

# **Goulburn Mulwaree Development Control Plan 2009**



Commenced 20<sup>th</sup> February 2009

Last Amended 23<sup>rd</sup> October 2015

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## **Appendices**

- Appendix A: Criteria for the assessment of heritage significance of Aboriginal sites**
- Appendix B: Preferred planting species**
- Appendix C: Not in use**
- Appendix D: Development application checklist**
- Appendix E: Rainwater tanks policy**
- Appendix F: Telecommunications policy**
- Appendix G: Landscape Policy; Site Analysis; Preparing a Landscape Plan**
- Appendix H: Heritage Impact Statement Requirements**
- Appendix I: Goulburn Mulwaree Good Design Statement 2005**

# 1 Preliminary

## 1.1 Name of this plan

This plan is known as the Goulburn Mulwaree DCP 2009. This plan has been prepared in accordance with section 72 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

## 1.2 Date of adoption

This plan was originally adopted by Goulburn Mulwaree Council (Council) on Tuesday 19 August 2008 and came into operation upon the gazettal of *Goulburn Mulwaree Local Environmental Plan 2009* (LEP) on 20 February 2009.

This plan is subject to amendment from time to time. Plan users should refer to the list of amendments to **clause 1.9** of this plan.

## 1.3 Purpose of this plan

This plan shall be used together with the LEP.

The LEP provides the legal framework by which Council's development decisions are made. It sets out Council's vision and seeks to implement this by way of objectives, policies, zoning tables, and zoning and heritage conservation maps.

This plan supplements the LEP by providing detailed reasoning, guidelines, controls and general information relating to the decision making process. Together these documents form the land use planning and development controls for the Goulburn Mulwaree local government area.

## 1.4 Land to which this plan applies

This plan applies to all land within the Goulburn Mulwaree local government area.

## 1.5 Other planning policies and instruments

This plan supports the provisions of the LEP.

This plan is to be read in conjunction with other planning instruments, Council policies, codes and specifications to specific design aspects of a proposal.

Where there is an inconsistency between this plan and any environmental planning instrument applying to the same land, the provisions of the planning instrument apply.

In addition to the above and the provisions of this Plan, in assessing development proposals, Council must consider all those matters specified in Section 79C of the EP&A Act.

## 1.6 Structure of this plan

This development plan is structured in the following manner:

1. **Preliminary** – this part of the plan comprises the administrative elements of this plan, including the name of this plan, the date of adoption, the purpose of this plan, the land to which this plan applies, and the relationship of this plan to other relevant planning policies and instruments.
2. **Plan objectives** – identifies the objectives for development control under this plan.
3. **General development controls** – identifies the controls which apply to most forms of development within the Goulburn Mulwaree local government area.
4. **Principal development controls** – urban – identifies the key development controls for development within urban areas.
5. **Principal development controls** – rural – identifies the key development controls for development within rural areas.
6. **Special development types** – identifies specific controls for certain types of development.
7. **Engineering Requirements** – identifies special provisions for the consideration of engineering requirements.
8. **Site specific provisions** – identifies particular controls for development within certain areas of the Goulburn Mulwaree local government area.

## 1.7 Public Participation

Public participation is an essential component of the development process. The purpose of this section is to ensure that public participation in relation to development applications is facilitated in an orderly and transparent manner.

This section is prepared pursuant to Section 74C(1)(c) of the *Environmental Planning & Assessment Act 1979* and specifies the way the Council will publicly exhibit and notify development applications pursuant to Section 79A of the *Environmental Planning & Assessment Act 1979*.

The advertising and notification provisions apply to all development and related applications except for development applications that fall into one or more of the following categories:-

- Designated Development;
- State Significant Development; and
- Integrated Development.

The *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Act Regulation 2000* provide specific requirements for the advertising of these categories of development.

### **Objectives**

The objectives of the Section are:

- To outline procedures for the notification and advertisement of development applications, applications to modify development consents and the review of development consents; and
- To provide an opportunity for public participation in the planning process that is appropriate to the type and form of development proposed.

### **Controls**

#### **Form of notification and advertisement**

##### **Notification**

Where development proposals are to be notified, the adjoining and/or adjacent property owners will be sent a notification letter from Council.

##### **Advertising**

Where development proposals are to be advertised, the following will occur:

- Notices (describing the development) will be placed in a local newspaper;
- Details of the development application will be placed on Council's Website; and
- Details of the development application will be placed with the public notices at Council's offices and any relevant neighbourhood centre.

Note: Division 7 of the *Environmental Planning & Assessment Regulation 2000* sets out the information requirements for the notification and advertising of development proposals.

### **Notice at the development site – significant development**

An A3 size notice shall be placed on the main site frontage where significant development is proposed to provide details of the development that is be able to be read from a public place.

For the purposes of this section 'significant development' includes any of the following:

- New industrial or commercial development with a gross floor area greater than 200m<sup>2</sup>;
- Additions to industrial or commercial development greater than 50% of the gross floor area of the existing building;
- Subdivisions in any zone which will result in the creation of more than 10 lots;
- Multi dwelling housing;
- Residential flat buildings; or
- Attached dwellings

A notice at the development site shall contain the following information:

- Development application number;
- The name of the applicant;
- Site address of proposed development;
- A brief description of the development;
- Advertising period and the period in which the application can be inspected and submissions made;
- Details of where the application can be inspected and a contact person within Council, including their telephone number;
- An invitation to make a written statement; and
- The date of the notice.

### **Requirements for notification and advertising of development applications**

#### **General Requirements**

There are two categories of development for the purpose of this section, based on the anticipated impacts of the proposed development on its environment:

- Development that is notified for 14 days
- Development that is advertised and notified for 14 days

Notification and advertising of development applications should be in accordance with Table 1-1 except in relation to applications for a Section 82A review (refer below). Should there be any conflict between the provisions in Table 1-1 or the development is described in more than one level the higher level must apply. A reference to a type of development must also be read as a reference to alterations or additions to that type of development.

#### **Section 96 Applications**

When Council has determined an application by approval subject to conditions of consent, the applicant may apply to amend (or modify) the consent through Section 96 of the *Environmental Planning and Assessment Act 1979*. Such applications will be notified and/or advertised in accordance with this section.

#### **Section 82A Reviews**

The determination of a development, whether by way of refusal or approval (subject to conditions) can be reviewed within 12 months of the date of the issue of the Notice of Determination under Section 82A of the *Environmental Planning and Assessment Act 1979* by the consent authority.

Applications for a Section 82A review require:

- Re-notification to parties who previously made submissions to the relevant application; and
- Readvertised and/or notified in the same manner as the original application.

**Table 1-1: Notification & advertising requirements**

Development Type	Notification required	Notification and Advertising required
Amusement centres		✓
Animal boarding or training establishments	✓	
Attached dwellings		✓
Boarding house		✓
Cemeteries		✓
Change of use for non-residential activities within residential zones		✓
Commercial development with a gross floor area greater than 500m <sup>2</sup>		✓
Demolition of a building or work that is a heritage item or a use of a building or land that is a heritage item for a purpose that would otherwise be prohibited		✓
Dual occupancies	✓	
Dwellings (2 storey)	✓	
Educational establishments		✓
Entertainment facilities		✓
Extractive industries		✓
Food and drink premises other than within a business zone		✓

Development Type	Notification required	Notification and Advertising required
Function centres		✓
Group Homes		✓
Hotel or motel accommodation		✓
Hostels		✓
Industrial development with a gross floor area greater than 500m <sup>2</sup>		✓
Intensive livestock agriculture		✓
Multi dwelling housing		✓
Neighbourhood shop within a Residential zone		✓
Places of public worship		✓
Professional consulting rooms	✓	
Pubs		✓
Recreation facility (major), recreation facility (indoor), recreation facility (outdoor)		✓
Registered clubs		✓
Residential flat buildings		✓
Restaurants or cafes and commercial premises other than within a Business Zone		✓
Secondary dwellings	✓	
Service stations		✓
Semi-detached dwellings	✓	
Shop top housing within a residential zone	✓	
Subdivisions in non-urban zones	✓	

Development Type	Notification required	Notification and Advertising required
creating more than 4 lots		
Subdivisions in non-urban zones creating more than 10 lots		✓
Subdivisions [in urban or large lot residential areas] creating more than 20 lots		✓
Sex services premises (refer also to Section 6.5.2)		✓
Small bars		✓

It is noted that not all development applications will involve land uses set out in Table 1-1 above, and in such instances the Council will determine the notification and advertising requirements based on consideration of the likely impacts of the development, including:

- the views to and from surrounding land;
- potential overshadowing;
- loss of privacy;
- potential noise transmission;
- visual impacts on the streetscape;
- the scale and bulk of the proposed development;
- proposed hours of use;
- potential light spillage or reflection;
- potential traffic generation;
- vehicle access and provision of parking spaces.

The period for advertising and notification of development applications may be extended up to 40 days in the following instances:-

- During traditional holiday periods (e.g. December and January); or,
- Where Council staff consider the form, nature or likely impact of the development to warrant an extended consultation period.

## Submissions

### Submissions period

The submission period is the period in which the development application is advertised. The submission period for developments will generally coincide with the notification period (except where an extended notification period is given) commencing one day after the date of the notification letter.

The circumstances under which the closing date for submissions (in response to Council's notification letter or newspaper advertisement) may be extended are detailed in 'Requirements for notification and advertising of development applications'.

### **Making a Submission**

Any person, including the occupant of adjoining or neighbouring land, is entitled to make a submission which may object to or support an application within the submission period, whether or not a notification letter has been forwarded to the person. Submissions must be made in writing, preferably using Council's submission form and delivered to the Council either personally, by post, facsimile or electronic mail.

Submissions generally include the following components:

- The reasons for objection or support;
- Supporting documentation (such as surveys, plans or photographs) where relevant; and
- Comments on how the proposal might be changed to address any objection/s.

All submissions must:

- Be in writing and be addressed to the General Manager, clearly indicating the names, addresses of the person(s) making the submission, quote the development application number, and clearly state the address of the property.
- Include the phone number, e-mail or fax number of person(s) making submissions so the person making the submission can be notified in advance if the matter is to be considered by Council.

Where persons who lodge submissions wish their personal information to remain anonymous, a clear request must be included asking the Council not to make such information available for public inspection. Council does not guarantee that personal information contained within submissions will not be made public (refer to 'Disclosure of Submissions' below).

All submissions received within the submission period or notification period (if different to the submission period) will be considered in the Council's assessment of the application. The terms of any submissions will be summarised in the assessment report.

**Note:** Council is not bound to adopt or support a submission when making its determination. The officers' assessment will involve consideration of the merits of all relevant matters.

### **Acknowledgment of submissions**

All submissions received during the assessment period are to be acknowledged as soon as practicable. All letters of reply to submissions will include a statement stipulating that if the person making the submission wishes to be notified of Council consideration of the development application then they must provide contact details such as a telephone number, fax number or e-mail address.

Where a proposal is to be determined at a Council meeting Council staff will contact the parties who have made submissions provided daytime contact details have been given. Best endeavours will be made to ensure that all parties who have made submissions will be contacted at least 5 days prior to determination if the development application is to be considered by Council. However, the onus is on those wishing to attend a Council meeting to seek information about meeting dates, times and agendas from Council's Customer Service staff or Council's website.

