevant amending plan**, in relation to a parcel of land described in Part 2 of Schedule 4, is the local environmental plan cited at the end of the

description of the parcel.

- (5) Land described in Part 1 of Schedule 4 is not affected by the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

38 Can schools and educational establishments be development for community uses?

The Council may grant development consent to the community use of the facilities and sites of schools colleges and other educational establishments and to the commercial operation of those facilities and sites.

39 Are minor variations of zoning boundaries permitted?

- (1) This clause applies to land that is within 20 metres of a boundary between any 2 zones.
- (2) Subject to subclause (3), development may, with the consent of the Council, be carried out on land to which this clause applies for the purpose for which development may be carried out in the adjoining zone on the other side of the boundary.
- (3) The Council shall not consent to development referred to in subclause (2) unless the development is desirable, in the opinion of the Council, due to design, ownership, servicing or other planning considerations.

40 Is development for certain additional purposes permitted on specific land?

- (1) Nothing in this plan prevents a person, with the consent of the Council, from carrying out development in the land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions (if any) as are so specified.
- (2) Subclause (1) does not affect the application to or in respect of the development to which this clause applies of such of the provisions of this plan as are not inconsistent with that subclause or with a consent granted by the Council in respect of the development.

Part 4 Heritage provisions

41 Aims in relation to heritage

The aims of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the Gloucester area, and
- (b) to integrate heritage conservation into the planning and development control process, and
- (c) to provide for public involvement in the conservation of environmental heritage, and

- (d) to ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings.

42 Protection of heritage items, heritage conservation areas and relics

- (1) The following development may be carried out only with development consent:
- (a) demolishing, defacing, damaging or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
 - (b) altering a heritage item or building, work or relic within a heritage conservation area by making structural changes to its exterior,
 - (c) altering a heritage item or a building, work or relic within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance,
 - (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic,
 - (e) erecting a building on, or subdividing land on which the heritage item is located or which is within a heritage conservation area.
- (2) Development consent is not required by this clause if the Council is of the opinion that the proposed development would not adversely affect the heritage significance of the heritage item or heritage conservation area.
- (3) When determining a development application required by this clause, the Council shall take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or the heritage conservation area.

43 Notice of certain heritage development applications

Sections 79, 79A and 79C of the Act (which provide for the giving of notice, and for the making and consideration of submissions, about the proposed development) apply to the demolishing, defacing or damaging of a heritage item or a building, work, relic, tree or place within a heritage conservation area (and to the use of a building or land referred to in clause 47 for a purpose which, but for that clause, would be prohibited by this plan).

44 Notice to Heritage Council

Before granting development consent to the demolishing, defacing or damaging of a heritage item listed in Part 2 of Schedule 5 as an item of State significance, the Council shall notify the Heritage Council of its intention to do so and take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

45 Development of known or potential archaeological sites

- (1) The Council may grant consent to the carrying out of development on an archaeological site that has Aboriginal heritage significance, (such as a site that is the location of an Aboriginal place or a relic within the meaning of the *National Parks and Wildlife Act 1974*) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only if:
 - (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of National Parks and Wildlife, and
 - (b) it has notified the Director-General of its intention to do so and taken into consideration any comments received from the Director-General within 28 days after the notice was sent, and
 - (c) it is satisfied that any necessary consent or permission under the *National Parks and Wildlife Act 1974* has been granted.
- (2) The Council may grant consent to the carrying out of development on an archaeological site that has non-Aboriginal heritage significance or a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only if:
 - (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council, and
 - (b) it has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent, and
 - (c) it is satisfied that any necessary excavation permit required by the *Heritage Act 1974* has been granted.

46 Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites

- (1) The Council shall take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity.
- (2) When determining an application for consent to carry out development in the vicinity of a building, works or relic which is more than 50 years old, the Council shall take into

consideration the likely effect of the proposed development on the heritage significance of the building, work or relic whether or not the building, work or relic is listed in Schedule 5.

47 Conservation incentives

- (1) The Council may grant consent to the use, for any purpose, of a building that is a heritage item or is within a heritage conservation area, or of the land on which the building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:
 - (a) the proposed use would not adversely affect the heritage significance of the item or heritage conservation area or the amenity of the heritage conservation area, and
 - (b) the conservation of the building depends on the granting of consent.
- (2) When considering an application for consent to erect a building on land on which a heritage item is located or on land within a heritage conservation area, the Council may, for the purpose of determining:
 - (a) the floor space ratio, and
 - (b) the number of parking spaces to be provided on site,

exclude the floor space of the building from its calculation of the floor space of the buildings erected on the land, but only if the Council is satisfied that the conservation of the building depends on it making the exclusion.