Following determination of an application, all persons who made a submission shall be notified in writing of the decision regarding the application.

Where petitions are received in respect to development applications or Section 96 modification applications the head petitioner (or where not nominated, the first petitioner) will be acknowledged for the purpose of future contact as to the progress of the application. Where a head petitioner or contact is not nominated, one will be selected by Council staff. Only the head petitioner will be advised of Council meeting times or receive written confirmation of the determination of an application.

#### **Disclosure of submissions**

Submissions are not confidential. Submissions may be accessed by the public, through Council's Governance Officer. Also, if the proposal is reported to a Council meeting the issues raised in that submission will be summarised in the development's assessment report.

If a person making a submission does not wish to have the content of the submission or their identity revealed, they must explain their reasons why in their submission. If the reasons provided are considered well founded, the issues raised within the submission may be paraphrased or summarised and made available only on that basis.

#### **Other Matters**

##### **Notification to properties in adjoining local government areas**

Where adjoining properties, not within the Goulburn Mulwaree local government area, are considered to be affected by development within Goulburn Mulwaree they will be notified in accordance with this DCP but only for 'advertised and notified development'.

##### **Community Stakeholder Engagement**

At the discretion of Council, an application may be referred to any deemed relevant community stakeholders or interest group for their comment on the proposal.

##### **Weekly Development Application Information**

Council will prepare a weekly tabulation of all notified and/or advertised development applications received and place this on notice boards at the Council's offices.

#### **Lobbying Councillors in relation to development applications**

"Lobbying" is a term used to cover those types of communication between local government councillors and the community that include representations to councillors by special interest groups, by individuals with a direct interest in a council decision and by advocates acting on behalf of others.

Council acknowledges that lobbying is a common practice in local government. One of the most common forms of lobbying occurs when a group or individual makes direct contact with a councillor in an attempt to influence a council decision in relation to development applications.

It is in the public interest that lobbying is fair and does not undermine public confidence in impartial decision-making. It is therefore Council's preference that lobbying by individuals and interest groups is transparent and is undertaken with all Councillors rather than on an individual basis.

The Independent Commission Against Corruption has prepared a guide for councillors, constituents and other interested parties called 'lobbying local government councillors' which is available at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)

## 1.8 Variations to controls

Council acknowledges that it is not possible for this plan to account for all possible situations and development scenarios. Consequently, the development controls under this plan have been designed to be flexible.

When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this plan. In such cases, a written submission must be lodged with the development application, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.

Some of the relevant factors in determining whether a departure from this plan is warranted include:

- (a) whether there will be any detrimental impact on the amenity of the existing and future residents
- (b) whether there will be any detrimental impact on the amenity of the area
- (c) the nature and size of the departure
- (d) the degree of compliance with other relevant requirements
- (e) the circumstances of the case, including whether the particular provision is unreasonable and/or necessary
- (f) priorities identified in a site analysis of being of more importance than what is being departed from
- (g) whether non-compliance will prejudice the objectives of the zone and the aims of this plan

## 1.9 List of amendments

The following list details the amendments to this plan that have been effected after the original adoption of the plan (Tuesday 19 August 2008).

Amendment No. 1	Adopted 20 October 2009 Effective from 28 October 2009
Amendment No. 2	Adopted 5 June 2012 Effective 27 June 2012
Amendment No. 3	Adopted 6 October 2015 Effective 23 October 2015

## 1.10 Definitions

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

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

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

**advertisement** has the same meaning as in the Act.

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

**advertising structure** has the same meaning as in the Act.

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

**affordable housing** has the same meaning as in the Act.

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

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

**agriculture** means any of the following:

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

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

**aquaculture** means:

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

but does not include:

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

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

**archaeological site** means an area of land:

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

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

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

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

**backpackers' accommodation** means tourist and visitor accommodation:

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

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

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

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

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

**biodiversity** means biological diversity.

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

**Note.** The term is defined as follows:

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

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

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

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

**boarding house** means a building:

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

but does not include backpackers' accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.

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

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

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

**brothel** has the same meaning as in the Act.

**building** has the same meaning as in the Act.

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

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

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

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

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

whichever distance is the shortest.

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

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

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

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

**Note.** The term is defined as follows:

**bush fire hazard reduction work** means:

- (a) the establishment or maintenance of fire breaks on land, and

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

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

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

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

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

**business identification sign** means a sign:

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

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

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

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis,

and may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, medical centres, betting agencies and the like, but does not include sex services premises.

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

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:
  - (i) dwellings that are permitted on rural land, and
  - (ii) dwellings that are used for caretaker or staff purposes, or
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

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

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

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

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

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

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

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

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

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

but does not include:

- (c) a building or place used for home-based child care, or
- (d) an out-of-home care service provided by an agency or organisation accredited by the NSW Office of the Children's Guardian, or
- (e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
- (g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or
- (h) a service that is concerned primarily with the provision of:
  - (i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
  - (ii) private tutoring, or

- (i) a school, or
- (j) a service provided at exempt premises (within the meaning of section 200 of the *Children and Young Persons (Care and Protection) Act 1998*), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

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

**Note.** The term is defined as follows:

**classified road** means any of the following:

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

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

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

**Note.** The term is defined as follows:

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

**coastal zone** means:

- (a) the area within the coastal waters of the State as defined in Part 10 of the *Interpretation Act 1987* (including any land within those waters), and

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

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

**community facility** means a building or place:

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

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

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

**correctional centre** means:

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

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

**Council** means the Goulburn Mulwaree Council.

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

**Crown reserve** means:

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

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

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

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

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

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

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

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

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

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

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

**dwelling house** means a building containing only one dwelling.

**earthworks** means excavation or filling.

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

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

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

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

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

**emergency services organisation** means any of the following:

- (a) the Ambulance Service of New South Wales,
- (b) New South Wales Fire Brigades,

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

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

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

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

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

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

**Note.** The term is defined as follows:

**estuary** means:

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

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

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

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

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

**extensive agriculture** means:

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

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

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

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

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

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

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

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

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

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

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

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

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or

- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

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

**Note.** The term is defined as follows:

**Definition of “fish”**

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

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

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

**floor space ratio**—see clause 4.5.

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

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

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

**Note.** The term is defined as follows:

**forestry operations** means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or

- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or
- (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

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

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

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

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

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

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

but excludes:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**heritage conservation area** means an area of land:

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

and includes any heritage items situated on or within that area.

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

**heritage impact statement** means a document consisting of:

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

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

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

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

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

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

- (a) restaurants or take away food and drink premises,
- (b) service stations and facilities for emergency vehicle towing and repairs,
- (c) parking for vehicles,
- (d) rest areas and public amenities.

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

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

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

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) involve the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or

- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

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

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

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

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

but does not include bed and breakfast accommodation or sex services premises.

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

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

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

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

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

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

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

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

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

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

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

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

**hotel or motel accommodation** means tourist and visitor accommodation (whether or not licensed premises under the *Liquor Act 1982*):

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

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

**industrial retail outlet** means a building or place that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**liquid fuel depot** means storage premises that are used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid and at which no retail trade is conducted.

**livestock processing industry** means an industry that involves the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes such activities as abattoirs, knackeries, tanneries, woolscours and rendering plants. **Lot Size Map** means the Goulburn Mulwaree Local Environmental Plan 2009 Lot Size Map.

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

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

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

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

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

**medical centre** means business premises used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are

principally provided by health care professionals, and may include the ancillary provision of other health services.

**mezzanine** means an intermediate floor within a room.

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

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

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

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

**moveable dwelling** means:

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

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

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

**native flora** means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi

and lichens, and marine vegetation within the meaning of Part 7A of the *Fisheries Management Act 1994*.

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

**Note.** The term is defined as follows:

**Meaning of “native vegetation”**

- (1) **Native vegetation** means any of the following types of indigenous vegetation:
  - (a) trees (including any sapling or shrub, or any scrub),
  - (b) understorey plants,
  - (c) groundcover (being any type of herbaceous vegetation),
  - (d) plants occurring in a wetland.
- (2) Vegetation is **indigenous** if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.
- (3) **Native vegetation** does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

**Natural Resources Sensitivity Map - Biodiversity** means Goulburn Mulwaree Local Environmental Plan 2009 Natural Resources Sensitivity Map - Biodiversity.

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

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

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

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

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

**nightclub** means premises specified in a nightclub licence under the *Liquor Act 1982*.

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

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

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

have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

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

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

**place of public entertainment** means:

- (a) any theatre or cinema (including a drive-in or open-air theatre or cinema) that is used or intended to be used for the purpose of providing public entertainment, or
- (b) any premises the subject of a licence under the *Liquor Act 1982* or a certificate of registration under the *Registered Clubs Act 1976*, that are used or intended to be used for the purpose of providing entertainment, including public entertainment, but not including amusement provided by means of an approved gaming machine within the meaning of the *Gaming Machines Act 2001*, or
- (c) any public hall that is used or intended to be used for the purpose of providing public entertainment.

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

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

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

**pub** means licensed premises under the *Liquor Act 1982* the principal purpose of which is the sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold on the premises.

**public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

**public authority** has the same meaning as in the Act.

**public entertainment** has the same meaning as in the Act.

**Note.** The term is defined as follows:

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

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

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

**Note.** The term is defined as follows:

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

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

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

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

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

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

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

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

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

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

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

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

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

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

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

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

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

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

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

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

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

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hospital or psychiatric facility.

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

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

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

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

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

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

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

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

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

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

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

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

undertaken for commercial purposes.

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

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

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

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

**secondary dwelling** means a self-contained dwelling that:

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

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

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

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

**seniors housing** means residential accommodation that consists of:

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

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

- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the residential accommodation or in the provision of services to persons living in the accommodation,

but does not include a hospital.

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

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

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

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

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

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

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

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

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

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

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

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

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

but does not include traffic signs or traffic control facilities.