48 Karst conservation areas

- (1) A person shall not carry out development (including excavation) in a karst conservation area without the consent of the Council.
- (2) The Council shall not grant a consent referred to in subclause (1) unless the Council has made an assessment of the extent to which the development would affect the scientific significance of the karst features.
- (3) The Council shall not grant consent referred to in subclause (1) if the development would, in the opinion of the Council, destroy or damage underground karst features.

Part 5 Miscellaneous

49 What outdoor advertising does not require consent in Zone 3 (a)?

Development for the purpose of an advertisement described in this clause may be carried out on land in Zone 3 (a) without development consent, but only in accordance with the conditions or requirements specified in relation to the advertisement.

(1) Under awning sign (ie suspended under an awning and over a footpath)

Conditions/requirements:

- (a) only one sign per property
- (b) less than 2.0m in length
- (c) less than 0.3m thick
- (d) less than 0.5m high
- (e) located horizontal to the pavement and no lower than 2.6m above the pavement
- (f) located at right angles to the gutter line
- (g) relate to the building on which it is fixed
- (h) not be closer than 0.6m to the kerb line
- (i) no closer than 1.5m to the boundary or must be located in the centre of the property
- (j) in keeping with the character of the area and the building and not detract from the visual quality of the area
- (k) not located on a heritage item

(2) Awning fascia sign (ie painted on the face of an awning over a footpath)

Conditions/requirements:

- (a) not protrude above or below the original awning
- (b) lettering less than 170mm high
- (c) make use of and reflect the design elements and relief of the awning
- (d) painted directly onto the fascia
- (e) not be illuminated
- (f) relates to the building on which it is fixed
- (g) in keeping with the character of the area and the building and not detract from the visual quality of the area
- (h) not located on heritage item or an adjoining building

(3) Window sign (ie below the awning line)

Conditions/requirements:

- (a) take up less than 25% of the clear glass area of the window
 - (b) not be illuminated
 - (c) relate to the building on which it is fixed
 - (d) in keeping with the character of the area and the building and not detract from the visual quality of the area
 - (e) not located on heritage item or an adjoining building
- (4) Shop front sign under awning (ie on the face of the building and located below the awning line)
- (a) take up less than 25% of the shop front excluding glass area or have a maximum area of 2 square metres (whichever is the lesser)
 - (b) make use of and reflect the design elements of the facade
 - (c) painted directly onto the wall
 - (d) not be illuminated
 - (e) relate to the building on which it is fixed
 - (f) in keeping with the character of the area and the building and not detract from the visual quality of the area
 - (g) not located on heritage item or an adjoining building

50 Advertising relating to tourist facilities and places of scientific, historic or scenic interest

Despite any other provision of this plan, the Council may grant consent to the erection of an advertisement on any land for the specific purpose of directing the travelling public to tourist facilities and places of scientific, historic or scenic interest if it is satisfied that:

- (a) the advertisement relates to a specific building or place, and
- (b) the principal purpose of the advertisement is to direct the travelling public to that building or place, and
- (c) the dimensions and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.

51 Zones where outdoor advertising is prohibited

A person shall not erect an advertisement on land in Zone 1 (a), 1 (c), 1 (f), 6 (a), 7 (d), 7 (j) or 7 (l) other than an advertisement described in Schedule 1 as exempt development.

52 Clearing of land

Despite any other provision of this plan, consent is not required for the clearing of land for the purpose of agriculture unless the land:

- (a) is located in Zone 7 (d), is not prime crop and pasture land and contains more than 7 trees per hectare, or
- (b) is located in Zone 7 (j) or 7 (l).

Schedule 1 Exempt development

(Clause 24)

- (1) Access ramps**—construction of access ramps suitable for use by people with disabilities and mobility impairments and which comply with the following requirements:
 - (a) maximum height of 1 metre above ground level,
 - (b) maximum grade of 1:14 and otherwise in compliance with AS 1428.1-1998.
- (2) Aerials**—erection of aerials/antennae/microwave antennae (other than satellite dishes) which comply with the following requirements:
 - (a) maximum of one per dwelling,
 - (b) used for domestic purposes only,
 - (c) maximum height from natural ground level of 6 metres.
- (3) Air conditioning units**—installation and use of airconditioning units for dwellings which meet the following requirements:
 - (a) attached to external wall or ground mounted,
 - (b) located a minimum of 3 metres from property boundary,
 - (c) noise level not to exceed 5dBA above ambient background noise level measured at the property boundary,
 - (d) any building work not to reduce the structural integrity of the building,
 - (e) any opening to be adequately weatherproofed.
- (4) Awnings, canopies and storm blinds**—erection of awnings, canopies and storm blinds for dwellings and which comply with the following requirements:
 - (a) maximum area of 20 square metres,
 - (b) located wholly within property boundaries.
- (5) Barbeques**—construction of barbeques associated with dwellings and which comply with the following requirements:

- (a) maximum area of 2 square metres,
 - (b) maximum height of 2.6 metres from existing ground level,
 - (c) no closer than 900mm to adjoining property boundary.
- (6) Bird aviaries**—erection and use of bird aviaries for domestic purposes only and not for the keeping of poultry, and which comply with the following requirements:
- (a) maximum area of 10 square metres,
 - (b) maximum height of 2.4 metres,
 - (c) located in rear yard,
 - (d) no closer than 900mm to adjoining property boundary,
 - (e) not within 10 metres of a dwelling,
 - (f) structurally adequate construction.
- (7) Boundary fences**—construction of boundary fences which comply with the following requirements:
- (a) no more than 1.8 metres high if located behind the building line,
 - (b) no more than 900mm if located forward of the building line.
- (8) Building alterations**—non-structural alterations to a building.
- (9) Bus shelters**—erection and use of bus shelters which comply with the following requirements:
- (a) designed and constructed by or on behalf of the Council,
 - (b) structurally adequate construction,
 - (c) line of sight of vehicular traffic not obstructed,
 - (d) maximum height of 2.7 metres above footpath,
 - (e) surface area of less than 10 square metres,
 - (f) non-reflective surface finishes.
- (10) Bush fire hazard reduction**—work to be carried out consistent with a plan of management under the [Rural Fires Act 1997](#).
- (11) Cabanas/gazebos/greenhouses**—construction of cabanas/gazebos/greenhouses which comply with the following requirements:
- (a) maximum area of 10 square metres,
 - (b) maximum height of 2.4 metres from existing ground level,
 - (c) located in rear yard (or no closer to the street than the rear dwelling alignment),

- (d) not used for habitable purposes,
- (e) connected to existing stormwater system,
- (f) structurally adequate construction,
- (g) non-reflective surface finishes,
- (h) no closer than 900mm to boundary line.

(12) Clothes hoists/lines—erection and use of clothes lines/hoists which comply with the following requirements:

- (a) installed to manufacturer's specifications,
- (b) located no closer to the street than the front alignment of the dwelling.

(13) Decks—erection and use of unroofed decks attached to dwellings that are not located in areas identified by the Council as prone to bush fire, and which comply with the following requirements:

- (a) maximum area of 10 square metres,
- (b) finished surface level not more than 1 metre above existing ground level,
- (c) boundary setbacks for existing dwelling to be maintained,
- (d) structurally adequate construction.

(14) Demolition—carried out in accordance with AS 2601—1991—*The Demolition of Structures* of any structure (excluding heritage items and buildings in construction areas) the erection of which would be exempt development under this plan and covering an area of not more than 25 square metres.

(15) Driveways/pathways—construction of driveways/pathways which comply with the following requirements:

- (a) structurally sound and of stable construction with adequate reinforcement,
- (b) not elevated or suspended above natural ground level,
- (c) stormwater not to be redirected onto adjoining property.

(16) Flagpoles—erection and use of flagpoles which comply with the following requirements:

- (a) maximum of one flagpole per property,
- (b) maximum height of 5 metres above ground level.

(17) Fowl houses—erection and use of fowl houses for the keeping of chickens, hens and roosters and which comply with the following requirements:

- (a) not more than one per property,
- (b) maximum area of 50 square metres,
- (c) structurally adequate construction,

- (d) located no closer than 200 metres from any adjoining property and not less than 30 metres from any dwelling on the same property,
- (e) maximum height of 3 metres,
- (f) made of non-reflective materials,
- (g) adequate drainage must be provided.

(18) Garden sheds—erection and use of garden sheds which comply with the following requirements:

- (a) free standing,
- (b) consist of pre-fabricated components,
- (c) maximum floor area 10 square metres,
- (d) maximum height of 2.1 metres from existing ground level,
- (e) located in the rear yard of the premises,
- (f) made of non-reflective materials,
- (g) installed to manufacturer's specifications,
- (h) structurally adequate construction,
- (i) one shed per property.