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

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

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

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

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

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

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

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

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

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

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

**Note.** The term is defined as follows:

**swimming pool** means an excavation, structure or vessel:

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

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

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

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

**telecommunications facility** means:

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

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

**temporary structure** has the same meaning as in the Act.

**Note.** The term is defined as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

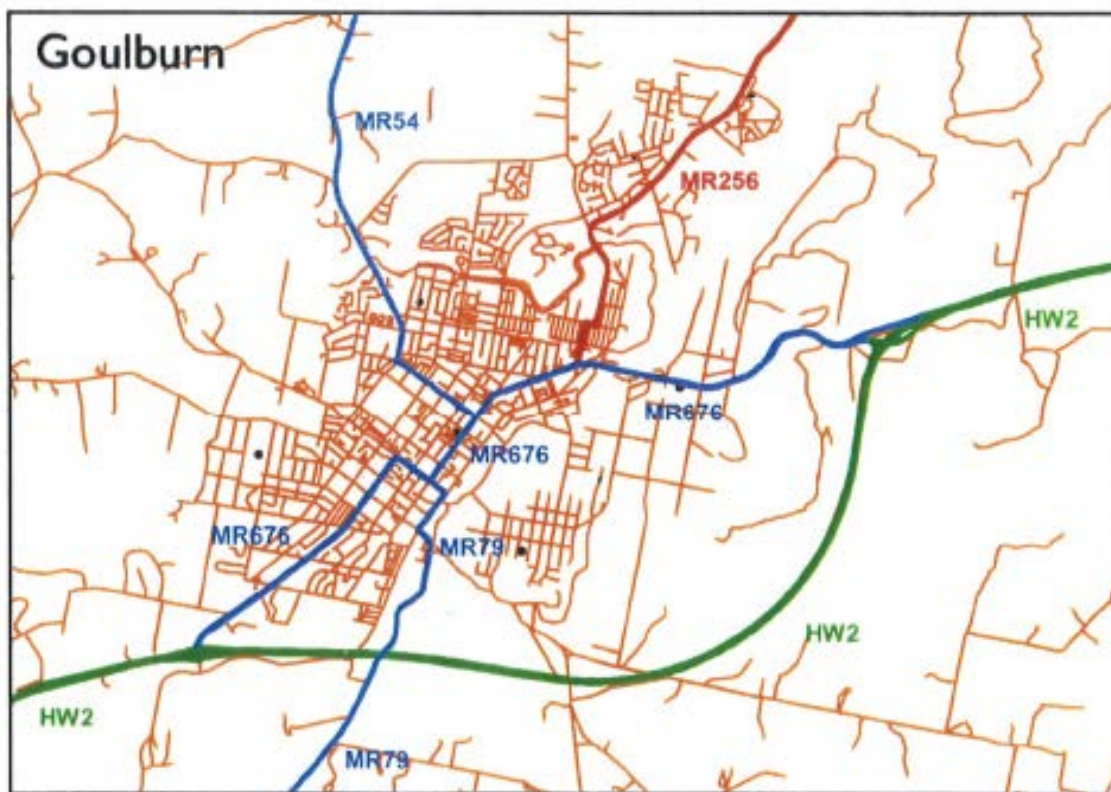
**waterway** means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

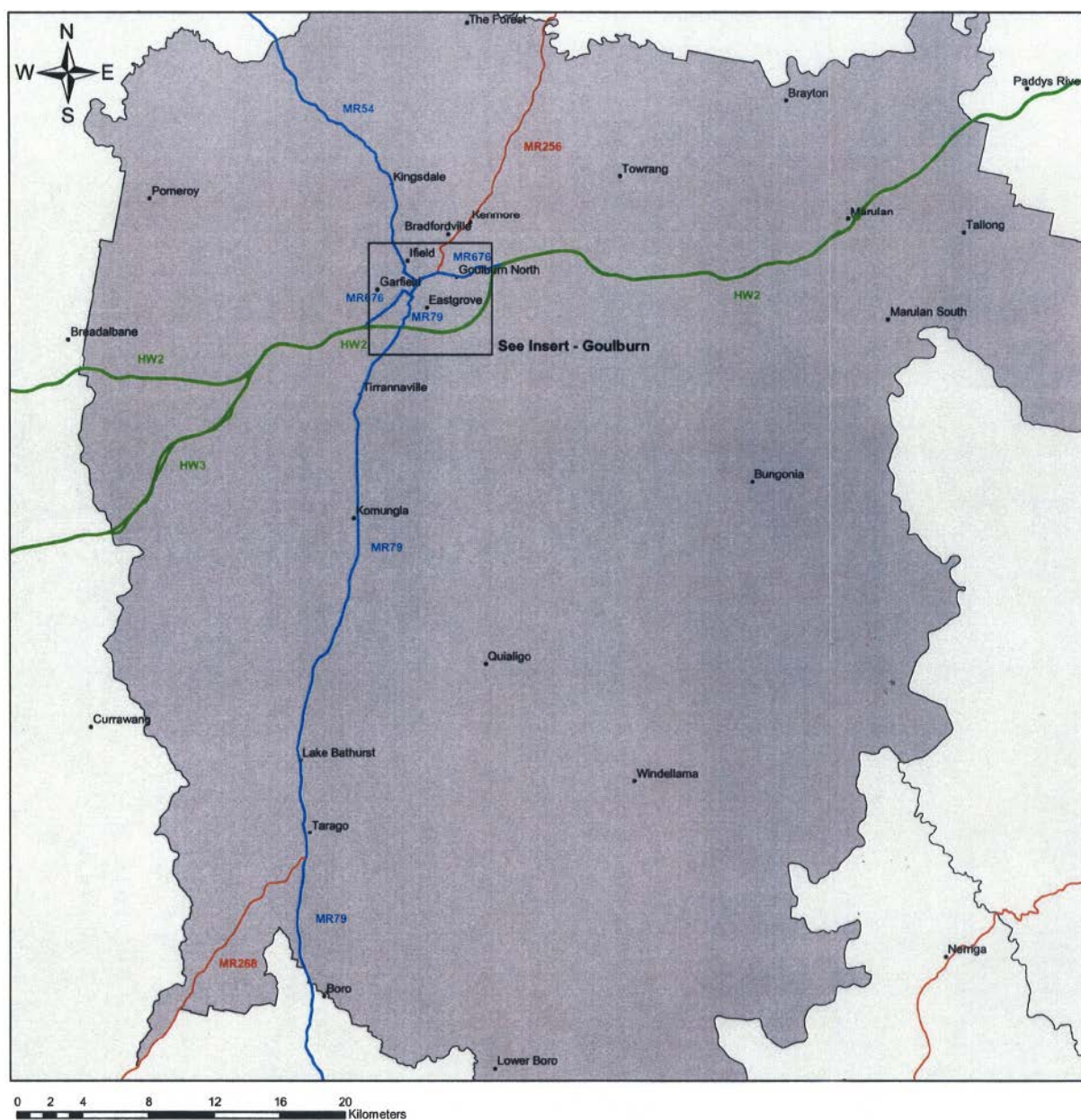
**wetland** means:

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

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

## Classified Roads – Goulburn Mulwaree Council





## Legend

### Classified Roads

- Regional
- State
- National

## 2 Plan objectives

### 2.1 General development objectives

The following plan objectives set the policy framework that will guide future development within the Goulburn Mulwaree local government area.

- Residential land is to be developed with the creation of neighbourhoods comprising a range of densities.
- Residential areas should promote opportunities for walking and cycling as alternative modes for local transport.
- Employment uses should be sensitively designed and located to minimise conflict.
- Buffers are to be used to safeguard the integrity and quality of waterways and creeks.
- Development along waterways requires flood investigations to determine the minimum flood level and to ensure flood levels and velocity would not cause harm to life or property.
- Development buffers are to be used to safeguard prime agricultural land. New sensitive land uses should be located an acceptable distance from hazardous or offensive agricultural operations unless an appropriate buffer has been established.
- Integrated open space and drainage networks should provide the framework for an off-road pedestrian and cyclist network.
- Non-residential land uses shall not impact upon the amenity of the area or surrounding sensitive land uses. This would include, for example, local shops and commercial premises, schools, child care centres, places of worship, open space and recreation.
- Commercial land uses shall be clustered to minimise car trips and promote focus on pedestrian and cycle ways.
- Land uses that maintain a rural landscape should be encouraged on the edges of residential areas to provide a defined transition to rural areas and minimise potential for land use conflicts. This is particularly important where large lot residential development is near areas identified for agricultural purposes.
- Prime agricultural areas and areas identifying potential to yield groundwater should be safeguarded from incompatible land uses and protected given their environmental sensitivities.
- Investigations will be required to determine the optimum water supply and sewage servicing approach for existing and future residential and large lot residential areas.

- Best practice water quality controls (including water quality monitoring) should be implemented. Pre-development water quality should be maintained or enhanced in post-development run-off. The management of water should address cumulative environmental impacts and be carried out in accordance with the objectives of integrated water cycle management and water sensitive urban design.

The Goulburn Mulwaree Strategy has identified two urban localities which will be the key focus for development over the life of the plan: Goulburn and Marulan. Council's objectives for development in these two urban localities are outlined below.

## **2.2 Locality objectives – Goulburn City**

Area character is given by a unique combination of the natural and physical elements of a place. This includes both public and private domain elements: slope, block pattern, lot size and dimension, setbacks, building form and scale, street tree planting, the treatment of front gardens and the adjacency of open space areas.

### **2.2.1 History of development**

Goulburn was named by James Meehan and ratified by Governor Lachlan Macquarie, after Henry Goulburn, Secretary of State for War and the Colonies. The Aboriginal name for Goulburn is Burbong which is a Murring/Wiradjuri word that indicates a special indigenous cultural area.

The first recorded settler in Goulburn established 'Strathallan' in 1825 (on the site of the present Police Academy) and a town was originally surveyed in 1828, although moved to the present site of the city in 1833 when Surveyor Hoddle laid it out. George Johnson purchased the first land in the area between 1839 and 1842 and became a central figure in Goulburn's development. He established a branch store with a liquor license in 1848. By 1841 Goulburn had a population of some 1,200 people, with a courthouse, police barracks, churches, hospital and a post office, and was the centre of a great sheep and farming area.

A telegraph station opened in 1862, by which time there were about 1500 residents, a blacksmith's shop, two hotels, two stores, the telegraph office and a few cottages. The town was a change station (where coach horses were changed) for Cobb & Co by 1855. A police station opened the following year and a school in 1858. Goulburn was proclaimed a town with municipal government in 1859. Royal Letters Patent issued by Queen Victoria on 14 March 1863 established the Diocese of Goulburn giving Goulburn

city status and making it the first inland city. The existing St Saviour's Church became the Cathedral.

The arrival of the railway in 1869, which was opened on May 27th by the Governor Lord Belmore, along with the completion of the line from Sydney to Albury in 1893, was a boon to the city. Later branch lines were constructed to Cooma (opened in 1889) and later extended further to Nimmitabel and then to Bombala, and to Crookwell and Taralga. Goulburn became a major railway centre with a roundhouse and engine servicing facilities and a factory which made pre-fabricated concrete components for signal boxes and station buildings.

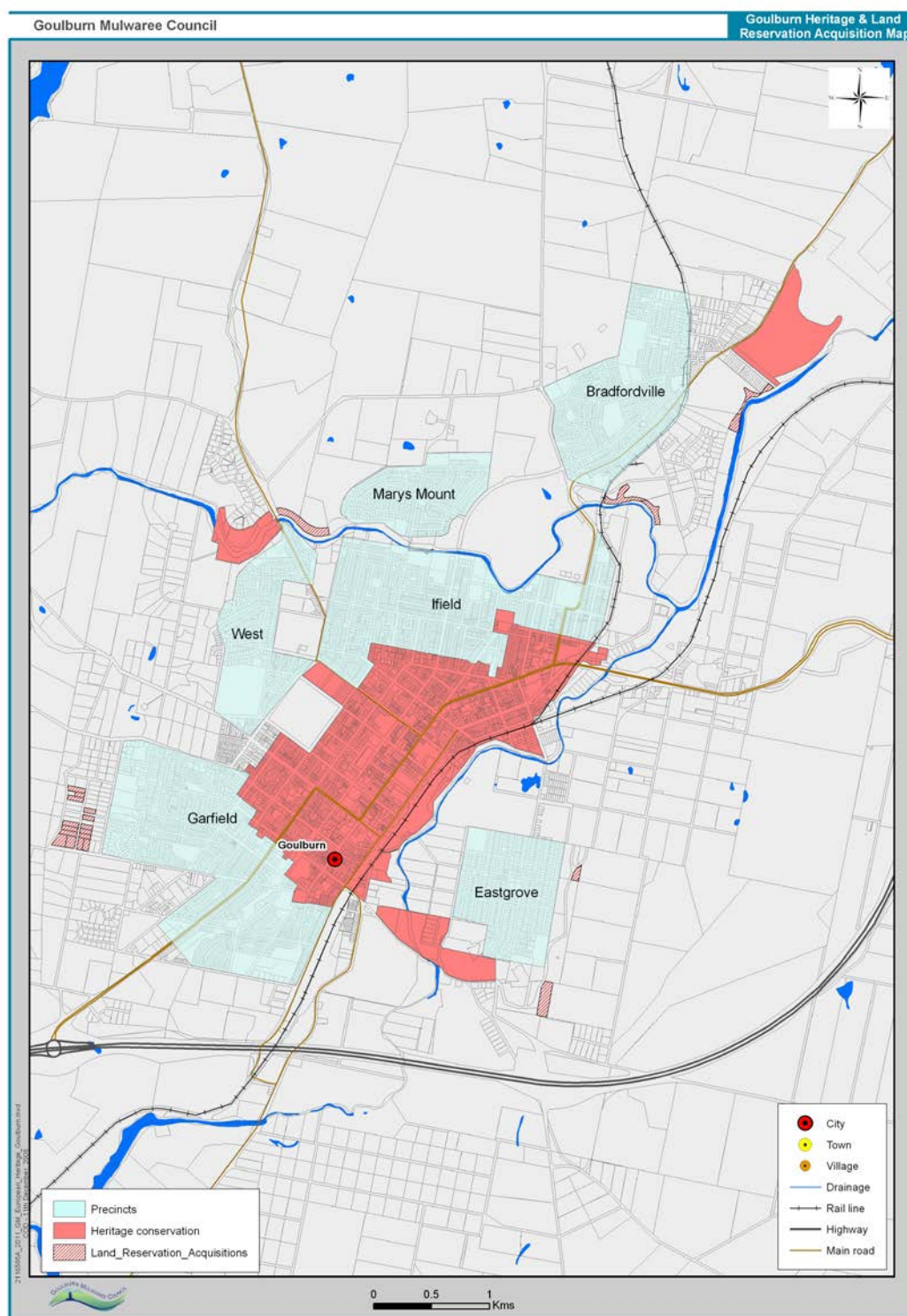
Goulburn is a cathedral city. St Saviour's Cathedral, designed by Edmund Thomas Blacket replacing the original cathedral, was completed in 1884 with the tower being added in 1988 to commemorate the Bicentenary of Australia. Though completed in 1884, some earlier burials are in the graveyard adjacent to the Cathedral. St Saviour's is the seat of the Anglican Bishop of Canberra and Goulburn. The Church of Saints Peter and Paul is the former cathedral for the Roman Catholic Archdiocese of Canberra and Goulburn.

### **2.2.2 Locality characteristics**

Goulburn is the primary living and employment centre for the Goulburn Mulwaree local government area. The urban structure of Goulburn reflects its historical development. The town is dominated by a commercial grid, which is surrounded by a variety of land uses, including commercial, retail, administration, tourist and accommodation. Low density residential subdivisions surround the commercial centre to the north and west.

Goulburn has natural and built boundaries, including the Main Southern Railway and the Mulwaree River to the south and east, topographical constraints to the west, and the Wollondilly River to the north. These boundaries have directed the growth of Goulburn

Figure 2-1: Goulburn locality precincts



toward the north near the Wollondilly River. Several significant land uses occupy areas adjacent to the Wollondilly River, including the Goulburn Gaol, the NSW Police Academy and sewage treatment facilities.

There are 6 distinctive locality character areas beyond the conservation area in central Goulburn (refer to **Figure 2-1**):

1. **Bradfordville:** the area between Kenmore and the NSW Police College, on the Taralga Road approach
2. **Eastgrove:** the area on the slopes below Memorial Road, east of the Railway line
3. **Garfield:** below Combermere Street
4. **Western:** broadly west of Victoria Park and Fitzroy Street
5. **Ifield:** older streets abutting the existing conservation area whose block pattern springs off the line of Citizen Street, bounded by the Wollondilly River
6. **Marys Mount:** the area north of the Wollondilly River below Mary's Mount Road.

The south-west and central north precincts are closely related to the town centre and share much of the established character of the heritage conservation precincts they abut, including block pattern, setbacks, building type and style, and materials.

## **2.2.3 Existing character**

### **2.2.3.1 Bradfordville precinct**

The north east precinct has a mixture of loose/distorted grid with some curvilinear streets and culs-de-sac. The topography of the Bradfordville precinct is generally flat. The precinct has a predominantly suburban character, consistently modest in bulk and scale though mixed in age, materials and colours.

The northern portion of the precinct has a suburban fringe character, with houses backing on to fields, with wide vistas and scattered detached dwellings beyond. Typically, dwelling lots in the precinct comprise large front setbacks with low or no front fences.

Houses in this precinct are built in a mix of materials, including brick (red and blonde) with tiled roofs, and timber typically with iron roofs; generally inter-war period with some 1960s fibro, and recently constructed houses.

Dwellings comprise simple forms, either forward bay or 'box' cottages – generally single storey. New dwellings are interspersed across the precinct, but are generally built closer to side boundaries, some with attached garages.

There are some street trees in the precinct, ranging from small to medium in size. There are however some streets with no trees. Many streets do not include footpaths, creating a sense of the front garden flowing out to the street. Newer areas have roll kerbs.

### **2.2.3.2 Eastgrove**

Set apart from the town on the eastern side of the Mulwaree River, the Eastgrove precinct lies above the flood plain and against the backdrop of the War Memorial hills. Eastgrove has a distinct physical and visual separation from the central Goulburn retail centre.

The Eastgrove precinct is characterised by a regular grid with terminating North-South streets connected by two main East-West streets (Park Road and Glenelg St). Terminating streets have a 'cul de sac' character that give a sense of privacy and seclusion and contribute to the 'separate' character of the precinct. The Eastgrove grid is laid over west-facing slope with panoramic views back towards Goulburn along East-West streets, from higher level homes, and between buildings.

On the lower slopes there are a number of significant older buildings (some in poor condition and apparently deserted), often on large lots and/or with undeveloped land around them, which add a strong historical and semi-rural character to the Eastgrove precinct.

On the higher slopes are newer dwellings, conventional in design, whose brick veneer, low-pitched tiled roofs and landscaping treatment contrast with the nature of the older parts of the neighbourhood.

### **2.2.3.3 Garfield**

Set on the 'other side' of the ridge, and at some distance from the town centre, the Garfield precinct has a strongly suburban character that is very different from the other areas –smaller houses typically of simple 'box' or forward bay type in a range of colours (mostly lighter colours) predominate, with front gardens set to lawn with smaller scale edge planting and no or low front fences.

The topography of the Garfield precinct is sloping, with a mix of street widths and generally narrow lots. The character of the neighbourhood reflects historically lower average household incomes (i.e. workers' housing) in terms of building size, simplicity (little detailing) and modesty of materials. This has resulted in a large open space to built area ratio and gives a feeling of openness to the streets. Some large vacant/undeveloped parcels enable views through blocks; where this occurs it further enhances the openness

of the streetscape. There are many timber and some fibro cement dwellings with metal roofs in the Garfield precinct, with comparatively few in brick.

Although modest in scale and architectural detailing, there is a variety of architectural and period styles across the precinct, indicating a collection of individual dwellings built up over time. Infill development is introducing different size, form and materials in dwelling design to the Garfield precinct. Small to medium street trees add amenity and appeal to streetscapes within the precinct.

#### **2.2.3.4 Western**

This precinct lies astride the hills overlooking Goulburn, with some panoramic views contributing to a strong sense of place. This precinct is generally characterised by curvilinear streets along the land contours, giving streetscapes where one side of the street is higher than the other.

1960s period development within the northern precinct is typically blond brick, 'ranch style', more 2 than 1 storey, with some split level resulting from the sloping terrain. Building forms are simple and rectangular, pitch of roofs are low.

Garages tend to be integral to the dwelling structure in the western precinct, set underneath habitable space at the ground floor, and are a typical feature of the front façade. Houses are typically wider than earlier forms, across the width of the lot frontage. Front gardens have low or no fences, often feature exotic and 'manicured' plantings. Setbacks vary but are typically more generous than in the rectilinear streets of the older subdivisions.

#### **2.2.3.5 Ifield**

This precinct is characterised by a regular grid pattern with rectangular blocks and narrower streets than the town centre. East of Kinghorne Street the grid is further broken down with the introduction of rear lanes. The architecture of detached houses within the precinct span Federation to post-war periods.

Recent townhouse development in the precinct have tended to adopt a 'gunbarrel' lot layout and which has tended to be visually intrusive, tending to have vast expanses of hard surfaces, with minimal landscaping and high solid front fences.

Within the precinct, Kinghorne Street acts as a distinctive character boundary. South of Kinghorne Street, buildings tend to be older and larger; there is a consistent streetscape with smaller front setbacks and side setbacks; rows of houses are built to a similar 'pattern' (reflecting subdivision/development by the same builder); slightly more complex

building and (gable end) roof forms, particularly to Federation houses; and materials are predominantly brick and tile.

North of Kinghorne Street, towards the river, building forms are more simple and modest, somewhat more varied, and roofs tend to be hipped. The portion of the precinct between Chatsbury and Wilmot Streets is almost a sub-precinct. This portion of the precinct continues the grid and very wide streets of the town centre, which in combination with the modest housing stock creates an impression of great spaciousness. The lack of street trees in this area to break down the large scale of the streets exaggerates this effect.

Dwellings in this precinct tend to have low or no front fences, which are often brick with brick houses. The use of street trees varies. There are some mature street trees, with well landscaped and tended front gardens.

#### **2.2.3.6 Marys Mount**

This precinct typically comprises curvilinear streets with culs de sac. Recent development within the precinct is also distinctive because of its relative isolation from the central Goulburn urban area.

Dwellings are generally 1 to 2 storeys in height with rendered/face brick facades and tiled roofs within the precinct. The precinct is characterised by having little mature vegetation within private open space areas.

#### **2.2.4 Desired future character**

The Marys Mount precinct, located at the north of Goulburn, will provide the primary source of residential land to accommodate the future growth of Goulburn to 2020, along with extensive opportunities for infill development within the existing city as required by the Department of Planning. Areas west and south west of Goulburn also present the potential to accommodate large lot residential development and provide an alternative residential choice to Marys Mount and inner city areas. Residential subdivision and infill development will be well planned and coordinated.

Heritage conservation areas shall be appropriately protected against insensitive development that adversely affects the integrity and importance of each heritage item and/or area. This plan will provide more detailed development controls to maintain the heritage character of defined areas.