(19) Goal posts, sight screens and similar ancillary sporting structures—erection of goal posts, sight screens and similar ancillary sporting structures on sporting or playing fields for use in the playing or performance of sporting events (excluding grandstands, dressing sheds and other similar structures) and which comply with the following requirements:

- (a) construction by or for the Council and installed in accordance with relevant SAA standards (if any) and *Building Code of Australia*,
- (b) located in public parks or recreation areas.

(20) Hoardings—erection of hoardings which comply with the following requirements:

- (a) compliance with any requirements of the WorkCover Authority,
- (b) care must be taken to safeguard the general public,
- (c) the least horizontal distance between the common boundary of the site and footpath or public thoroughfare and the nearest parts of the structure is to be greater than twice the height of the structure being erected or demolished,
- (d) the vertical height above footpath level of the structure being demolished or erected must be less than 4 metres,
- (e) to be constructed of solid material to a height not less than 2.4 metres above the level of the footpath or thoroughfare,

- (f) not to encroach onto public footway or thoroughfare,
- (g) appropriate signage to be provided in accordance with AS 1319,
- (h) structurally adequate construction.

(21) Home businesses—use of a dwelling for purposes of a home business.

(22) Letter boxes—erection or use of letter boxes (free standing or in “banks”) which comply with the following requirements:

- (a) maximum height of 1.2 metres above ground level,
- (b) one box for each occupancy,
- (c) appropriate numbering (visible from street alignment) for each box,
- (d) structurally stable with adequate footings,
- (e) designed in accordance with accepted engineering principles.

(23) Park and street furniture—erection and use of seats, bins, picnic tables and minor shelters (other than bus shelters) which comply with the following requirements:

- (a) construction by or on behalf of the Council and designed, fabricated and installed in accordance with relevant SAA Standards (if any) and the *Building Code of Australia*,
- (b) located on land under control of the Council.

(24) Patios—erection and use of patio at ground level abutting a dwelling and which complies with the following requirements:

- (a) not to exceed an area of 20 square metres,
- (b) stormwater from patio surface not to be redirected onto adjoining property,
- (c) sufficient step down is to be provided to prevent the entry of water into the dwelling,
- (d) structurally adequate construction.

(25) Pergolas—erection and use of open pergola at ground level and which complies with the following requirements:

- (a) maximum area of 20 square metres,
- (b) maximum height of 2.4 metres,
- (c) must maintain required boundary setbacks for the associated dwelling with a minimum of 900mm from the boundary,
- (d) structurally adequate construction.

(26) Playground equipment—erection and use of playground equipment which complies with the following requirements:

- (a) in the case of residential use:
 - (i) maximum height of 2.1 metres,
 - (ii) maximum ground coverage of 5 square metres,
 - (b) in the case of non-residential use:
 - (i) maximum height of 2.1 metres,
 - (ii) maximum ground coverage of 10 square metres,
 - (iii) adequate safety to be provided,
 - (c) in the case of community land (as defined under the *Local Government Act 1993*):
 - (i) constructed by or on behalf of the Council,
 - (ii) designed, fabricated and installed in accordance with AS 1924, 2155 and DR94007-DR94010,
 - (d) in all cases, installed in accordance with manufacturers instructions and comply with any relevant SAA standards.
- (27) Re-cladding** of roofs or walls of an existing dwelling where existing materials are being replaced with similar materials and:
- (a) the re-cladding does involve structural alterations or changes to the external configuration of a building, and
 - (b) the dwelling is not a heritage items.
- (28) Retaining walls**—erection of retaining wall which complies with the following requirements:
- (a) maximum height of 600mm,
 - (b) masonry walls to comply with AS 3700—*Masonry Code*, AS 3600—*Concrete Structures* and AS 1170—*Loading Code*,
 - (c) timber walls to comply with AS 1720—*Timber Structures* and AS 1170—*Loading Code*,
 - (d) all retaining walls are to be constructed so that they do not prevent the natural flow of stormwater drainage and run-off.
- (29) Satellite dishes**—erection and use of satellite dishes which comply with the following requirements:
- (a) in the case of ground mounted dishes on residential premises:
 - (i) maximum height of 1,800mm,
 - (ii) maximum diameter of 1,000mm,
 - (iii) maximum of one per dwelling,