Key issues for consideration for the desired future character of Goulburn are as follows:

#### **2.2.4.1 Topography**

Topography constrained the physical boundaries of the original settlement, to the extent that the town was laid out between two rivers, the Wollondilly and the Mulwaree, over the gentle slopes west of Mulwaree Ponds (the slope down to the south west, from the high point of Verner/Cowper Streets, is much steeper, resulting in greater commercial intensity developing north east from the civic core). The introduction of the railway line formalised the south west boundary of the town, with the result that Eastgrove 'reads' as a distinct settlement. On the higher slopes of Goulburn are found the larger, grander houses, while behind the ridge and further away from the centre the character is generally of workers' cottages.

#### **2.2.4.2 Views**



Long views down straight, undulating streets serve to locate the viewer, enhancing the legibility of Goulburn. The main town grid, the skewed grid north of Citizen Street, and the Eastgrove grid, are all laid out over the contours with little regard for landform. This results in long views along undulating streets, allowing a 'reading' of the landscape that is specific to Goulburn. The resulting street vistas are important character-giving elements and should be protected and enhanced where possible (for example by

completing/extending street tree planting). The grid is broken down in the heart of town, to provide a dramatic elevated site for St Saviours Cathedral, and to create an axial relationship along Montague Street towards the river (now terminating at the Visitor Information Centre).

View terminations to landmark buildings should be protected in order to enable continuing visual appreciation of those buildings and their place in the townscape (these include St Saviours church and tower (along Montague Street and Bourke Street), the Uniting Church spire (SW along Lagoon Street) and the Nursing Home atop Mary Street (along Auburn Street). Also important as landmarks within the streetscape are the Post Office, the Catholic Cathedral, the School of Arts, War Memorial and Rocky Hill.

### 2.2.4.3 Urban structure

As identified above, Goulburn has a clear and legible urban structure. At the heart of the town is the civic spine, anchored by St Saviours Church and Belmore Park. The 100 feet wide streets and very large blocks have resulted in a diverse lot pattern within the town centre, with rear lanes 'burrowing' into the centre of some blocks and enabling a range of building types. Very deep lots in other blocks have resulted in large open areas behind buildings, some now used for car parking, which contrast with the fine grain of the continuous retail strip frontages.

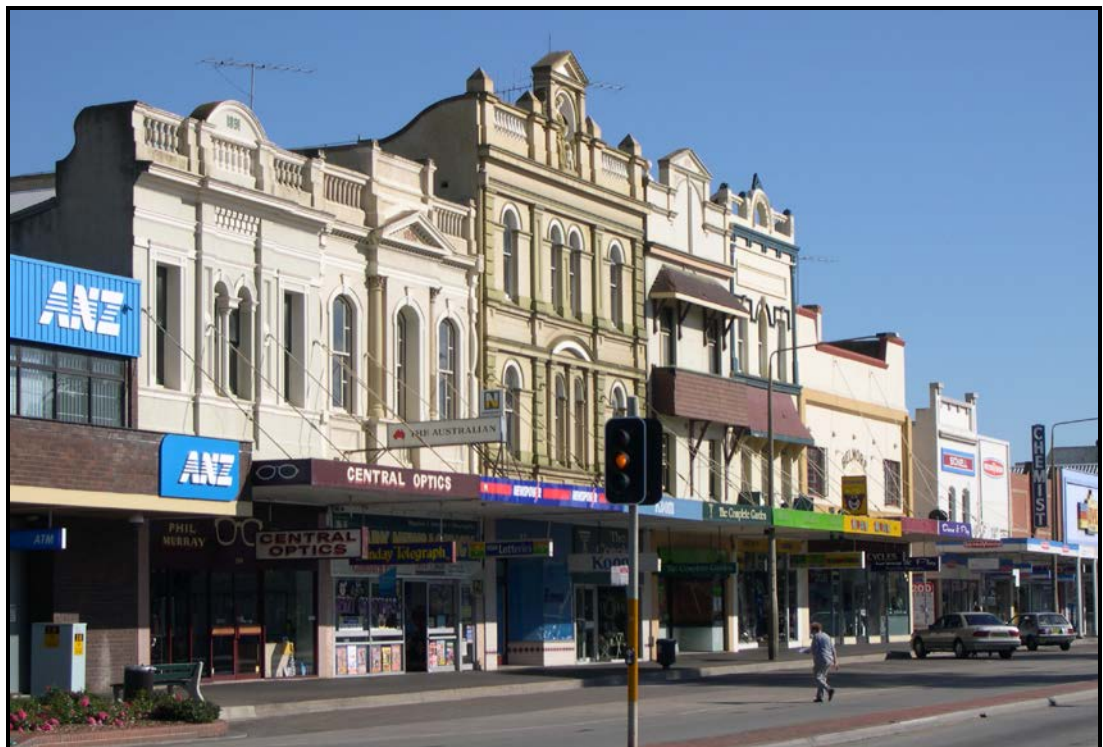


The traditional strip retail buildings, the low scale of residential buildings and the fine grain given by the diverse lot pattern create a pedestrian scale – but a scale that is offset by the very wide streets. Along these streets, landmark buildings are highly visible.

Larger buildings – both civic and residential – ‘claim’ the higher ground to take advantage of elevated views. These buildings are typically of good design quality as well as greater size.

#### 2.2.4.4 Urban form

The main street of Goulburn is characterised by a mix of 2-3 storey retail buildings (a mix of heritage and infill), traditional corner commercial buildings, and some fine civic buildings that punctuate the streetscape. There is a sense of ‘diversity within unity’; that is, there is a coherent character given by the intensity of the town centre uses, and their active relationship to the street, but also variety in building height, of materials, façade and parapet treatment, and in building type. The streetscape retains a certain ‘gravitas’ or grandeur, particularly around the main intersection with Montague Street.



Beyond the main street is a greater mix of building types and scales, including larger heritage buildings with a civic or community function, commercial buildings, industrial uses and individual houses. Insertion into the town centre of the internalised mall and integrated car parking has created large areas of blank wall to side streets and the rear but has been designed to maintain the main street character. On wide streets with little or no street tree planting and with detached houses, the grassed kerbs (with no footpaths), generous setbacks and lack of vegetation create an impression of openness in contrast to the spatial containment of the commercial centre.

A more domestic scale of building is found in the narrower streets of the residential areas outside the regular grid. The form of buildings in these areas, and their relationship to the street and each other, is typical of suburbs of other cities: a regular streetscape rhythm of houses of similar size and form, generally with garages set to the rear and/or side, and with a direct relationship between front entry/windows to primary living rooms and the footpath. This plan aims to maintain consistent front and side setbacks, encouraging simple housing and roof forms comparable to the established building stock, and controlling the design of houses to minimise the visual impact of garages (while allowing innovation) and to keep the interface between the private and public domain, will all be important.

Height controls and the definition of height will be important in areas on slopes, especially where slopes are steep, both to protect view sharing and to minimise both apparent bulk on the street and at the rear, and also to protect the rear yards and rooms of adjacent houses from overshadowing.

#### **2.2.4.5 Streetscape**

On the streets that have retained complete rows of street trees, the trees unify the streetscape. This plan aims to maintain the modest bulk and scale of dwellings, and support landscaping of front setbacks, so that new development does not overwhelm the existing character – this is even more important on streets without street trees.

### **2.3 Locality objectives – Marulan**

#### **2.3.1 History of development**

Marulan was first discovered by Wilson, Price and Collins when they journeyed as far as Mt Towrang in 1798. However, the first mention of Marulan was by Charles Throsby in 1818 who was accompanied by Meehan, Wild and Hume when exploring the area around the Goulburn Plains and Lake Bathurst. Governor Macquarie came through Marulan in 1820 on a tour of inspection of the new road, which was later named Macquarie's Track.

In 1833 Surveyor General Major Thomas Mitchell decided that the best location for a village was at the corner of Bungonia Road and the Great South Road. In 1834 Surveyor Hoddle drew up the plans and Marulan was gazetted as a village on 11 March 1835. The Woolpack Inn was one of the first establishments in Marulan, along with three church reserves, several other inns, a post office, court house as well as several houses.

In the 1860s, when the site for the Marulan Railway Station was decided upon, it was located 5km north of the existing village. A settlement emerged around the railway camp.

The Marulan Railway Station was opened on 6 August 1868 by Sir Henry Parkes. This settlement became known as Mooroooolen. This caused much confusion with Marulan village 5km away and Mooroooolen Post Office in the ladies' waiting room of the Marulan Railway Station. 'Old' Marulan subsequently declined and the town became one in 1878.

Due to the impossibility of making a road over the deep ravines of the Shoalhaven River from Bungonia to Braidwood, the more viable option was the road to Goulburn Plains. This was the main road for mail coaches from Campbelltown, and Cobb & Co coach services, which went through to Cooma, but with the introduction of rail, these services declined.

The Hume Highway, named after the early explorer Hamilton Hume, was officially proclaimed a State Highway in 1928. The Marulan section of the highway from Mt Otway to Marulan South corner, was concreted in the 1930s. Marulan performed the role as a highway service town until the construction of the bypass in 1985.

The *State Transport (Co-Ordination) Act 1931* was passed to control the weights, and other relevant details, of heavy vehicles. This was undertaken by mobile inspectors and Marulan was chosen as a suitable site. In 1958 a permanent checking station was built on the eastern side of the highway just south of the Tallong turn-off. Larger facilities were erected in 1970 on both sides of the road. With the opening of the new bypass in November 1986, new modern checking stations were built on either side of the highway. the new 'weigh in motion' facilities were opened in September 1996.

### 2.3.2 Locality characteristics



Marulan is located on the Hume Highway, approximately 160 kilometres from Sydney and 31 kilometres east of Goulburn. Although primarily residential in character, Marulan has provided the function of a highway service centre.

Marulan is also located adjacent to the Main Southern Railway, with passenger and freight services operating through between Sydney, Canberra and Melbourne. Marulan provides local community services and utilities, including a primary school, shops, a number of churches, a hotel, a police station, and bushfire and medical services. Key employment activities include several existing and proposed industrial activities, such as the Lynwood Quarry, Marulan South Quarry and the Marulan Waste Management Facility, and a number of industries located within the industrial zone. A substantial residential and industrial development proposal has been identified along Wilson Drive, east of the town.

### 2.3.3 Desired future character



Marulan is a key town servicing surrounding rural areas and villages in the northern portion of the Goulburn Mulwaree local government area. Marulan provides an important employment base for the local government area and will be important for the future growth of Goulburn Mulwaree. This plan seeks to reinforce the status of Marulan and support the future growth of the locality. This plan also seeks to consolidate existing and future heavy industrial uses west and south of Marulan.

This plan seeks to enable a variety of residential densities to be accommodated in Marulan. Some extension of the existing town to the north is proposed to facilitate continued growth and diversity of housing types. This plan aims to reinforce the existing character of the main street of Marulan (George Street) and the importance of the commercial precinct.

## 2.4 Rural development objectives

### 2.4.1 Agriculture and primary produce

This plan seeks to ensure that rural living and agricultural operations will continue as key land uses across the Goulburn Mulwaree local government area. This plan aims to

promote areas suitable for agricultural operations and ensure these operations minimise potential for land use conflict, unnecessary fragmentation or the alienation of existing land uses.

Production needs differ for varying forms of agriculture - intensive operations require a reduced area in which to cultivate and maintain a viable operation. Although a market garden may be sustainable on a small allotment, much larger areas are required where a farm is primarily for grazing or other forms of dry land agriculture. Based on environmental conditions, it is likely that grazing will form the primary agricultural land use within Goulburn Mulwaree. Differing farming operations may result in a range of land use impacts and may sometimes conflict with one another where not managed appropriately.

This plan aims to restrict dwelling construction in areas where environmental sensitivities occur. This was based on an assessment of land suitability to determine the most appropriate location for rural and agricultural activities, and a detailed consideration of land capability and suitability. This plan addresses rural needs and emphasises improved access to basic services, agricultural diversification, natural resource management and the generation of employment in non-agriculture rural activities.

#### 2.4.2 Rural Landscape



This plan aims to protect the scenic values of the rural landscape and environment, and encouraging development to be unobtrusive and sympathetic to the surrounding rural

setting. Where practicable, existing vegetation is to be maintained and enhanced, so as to provide buffers and landscaped visual relief within rural areas.

The Goulburn Mulwaree Strategy has identified rural villages that require development controls and guidelines that will retain and enhance their existing character.

## **2.5 Rural locality objectives**

### **2.5.1 Bungonia**

#### **2.5.1.1 History of development**

Bungonia was first settled in the early 1820s and was the most important town in the early period of settlement in the region due to its location on the road south from Sydney. As the area developed and other settlers arrived, Bungonia progressed and various small businesses were established to serve the district. However, when the route of the 'south road' was resurveyed in the 1830s, it bypassed Bungonia and led to the slowing of growth in the town.

Bungonia's historical built form includes St Michael's Catholic Church, which was built over a period of nearly eight years officially opening in 1847, making it one of the oldest operating Catholic Churches in Australia.

#### **2.5.1.2 Locality characteristics**

Bungonia retains its village characteristics and remains a small town, with a historical built form. The Village has a wide ranging contextual heritage and is significant for its place in pastoral expansion and development in south-eastern New South Wales from 1820.

#### **2.5.1.3 Plan objectives**

This plan seeks to retain the unique heritage characteristics and rural lifestyle of Bungonia, while still allowing room for economic growth. Bungonia will be able to support further growth to support some increase in land use activity without adversely affecting the rural atmosphere of the village. The plan does not seek to change the boundaries of the village or adjoining land uses.

## **2.5.2 Lake Bathurst**

### **2.5.2.1 History of development**

In 1818, Lake Bathurst was mapped by the Surveyor General, James Meehan. Meehan had been commissioned by Governor Macquarie to find a new route from inland NSW to Jervis Bay. Lake Bathurst was named after the British Colonial Secretary at the time. In 1820, Governor Macquarie inspected Lake Bathurst and within a few years, the first land grants were made for pastoral settlement.

A village reserve was set aside at Lake Bathurst, but was not successful, as many of the large pastoral leases had their own facilities and were self sufficient. Lake Bathurst was formerly known as Tarago. At its peak, the village had two registered inns and the St. John's Church, which was built in 1860.



The Goulburn to Queanbeyan Railway reached Lake Bathurst in 1884, with the picturesque lake attracting many people. Large rowing and sailing regattas were held. The influx of tourists declined in 1897, when the lake began to recede.

Lake Bathurst was named in 1884 when Sherwin's Flat became Tarago. Lake Bathurst remained the rural centre of the surrounding region, with a school established in 1869. During World War II, Lake Bathurst played an important role, with an area south of the village used to store 658,000 gallons of fuel. This area was guarded by troops in a series of bunkers. Selected remnants are still evident today.

During the 1950s, water skiers and motor boat enthusiasts were attracted to Lake Bathurst, with thousands of people enjoying the area. However, in the late 1960s, Lake Bathurst's population declined, with many farmers moving away. At this time, the school and village store closed. The goods shed and water tank located near the railway line were removed.

### **2.5.2.2 Locality characteristics**

The tree-lined road, which was the original border of the village, remains today. Today, Lake Bathurst is a small village but important local history destination for tourists.



### **2.5.2.3 Plan objectives**

This plan seeks to focus future development activity within Lake Bathurst east of the railway line, which offers established land uses and direct road access. Areas east of the railway line also present capacity for infill development. Limiting the growth potential of Lake Bathurst to the west of the railway line will reinforce the village centre and will restrict at grade movement across the railway line.

## **2.5.3 Tallong**

### **2.5.3.1 History of development**

In the 19th Century Tallong was known as Barber's Creek. Hamilton Hume was granted land in Tallong in the early 1820s. Tallong was once a thriving agricultural community, known particularly for its fruit orchards, especially apples and pears. At the turn of the 20th Century, Tallong had shops, pubs, hotels and a post office. It was an important refuelling stop along the Main Southern railway line.

Tallong was largely destroyed however in the Chatsbury bushfires of 1965 resulting in many residents leaving the locality and the closure of the post office and many other small businesses.

### **2.5.3.2 Locality characteristics**

Tallong today is a hamlet of agrarian and trade workers, cottage industries, including stud farms, and commuters who work in the neighbouring towns of Goulburn, Moss Vale and Mittagong, or who make the commute to Sydney or Canberra. There is a railway station in the town which can take commuters to Sydney. It has significant populations of older residents and weekend residents who use the Southern Highlands as a retreat from the fast pace of city life. Tallong has a unique natural environment and proximity to Bungonia Gorge. The discovery of the Tallong Midge Orchid (*Genoplesium plumosum*), a small flower that grows nowhere else has brought the village to the attention of botanists and conservationists. This orchid is now a protected species.

### **2.5.3.3 Plan objectives**

This plan seeks to retain Tallong's rural lifestyle with a strong emphasis on agricultural production. The current low density will be maintained, with new development restricted to areas within the existing town boundaries, and where there is a capacity to meet infrastructure requirements.

Tallong's natural and cultural heritage items contribute character to the village and will be preserved. Any new development therefore needs to be sympathetic to the existing character.

Industrial development in Tallong will be restricted to small scale industrial enterprises such as home industries, tourism or services relating to residents such as chemists and rural supplies.

## **2.5.4 Tarago**

### **2.5.4.1 History of development**

The village of Tarago was for many years a staging post and railhead for the Main Southern railway line, and was originally known as Sherwin's Flats.

### **2.5.4.2 Locality characteristics**

Tarago is located south of Lake Bathurst, approximately 40 kilometres south of Goulburn and 67 kilometres north-east of Canberra. The former Woodlawn Mine, located west of

Tarago, is now owned by Collex Waste Management for use as a landfill and bioreactor for Sydney's waste.



Land use in and around the historic township of Tarago is mainly residential in character, with a few community and commercial facilities to service the community. These include a school, convenience store, service station, hotel, rural fire shed, community hall, two churches, police station and railway station. Much of the surrounding land is rural in nature, except the former Woodlawn Mine site positioned on the railway line to the west of the village.

Tarago is experiencing some growth pressure as an alternative to Bungendore and to a lesser extent Queanbeyan. Tarago presents an opportunity for residential development with strong employment links to Canberra.

#### **2.5.4.3 Plan objectives**

This plan seeks to reinforce Tarago's character as a rural town servicing surrounding rural areas and villages. This plan also seeks to enable a variety of land uses including commercial, employment, recreational and mixed uses. This plan aims to augment the transition of existing industrial uses in Tarago to large lot residential uses.

## 3 General development controls

### Introduction

This chapter and subsequent chapters sets out the environmental analysis principles that need to be examined and responded to and accompany all development applications as part of the project's statement of environmental effects or environmental impact statement (in the case of "designated development").

The overarching objectives, adopted by this plan for any development proposal are:

- To respect and respond to the natural environment of the locality;
- To ensure a balance between economic, social and environmental outcomes; and
- To ensure that new developments are sustainable and integrate with the character of the existing environment as described in chapter 2.

In any development proposal, the proponent should be aiming:

- To maintain the natural environment and visual character;
- To improve environmental benefits;
- To respect cultural heritage; and
- To maintain open space, privacy and safety.

To achieve the above objectives and aims, proponents will need to undertake assessments and appropriate management responses on the following:

- Landscape and visual character;
- Tree preservation;
- Biodiversity;
- Bushfire;
- Aboriginal cultural heritage;
- Non-Indigenous cultural heritage;
- Water cycle management;
- Noise;
- Odour;
- Disability standards;
- Crime prevention design standards;
- Social infrastructure;
- Utility services; and
- Roads, traffic and access.

The degree (extent, amount and intensity) of assessment required is dependent on the magnitude and impacts of the proposal.

### **Register of development assessment guidelines**

The guideline can be viewed in the Register of Development Assessment Guidelines on the Department of Planning website at:

<http://www.planning.nsw.gov.au/register-of-development-assessment-guidelines>

This register provides a comprehensive list of the guidelines to be utilised by councils, developers, consultants and the general public for the purpose of development assessment.

### **Additional uses of Crown Land – Department of Lands advise as follows:**

“Any proposal to rezone land to permit new subdivision area/s or land release areas where crown public road/s (formed or unformed) will be the required to provide access, Council must accept transfer of control of such roads before approving any such proposal, regardless of the number of lots to be serviced.”

Proponents affected by the above must obtain Council's consent to the transfer of control of such roads before lodging their development application or rezoning proposal.

“Any proposal to rezone land that presently relies on Crown Public road/s for access into the zone that permit a more intensive land use, Council must accept transfer of control of such roads before approving any such proposal to further develop the land.”

Proponents affected by the above must obtain Council's consent to the transfer of control of such road/s before lodging their development application or rezoning proposal.

“Asset Protection Zones (APZ's) and perimeter access roads that are required as part of any Bushfire protection scheme in any new subdivisions, must be located within the property of the private subdivision land and not on any adjoining Crown land.”

“Any proposed new subdivision area/s where essential public infrastructure (eg. stormwater drainage channels, pipes or other utilities) is required to service that new subdivision should not propose to utilise any Crown public reserve/s for that purpose where such facilities do not accord with the declared public purpose.”

Any proposed rezoning should not utilise Crown land as buffer areas for example bush fire reduction zones, visual impact relief and or open space to serve additional demands.”

“Urban zones (residential, commercial or industrial) should not be given to freehold lands at the expense of Crown land with potential urban use. eg. Crown land with potential

urban use should not be used as a public recreation or green space offset to intensified development on nearby freehold lands.”

Proponents to note above four points when developing their development and or rezoning proposals.

**This chapter applies to all proposed development whereas the following chapters 4, 5, 6, 7 and 8 are more specific and also must be considered where appropriate.**

## **3.1 European (non-indigenous) heritage conservation**

### **3.1.1 Non-indigenous heritage in Goulburn Mulwaree**

The Goulburn Mulwaree local government area has a long history of European settlement, with Goulburn being the colony’s first inland city. Goulburn has a rich heritage of building stock, and significant railway heritage, reflecting the key influence that rail had on the historic settlement pattern.

#### **3.1.1.1 What is heritage?**

Heritage consists of those things we want to keep that give us a sense of the past and of our cultural identity. It is the things we want to protect and pass on to future generations so that they too will understand what came before them (NSW Heritage Office, 1999).