- (iv) located so as not to be visible from a public place,
- (v) located a minimum of 900mm from a property boundary,
- (b) in the case of roof mounted dishes on residential premises:
 - (i) maximum diameter of 1,000mm,
 - (ii) structurally stable,
 - (iii) maximum of one per dwelling,
 - (iv) located on rear section of roof and not visible from the street,
- (c) in the case of ground mounted dishes on commercial premises:
 - (i) maximum height of 1,800mm,
 - (ii) located a minimum of 900mm from the boundary if the adjoining property is residential,
 - (iii) maximum of one per building,
- (d) in the case of roof mounted dishes on commercial premises:
 - (i) maximum diameter of 2,000mm,
 - (ii) located wholly on the premises,
 - (iii) maximum of one per building,
 - (iv) located on rear section of roof and not visible from the street.
- (30) Scaffolding**—erection of scaffolding which complies with the following requirements:
 - (a) not to encroach onto footpath or public thoroughfare,
 - (b) has sufficient structural strength to withstand, and be impenetrable to, the impact of falling rubble,
 - (c) must enclose the work area,
 - (d) must comply with AS 1576,
 - (e) must be removed immediately after the purpose for which it was initially provided has concluded and no safety problem will result due to removal.
- (31) Signs**—erection of the following signs which comply with the following requirements:
 - (a) building signs:
 - (i) erected on the site on which the building work is being carried out,
 - (ii) surface area of no more than 1 square metre,
 - (iii) written permission of the owner of the land on which the sign is erected,

(iv) removed from the site at the completion of work,

(b) election signs:

(i) erected on free standing structure, with 2 support posts and not attached to any tree or fence post,

(ii) erected for no more than 60 days in any period of 2 years,

(iii) surface area of no more than 1 square metre,

(iv) only one sign per property,

(v) not within 5 km of any other sign relating to the same person,

(vi) written permission of the owner of the land on which the sign is erected,

(vii) removed from the site within the 60 day period or within 5 days after the relevant election,

(c) real estate signs:

(i) erected on the property to which the sign relates,

(ii) surface area of no more than 1 square in urban areas and 2 square metres in rural areas,

(iii) removed within 5 days after the property is sold,

(iv) free standing where possible and not attached to walls, trees or fences,

(v) in urban areas—only one sign (per agent) per property,

(vi) in rural areas—only one sign (per agent) in any 5 hectare area (up to a maximum of 5 signs),

(vii) one directional sign (having an area no greater than 2 square metres) permitted off-site in rural areas to direct people to the property to which the sign relates,

(d) sale signs (including window writing and posters):

(i) used for no longer than 60 days per year,

(ii) in consistent with all elements of general advertising requirements with respect to location and appearance,

(iii) not illuminated,

(e) other temporary signs:

(i) erected for a period of no more than 30 days in any period of 2 years,

(ii) removed within 30 days of being erected,

(iii) surface area of no more than 1 square metre,

- (iv) not illuminated,
- (v) no more than one sign per site,
- (vi) not within 5 km of the same sign.

Note—

Signs or sign space where the advertised material changes and is visible for more than 60 days per year are considered permanent signs and may require development consent.

(32) Skylight roof windows—construction of non-opening skylight roof windows which comply with the following requirements):

- (a) maximum area not to exceed 1 square metre,
- (b) not more than one installation per 25 square metres of roof area,
- (c) located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings,
- (d) building work must not reduce the structural integrity of the building or involve structural alterations,
- (e) any opening created by the installation must be adequately weatherproofed,
- (f) installation must be to manufacturer's instructions.

(33) Solar water heaters—installation of solar water heaters which comply with the following requirements:

- (a) installed to manufacturer's specifications and requirements,
- (b) installed by appropriately licensed person,
- (c) associated building work must not reduce the structural integrity of the building or involve structural alterations,
- (d) any openings created by an installation must be adequately weatherproofed.

(34) Water heaters—installation or replacement of water heaters (excluding solar systems) which comply with the following requirements:

- (a) structural integrity of the building must not be reduced,
- (b) must not involve any structural alterations,
- (c) installation to be carried out by an appropriately licensed person.

(35) Water storage tanks—installation and use of water storage tanks at or above ground level on properties in Zone 2 (a) or 2 (v) and which comply with the following requirements:

- (a) located in the rear yard or no closer to the street than the front alignment of a dwelling,
- (b) tank to be structurally sound and comply with manufacturer's and designer's instructions,

(c) minimum 900mm from boundary.

(36) Windows, glazed areas and external doors—replacement of windows, glazed areas and external doors on dwelling-house (excluding windows in buildings listed as heritage items or in a heritage conservation area) and which comply with the following requirements:

(a) replacement with materials that comply with:

(i) AS 1288—*Glass in buildings Selection and installation*, and

(ii) AS 2208—*Safety Glazing Materials for use in buildings (Human impact considerations)*,

(b) no reduction in the area provided for light and ventilation,

(c) structural support members not to be removed.