‘Heritage significance’ is a phrase used to describe an item’s value to us in heritage terms. It is important to distinguish the item’s heritage value from other values, such as amenity or utility.

#### **3.1.1.2 What is a heritage item?**

For the purposes of this plan, a ‘heritage item’ is any building, work, relic, tree or place of heritage that is important in explaining the history of an area and is listed in one or more of the following registers: Register of the National Estate, Australian Heritage Council, the NSW State Heritage Register, or Schedule 5, Goulburn Mulwaree LEP.

#### **3.1.1.3 What is a heritage conservation area?**

A ‘heritage conservation area’ is a general area of heritage significance shown on the LEP Heritage Maps.

The heritage value of a conservation area lies not just with the heritage significance of individual buildings, but with other factors, including the general character of groups of buildings, the landform, subdivision pattern, and the history of development.

Development in heritage conservation areas requires consideration of how the proposal will protect, preserve and reinforce the key characteristics of the conservation area. These key characteristics are generally described as contributory heritage.

#### **3.1.1.4 What is contributory heritage?**

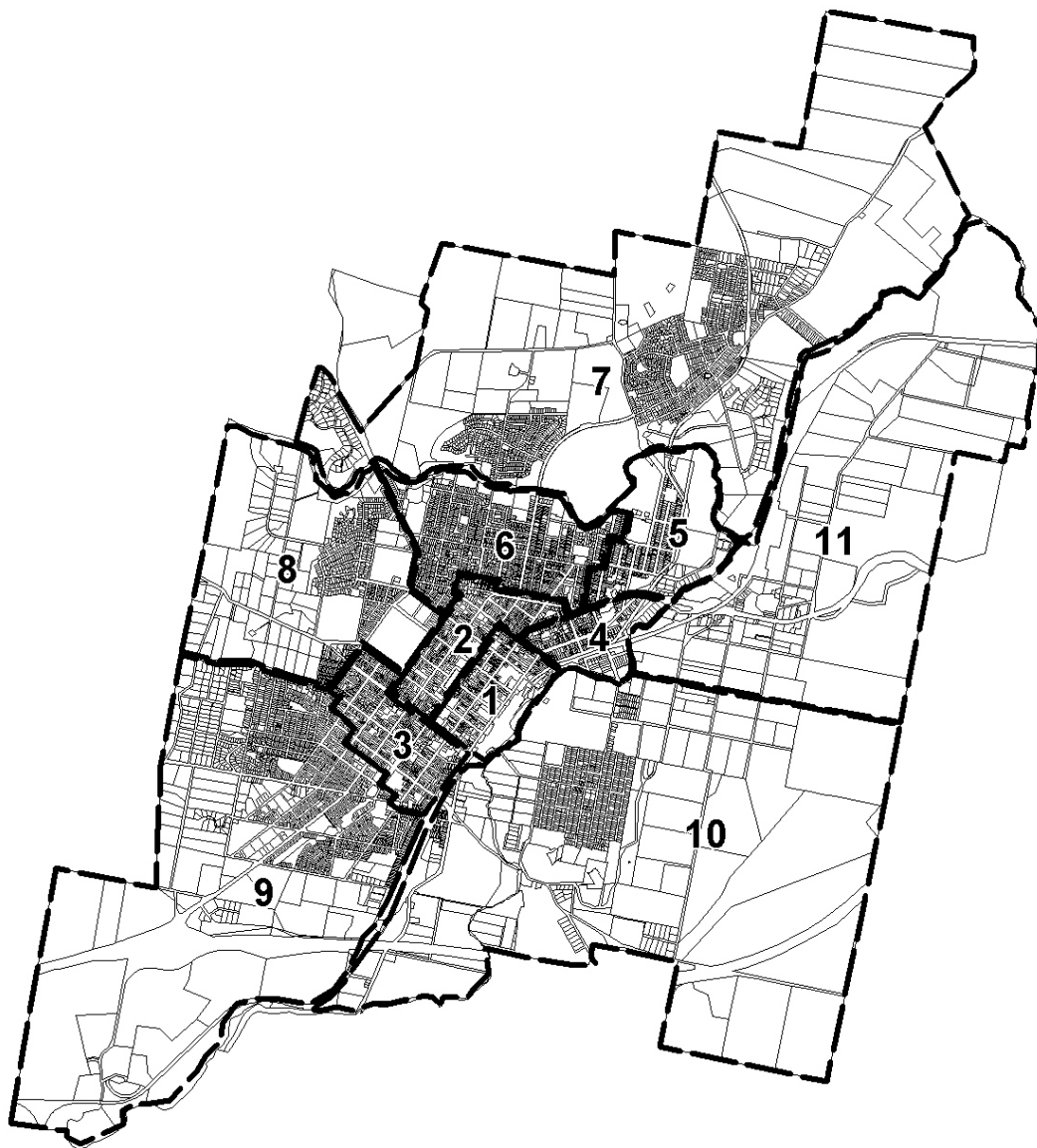
Contributory heritage are buildings, sites and site features within a heritage conservation area that contribute to the overall heritage significance of the area. They are not individually listed as heritage items, but by virtue of their age, scale, materials, details, design style or intactness are consistent with the conservation area, and therefore reinforce its heritage significance.

Contributory heritage has a collective significance and the alteration or loss of individual contributory heritage elements will generally erode the heritage significance of the area as a whole. Council's controls aim to retain contributory items in their significant form. These items however may be altered, provided that the proposal does not reduce their heritage significance.

#### **3.1.2 Heritage conservation areas and street character statements**

Heritage Precincts (Figure 3.2) were identified in the Goulburn Heritage Study, Lester Firth Associates Pty Ltd in 1983 and are suitable for general reference purposes. Chapter 8.6 has provided 2008 character statements for each street that is located within the boundaries of the Goulburn Central Business District. Discussed here are some basic principles, the Old Marulan Town Centre and Rural Villages.

**Figure 3-1: Heritage precincts, Lester Firth Heritage Study 1983.**



### **3.1.2.1 General Principles**

Maintain the general scale, height and bulk and proportions of traditional buildings in the streetscape.

Do not overwhelm the original building with an extension. Consider creating two separate buildings with a linkage. This helps retain the integrity of the original.

Do not significantly alter original front facades of buildings in the CBD conservation area. Additions are best sited to the side or rear.

Keep floor levels similar to adjoining buildings.

Keep it simple – do not use a mixture of features from different eras or add pseudo-historic features to new buildings.

### **3.1.2.2 Old Marulan Town Centre**

**(Note: Reference figure 3.1, sheet 4).**

The site of Old Marulan Town is a valuable historical and archaeological site rich in information relative to the form and function of an early colonial country town and the way of life of its inhabitants. It was established in the earliest expansions of town and village settlement beyond the Cumberland Plain from 1835-67.

Future development or exploitation of the site in order to gather historic information would necessitate the preparation of a full research study prior to development or any archaeological excavation of any part of the site in order that all possible avenues of research be considered.

### **3.1.2.3 Rural villages**

The Goulburn-Mulwaree local government area comprises the historical landscape of the city of Goulburn and the villages of Bungonia, Tallong, Tarago, Lake Bathurst and Marulan. These villages are evident in the subtle landscape transition from urban to rural areas.

Traditional conservation principles focus on historical building fabric and heritage landscape context. In addition, social significance should be considered equally with scientific, historical and aesthetic significance in heritage assessments, and statements of heritage impact. Significant social benefits flow to smaller communities from participation in the management of their cultural heritage.

These principles refer to:

- the conservation of places, objects, features and landscapes of cultural value
- the conservation of natural values
- provision for sustainable visitor use and enjoyment that is compatible with the conservation of the village's natural and cultural heritage values
- provision for the sustainable use, including adaptive reuse, of any buildings or structures or modified natural areas, having regard to the conservation of the historical landscape context
- promote public appreciation and understanding of the villages' natural and cultural values.

The purpose of such conservation is:

- to protect the village curtilage, landscape setting, and its visual prominence
- to encourage an 'active' village, built upon the surviving fabric and cultural landscapes that reflect its heritage
- to promote landscape themes that provide identities for the individual villages, yet maintain a coherent whole and link them together with Goulburn as a city centre
- to promote an architecture and built-form that is civic, yet relates to the culture, identity and character of the village
- to ensure a visual landscape that retains a natural, uncluttered ambiance, free from visually intrusive hard elements, surfaces and structures
- to preserve and enhance native bushland and significant flora and fauna habitats.

### **3.1.3 Heritage development controls**

Each development proposal, whether affecting a heritage item or a contributory item within a heritage conservation area, will have its own unique considerations and issues depending on whether the proposal is for renovations and extensions to an existing building, or a new building within a conservation area or adjacent to a heritage item. Proposals for infill development should have regard to the Royal Australian Institute of Architects and NSW Heritage Office Guidelines for infill development in the historic environment (2005) and Heritage Office and Department of Urban Affairs and Planning (1996) Heritage Curtilages.

Reference: LEP 2009 Clause 5.10.

#### **3.1.3.1 Maintenance of heritage properties**

Maintenance means the ongoing protective care of a heritage item or a building, work, relic, tree or place within a heritage conservation area or heritage streetscape. It does not include alterations and additions or the introduction of new materials or technology.

Maintenance is particularly important for older buildings and structures with heritage value. Reference should be made to the *Goulburn Mulwaree LEP 2009* to determine whether development consent is required for the proposed works.

#### **3.1.3.2 Typical maintenance works include:**

- Clearing and repairs to gutters and roofing to prevent deterioration;
- Ensuring fixtures are securely held in place;
- General repairs to doors, gates, fences;
- Sealing gaps in walls;
- Painting previously approved painted surfaces with the same colours;
- Pest control measures.

#### **3.1.3.3 Heritage requirements for development applications**

The heritage information required for a development application will depend on the significance of the heritage building or site, the contribution of the existing building or site to the heritage conservation area or heritage streetscape, and the extent of changes proposed.

In addition to the general requirements for development applications, heritage items, buildings and sites within heritage conservation areas and heritage streetscapes, Council may require:

- Measured drawings of the existing building including elevations, clearly indicating, existing walls and building elements to be retained and those proposed for demolition or alteration;
- Plans detailing architectural features such as dormer windows, balustrade style etc; colour, and
- A heritage impact statement and/or conservation management plan, and, as necessary, an archaeological assessment.

#### **3.1.3.4 Conservation management plans**

Conservation management plans are comprehensive documents identifying the heritage significance of a place and should be prepared in accordance with the NSW Heritage Manual published by the NSW Heritage Office. A Conservation Management Plan must be prepared by a qualified heritage practitioner. (Reference: Appendix H).

### **3.1.3.5 Heritage impact statements**

Heritage impact statements are documents which assess the impact of any proposed development on the heritage significance of the building, site or area. The statement should include options that have been considered for the proposal and document reasons for choosing the preferred option. These should include proposals to minimise the impact of the development.

Determining whether a property is within, or impacts upon, the setting of a heritage item is a necessary component of the site analysis of a proposal. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant views, the 'vista', to and from the property.

Appendix H details when a Heritage Impact Statement is required and the guidelines for preparing a Heritage Impact Statement.