Schedule 2 Complying development

(Clause 25)

1 Swimming pools

The construction or installation of a swimming pool, for private use only, that is associated with an approved dwelling on an allotment of more than 450 square metres, and which complies with the following:

(a) the pool is not located between the dwelling and the front boundary,

(b) all coping or decking around the pool is no more than 500mm above the natural ground level,

(c) the pool is located at least 1.5 metres from the side and rear boundaries,

(d) the noise level of any filtration equipment or pumps does not exceed 5dBA above ambient background level measured at the property boundary,

(e) a minimum of 20% of the site must be soft landscaped (ie not hard surfaces),

(f) all aspects of the development comply with the *Swimming Pool Act 1992*, the [Swimming Pools Regulation 1998](#) and AS 1926.

2 Industrial uses

(1) A change of the use of a building from an industry to a light industry that complies with the requirements of this plan or any development control plan applying to the land.

(2) Alteration of additions to an industrial building (eg a warehouse) on a serviced site with road access.

(3) Development specified in subclauses (1) and (2) must comply with the following:

- (a) no part of the building is within 10 metres from a road boundary,
- (b) the floor space ratio of the building does not exceed 1:1,
- (c) any extension to the building does not exceed 10% of the original floor space of the building,
- (d) the height of any wall does not exceed 7.2 metres (excluding parapets),
- (e) no increase in the height of the building,
- (f) parapets may extend a maximum of 1.2 metres above the intersection of the wall of the roof,
- (g) roof pitch is no more than 10 degrees,
- (h) the site is not cut or filled greater than 500 mm,
- (i) all roof and surface water is drained to the street and discharged to the Council's nearest stormwater drainage system in the street,
- (j) the drainage system is designed for a 10-year return period, with excess flows designed to flow overland to the street,
- (k) stormwater drainage for the site is no greater than the undeveloped site,
- (l) garbage and storage areas are on-site and behind the building line of the property,
- (m) a landscaped strip of at least 3 metres to each street frontage is planted with canopy trees and shrubs with a maximum width of 7 metres for the driveway,
- (n) parking on-site is provided for at least 1 space for each 70 square metres of gross floor area, or 1 space for every 2 employees, whichever is the greater,
- (o) space for loading and unloading on the site,
- (p) driveway widths and the turning circles on-site comply with relevant RTA standards,
- (q) all work is carried out in accordance with structural engineering plans demonstrating that the work will comply with the *Building Code of Australia*,
- (r) no reduction in the existing levels of fire safety to the occupants, fire resistance of the structure or safeguards against spread of fire to adjoining buildings,
- (s) additional space is provided for on-site parking, loading, unloading and manoeuvring in accordance with the Council's *Development Control Plan for Industrial Development*,
- (t) compliance with the Council's requirements in respect to the provision of the water

and sewerage services,

(u) compliance with any requirements of the WorkCover Authority.

3 Commercial uses

- (1) A change of use of a building from commercial premises to another type of commercial premises (eg from a shop to an office) that comply with the requirements of this plan or any development control plan applying to the land.
- (2) Internal alterations or fitouts to an existing shop, office or commercial premises that does not result in an increase in the total floor area of the building.
- (3) Development specified in subclauses (1) and (2) must comply with the following:
 - (a) any food shop must comply with the *Food Act 1989* and any code adopted by the Council for food premises,
 - (b) the classification of the building under the *Building Code of Australia* is not changed,
 - (c) adequate provision is made for parking in accordance with the RTA's Guide to Traffic Generating Development,
 - (d) compliance with any requirements of the WorkCover Authority,
 - (e) the current use of the land is not for a purpose identified in any guidelines for the management of contaminated land published by the Department of Urban Affairs and Planning or the Environment Protection Authority.

4 Bed and breakfast accommodation

The use of an existing lawful dwelling, that is permanently occupied by a resident or residents, for bed and breakfast accommodation and which complies with the following:

- (a) no more than 3 guest rooms and 6 guests at any one time,
- (b) only one external sign up to 0.6 square metres in area,
- (c) compliance with the *Food Act 1989* and *Food (General) Regulation 1997*,
- (d) rooms are provided with a smoke detection system that complies with AS 3786 and AS 3000,
- (e) fire extinguisher and fire blanket in the kitchen.

5 Subdivision

Subdivision for any of the following purposes and which complies with the requirements of this plan:

- (a) widening a public road,
- (b) adjusting a boundary between lots (that does not result in an increased number of lots),
- (c) correcting an encroachment on a lot,
- (d) consolidating lots,
- (e) creating a lot for a public reserve or public purpose.

Schedule 3 Complying development conditions

- (1)** The development must be carried out in accordance with the complying development certificate.
- (2)** 2 days before any site work, building or demolition begins, the applicant must:
 - (a) forward Form 7 of the *Environmental Planning and Assessment Regulation 1994* the Council (notice of commencement of work and appointment of Principal Certifying Authority), and
 - (b) notify the adjoining owners that the work will commence.
- (3)** Before any site works, building or demolition is started, the applicant or builder must:
 - (a) notify the Council of the name, address, phone number and licence number of the builder, and
 - (b) erect a sign at the front of the property with the builder's name, licence number, site address and compliance certificate number, and
 - (c) provide a temporary on-site toilet, and
 - (d) protect and support and neighbouring buildings, and
 - (e) protect any public place from obstruction or inconvenience of the carrying out of the consent, and
 - (f) prevent any substance from falling onto a public place, and
 - (g) follow any other conditions prescribed by the *Environmental Planning and Assessment Regulation 1994*.
- (4)** The applicant or builder must install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - (a) divert uncontaminated run-off around cleared or disturbed areas,
 - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - (c) prevent tracking of sediment by vehicles onto roads,
 - (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within

the site.

- (5)** Removal or disturbance of vegetation and top soil must be confined to within 3 metres of the building area.
- (6)** The land surrounding any structure must be graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.
- (7)** If water falls to the rear of the property, it must be collected and drained via a gravity system to the Council's stormwater line or disposed of in a manner consistent with the Council's Soil and Water Management Policy.
- (8)** The following inspection are required to be carried out by the Council or an accredited certifier 48 hours notice in writing, or 24 hours by phone is required:
 - (a) erosion control, site works and site set out, before building starts,
 - (b) placement of piers or foundation before placing footings,
 - (c) steel reinforcing before pouring concrete,
 - (d) framework of structure before lining or cladding is fixed,
 - (e) stormwater drainage and on-site detention before backfilling,
 - (f) wet area treated before lining or tiling.
- (9)** All work is to be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 5.00pm Saturdays. No work is to be carried out on Sundays or public holidays.
- (10)** A survey certificate must be given to the principal certifying authority:
 - (a) on completion of floor slab framework before concrete is poured—detailing the location of the structure to the boundaries, and
 - (b) at completion of the lowest floor—confirming that levels are in accordance with the compliance certificate.
- (11)** If kerb and guttering is provided, driveways are to be a minimum of 500mm clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure (including the Council's drainage structures) unless prior approval is obtained from the relevant authority.
- (12)** If kerb and guttering is not provided a gravel vehicular entrance incorporating a 375 diameter stormwater pipe and concrete headwalls, or a 6 metre by 6 metre concrete slab dish drain, must be constructed to provide access to the lot.
- (13)** Driveways are to be a minimum of 6 metres from the road intersection.
- (14)** Driveways are to be constructed in accordance with SAA 2890 with appropriate transition zones.

Notes—

A buildings must not be occupied or used until an Occupation Certificate is issued either by the Council or an accredited certifier.

The complying development certificate must be issued in the name of the Council or the accredited certifier with an accreditation number.

Schedule 4 Classification or reclassification of land as operational land

(Clause 37)

Part 1

King Street	Lot 126, DP 864391
Bucketts Road	Lot 12, DP 864348
Lowe Street	Lots 43 and 44, DP 262098
Thunderbolts Way	Lot 7, DP 868549
Jacks Road	Lot 1, DP 799794
Callaghans Creek Road	Lot 10, DP 879106

Part 2

Schedule 5 Heritage conservation

(Clause 5 (1))

Part 1 Heritage conservation areas

Gloucester Main Street precinct

Part 2 Heritage items

Items of State significance

- Barrington Tops National Park (Gloucester part)
- Woko National Park, via Curricabark Road
- Camel's Hump Nature Reserve, Nowendoc Road
- former Mountain Maid Gold Mine, Copeland
- Cyanide Treatment Works (Rainbow Battery), Copeland
- "Airlie", Rawdon Vale Road, Rawdon Vale
- "Stobo", The Moppy Road, Rawdon Vale

Items of Regional significance

- Gloucester Police Station, 8 Church Street

- Gloucester Courthouse, 10 Church Street
- former ABC Bank building, 23 Church Street
- Gloucester Coop Dairy Co factory buildings, Railway Street
- Australian Agricultural Company Manager's House (formerly known as "Gloucester Cottage") and outbuildings, Bucketts Way
- Australian Agricultural Company Dam, Bucketts Road
- Barrington Pioneer Cemetery, East Barrington Road, Barrington
- Copeland No 2 General Cemetery, Scone Road, Copeland
- Copeland Tops Forest Preserve, including former Hidden Treasure Gold Mine, Scone Road, Copeland

Items of local significance

- former Presbyterian church manse, 7 Barrington Street
- former timber worker's house, Barrington/Cowper Street
- St Andrews Presbyterian Church and Hall, Barrington/Tyrell Streets
- former "Hillcrest" hospital, Barrington/Tyrell Street
- "Roma", Barrington/Gregson Streets
- War Memorial clocktower, Bent Street
- original Shire Council Chambers, 12 Church Street
- Sellicks Chambers, 42 Church Street
- Westpac Bank, 47 Church Street
- School of Arts, 56 Church Street
- McRae's building, 73 Church Street
- Majestic Theatre, 78 Church Street
- Avon Valley Inn, 82 Church Street
- Payless building, 84 Church Street
- Masonic Temple, Church/Cowper Streets
- St Clement's Park historic site, Church/Oak Streets
- "Easton's" house, 16 Cowper Street
- "Gloucester Cottage", 61 Denison Street

- former Sisters of St Joseph convent, Denison Street
- Federation house, Gardiners Lane
- “Narraweena”, 10 Gregson Street
- original Gloucester Public School building, Hume Street
- St Pauls Anglican Church and Rectory, Hume/Ravenshaw Streets
- “Fairview” (concrete block house), 1 Market Street
- Gloucester Post Office, 9 Queen Street
- former Bank of NSW building, 2 Queen Street
- former CBC Bank building, 10 Queen Street
- former Abbots Auctioneer’s building, 16 Queen Street
- second “Hillcrest” hospital, 16 Tyrell Street
- Water tower, Tyrell Street
- John McKenzie’s grave, Gloucester Cemetery
- disused Upper Avon Road Bridge, Avon State Forest
- Gloucester Sports Ground Grandstand, Barrington Road
- Gloucester Showground precinct, Barrington Road
- Thunderbolt’s Cave, via the Bucketts Road
- Free Presbyterian Church, Barrington
- early (1910) Barrington Public School building, Barrington
- original school residence, Barrington East Road
- slab house, 402 Barrington East Road
- Barrington House, Barrington
- Barrington Rover bridge, Scone Road, Barrington
- “Faulkland”, Faulkland Road, Faulkland
- “Rawdon Vale”, The Moppy Road, Rawdon Vale
- “Bonnie Doon”, Rawdon Vale Road, Rawdon Vale
- Presbyterian Church, Rookhurst
- Original Public School building, Rookhurst

- “PGK” survey peg mark, Nowendoc Road

Part 3 Archaeological sites

none at present

Part 4 Potential archaeological sites

- The Glen/Craven logging tramline, Glen Road, Craven
- Mount McKenzie massacre site, Barrington National Park
- Gloucester Main colliery site, King George Park
- Avon Valley Colliery site, Waukivory Road

Schedule 6 Development for certain additional purposes

(Clause 40)

Lot 1 DP 783098,
21 Barrington East Road, Barrington

Subdivision of the part of the land that is in Zone 1 (a)
so as to create no more than 4 rural residential lots

Part Lot 1 DP 753171,
489 Thunderbolts Way, Barrington

Subdivision of the part of the land that is in Zone 1 (a)
so as to create no more than 2 rural residential lots.

Lot 2, DP 568133, Lot 11, DP 193003 and Lot 12,
DP 193003

Development for the purpose of housing for older
people or people with a disability containing a
maximum of 100 units, generally in accordance with
Plans Nos 3 and 4 and the recommendation contained
in Section 19 of the environmental study titled *Local
Environmental Study Lot 2 DP 568133, Lot 11 DP
193003 & Lot 12 DP 193003 being 4571 The Buckets
Way South, Gloucester*, prepared by Hunter
Development Brokerage Pty Limited, subject to:

- (a) general compliance with [State Environmental
Planning Policy No 5—Housing for Older People or
People with a Disability](#) as if that policy (clause 4
excepted) applied to the subject land, and
- (b) the making of a development application to
Gloucester Shire Council within 5 years after the
date of gazettal of [Gloucester Local Environmental
Plan 2000 \(Amendment No 2\)](#).

Lot 4 Section 11 DP 192505, 71 King Street,
Gloucester

Cluster housing.