### **3.1.3.6 Development applications including demolition.**

The demolition of heritage items and contributory buildings, or building elements within heritage conservation areas or heritage streetscapes, should not be supported. Requirements for the retention of existing heritage items and their significant elements is based on an understanding and conservation of the heritage significance of the item. The purpose is to:

- achieve a reasonable balance between improving amenity and meeting contemporary needs, and the protection of the heritage significance of the item.
- maintain the setting of the heritage item including the relationship between the item and its surroundings.
- encourage the removal of inappropriate alterations and additions, and the reinstatement of significant missing details and building features.

If the application proposes demolition of a structure of heritage significance, the applicant must submit a demolition report demonstrating that the structure is not reasonably capable of retention and outlining alternative measures. The applicant should demonstrate why the building cannot be retained, taking into consideration the heritage significance of the item or contribution of the building or building element to the heritage significance of the heritage conservation area or heritage streetscape.

Any development application for demolition must also detail the architectural features of the proposed replacement building. If consent is granted, these drawings will form part of the consent and must be part of the future development application.

If demolition is required primarily on economic grounds, a statement from a quantity surveyor comparing the cost of demolition against the cost of retention should be submitted. Submitting the necessary reports or justifications in no way implies that Council will agree to the proposed demolition. These requirements may be waived in the event of an emergency or for reasons of public safety.

### **3.1.3.7 Adaptive reuse proposals**

Any proposal involving the adaptive reuse of a heritage item should demonstrate that:

- the new use requires minimal alterations to significant fabric and building elements, and that any changes to these are reversible or have minimal impact on the heritage significance of the item.
- any internal changes do not compromise the external heritage significance of the building.
- alterations and/or additions required to support the adaptive re-use do not obscure the understanding of the building's significant use.
- the significant use can be interpreted.
- the introduction of new services will not have a detrimental impact on significant fabric or spaces.

Proposals to change the use of public and community buildings must take into account the effect on significant interior elements and fittings. The adaptive reuse of heritage items may require alterations and additions in order to comply with fire or Building Code of Australia requirements. Interpretation of the original use may include the use of historic artefacts, the in situ retention of machinery and signage, or artistic interpretation.

Additions to heritage items, and buildings in heritage conservation areas and heritage streetscapes should:

- minimise the impact on the heritage significance of the existing building, heritage conservation area, and/or heritage streetscape.
- minimise the impact on the setting of the building.
- respect the scale of existing buildings.
- respect the form and massing of the existing building.
- maintain the uniformity of significant coherent front and rear elevations where the building forms part of a group, row or semi-pair.

- allow design flexibility for pavilion additions and extensions to the rear that do not affect highly intact heritage items.

Roof alterations and additions should:

- complement the details and materials of the original roof.
- not disrupt the architectural integrity of the principal elevation of a heritage item or a group of buildings in a heritage conservation area or heritage streetscape.
- respect the form, pitch, eaves and ridge heights of the original building.

Roof additions should be set below the ridge line and allow the original form of the main roof to be clearly discernable. The existing ridgeline of the building is to be maintained and not raised to accommodate a roof addition. Roof additions should not include inset balconies, roof terraces or external staircases.

Roof additions are not supported on buildings with parapets where the addition will adversely affect the silhouette of the parapet line. Windows in roof extensions should relate to the alignment, proportion and orientation of original windows in the building.

### **3.1.3.8 Contributory heritage**

Contributory buildings make an important significant contribution to the character of heritage conservation areas and heritage streetscapes. This description is opposed to neutral or detracting buildings.

Contributory buildings present significantly intact fabric and date from key development periods. Alterations and additions may be possible to the rear of contributory buildings although the appearance of a principle or significant frontage should generally be retained. Significant external elements that may be required to be reinstated may include original balconies and verandas, fences and chimneys. Significant interior features include foyer and hallway detailing, panelling, and staircases.

- Contributory buildings should be retained.
- Alterations and additions should not significantly alter the appearance of a principal or significant facade of a contributory building, except to remove detracting elements.

Alterations and additions to a contributory building must:

- respect significant original or characteristic building form.
- respect significant traditional or characteristic subdivision.
- retain significant fabric.

- retain, and where possible reinstate, significant features and remove unsympathetic alterations and additions.
- use appropriate materials, finishes and colours.
- significant external elements are to be reinstated where an extension to the external building fabric is proposed.

Buildings that have entrance foyers or other significant interior features that are designed to be visible from the street are to be retained, especially where they form part of the building's contribution to the character of the heritage conservation area or heritage streetscape.

### **3.1.3.9 Neutral buildings**

Neutral buildings do not contribute or detract from the significant character of the heritage conservation area. They include buildings that are connected to the area's historic development although have been substantially altered. This category also includes new, sympathetic development.

Unsympathetic alterations and additions may be removed to improve the contribution of neutral buildings to the heritage conservation area or heritage streetscape. Depending on the building's context and heritage significance, it is preferable to retain and restore neutral buildings.

Neutral buildings are to generally be retained. Demolition of neutral buildings should only be considered where it can be demonstrated that:

- contributory buildings are not part of the defining features and character of the area.
- they are not an important resource for interpretation of the area's heritage significance and character.
- restoration of the building is not reasonable.
- the replacement building will not compromise the heritage significance of the heritage conservation area or heritage streetscape.

Alterations and additions to a neutral building should:

- remove unsympathetic alterations and additions.
- minimise alterations and additions to the building form and ensure that any alterations and additions do not dominate the original form.
- use appropriate materials, finishes and colours.

### **3.1.3.10 Detracting buildings**

Detracting buildings are intrusive to the streetscape because of inappropriate scale, bulk, setbacks, setting or materials. Sites containing detracting buildings are suited to redevelopment and provide an opportunity for development to reinforce the context of the area.

Alterations and additions to detracting buildings are to remove inappropriate elements or features that are intrusive to the heritage significance of the heritage conservation area or heritage streetscape.

Development on sites containing detracting buildings should improve the contextual design and visual impact of the site within the heritage conservation area or heritage streetscape.

### **3.1.3.11 Infill development**

New development in heritage conservation areas and heritage streetscapes should be designed to respect neighbouring buildings and the character of the area or streetscape. The character of an area or streetscape can be uniform or have a mix of architectural styles. An appropriate reference point is usually the style of adjoining buildings.

Infill development should not be a copy or replicate neighbouring heritage buildings. It should be in keeping with the character and appearance of neighbouring buildings and the wider heritage conservation area or heritage streetscape. Infill developments should be simpler in design than adjoining buildings. Modern materials can be used successfully.

Consistent setback patterns are important to maintain visual uniformity. The massing of a building refers to its form, bulk and arrangement of elements. The new building should not be excessively bulky in relation to adjoining structures. Roof shape and silhouette are important determinants of form.

Infill development in heritage conservation areas and heritage streetscapes should:

- respond positively to the character of adjoining and nearby buildings and demonstrate sympathetic bulk, mass and scale.
- achieve appropriate orientation, setbacks, materials and details.

### **3.1.3.12 Verandas and balconies**

Verandas and balconies are used widely in Australian houses and early commercial buildings, and are an iconic element of local Goulburn-Mulwaree architecture. Verandas

create patterns of light and shade on facades, and give depth to the building envelope. There are often significant repetitive elements that characterise street elevations.

Existing significant verandas and balconies should be retained. Reinstatement of verandas and balconies is encouraged although should be based on physical and/or historical evidence.

Removal of later, intrusive verandas and balcony enclosures should be undertaken, based on physical or historic evidence.

Enclosing front balconies and verandas is not supported, particularly where a building is part of a group, as it detracts from the uniformity or consistency of the original character.

Alterations to an existing veranda or balcony enclosure where a property fronts an arterial road may be considered where the change will improve the uncharacteristic or unsympathetic enclosure by restoring details based on physical or historic evidence.

### **3.1.3.13 Materials and finishes**

External face brick or stone walls that are defining elements or characteristics of a building should not to be coated, rendered or painted.

New materials should be compatible with the colour, finishes and proportion of existing materials.

New materials should be easily recognised as being new without detracting from the character and heritage significance of the existing building.

External colour schemes should be appropriate to the architectural period and style of the building, based on historical evidence where possible.

### **3.1.3.14 Retail establishments and facades**

The heritage fabric of retail establishments and facades to buildings within the heritage conservation areas should be retained. Methods to achieve include:

- significant and contributory shopfronts should be retained.
- reinstatement of original and characteristic shopfront elements should be encouraged.
- design of new shopfronts to adopt a contemporary interpretation of traditional forms, and ensure that alterations and additions do not compromise the integrity and consistency of the heritage conservation area or heritage streetscapes.

- development, which is free standing or abutting adjoining buildings, should avoid large, blank wall surfaces.
- entrances to buildings should be treated with architectural features, which provide a focus consistent with the heritage ambiance of the streetscape.
- facades of historical buildings should retain embellishments and pediments.
- existing colonnades, verandas and awnings on all heritage buildings should be retained.

### **3.1.4 Non-indigenous archaeology**

#### ***Objective***

To provide for the consideration of impacts on non-indigenous archaeology from proposed development within the Goulburn Mulwaree local government area.

#### ***Controls***

##### **Archaeological Assessments**

Any development application which proposes the disturbance or development of a heritage item listed as an archaeological site is to be accompanied by an Archaeological Assessment submitted as part of the heritage impact statement or conservation management plan.

An archaeological assessment is an evaluation of the probable extent, nature and integrity of the site, determination of the significance of the site, and which defines the appropriate management measures for the site having regard to its significance.

The archaeological assessment is to be prepared in accordance with guidelines contained within the document titled archaeological assessments (Heritage Office and Department of Urban Affairs and Planning, 1996).

Where the development or disturbance of an archaeological site is proposed, the applicant will be required to liaise with the Heritage Office, NSW Department of Planning, to ensure any related statutory requirements of the *Heritage Act 1977* and subsequent amendments, are complied with prior to the submission of the development application.

Any proposal to disturb or excavate land which will or is likely to result in a relic/archaeological remains being discovered, exposed, moved, damaged or destroyed, requires an excavation permit to be obtained from the Heritage Office, NSW Department of Planning. This applies whether or not the site is listed as an archaeological site under the *LEP*.

## 3.2 Indigenous heritage and archaeology

Places of Aboriginal significance are identified in Figure 3-2.

Criteria for the assessment of heritage significance of Aboriginal sites is contained in Appendix A.

### **Objective**

To provide for the consideration of impacts on indigenous heritage and archaeology from proposed development within the Goulburn Mulwaree local government area.

## **Controls**

Historical archaeology is the study of the past using physical evidence in conjunction with historical sources. It focuses on the objects used by people in the past and the places where they lived and worked. It can tell us about the way things were made and used and how people lived their daily lives.

Archaeological resources are irreplaceable. They have enormous potential to contribute to our knowledge of our history, providing information that is unavailable from other sources. It is important that archaeological resources are adequately investigated and recorded if they are to be disturbed. Some sites are important for the knowledge we can gain from them. That is why we excavate and learn from them. Some sites that are very significant to the community are kept in the ground and interpreted because they can supply evidence that we can see and touch.

Following consultation with the Pejar Local Aboriginal Land Council a generalised map of places of Aboriginal significance (figure 3.2) was produced. This map does not preclude the need for Aboriginal heritage impact assessment for any new development in the local government area.

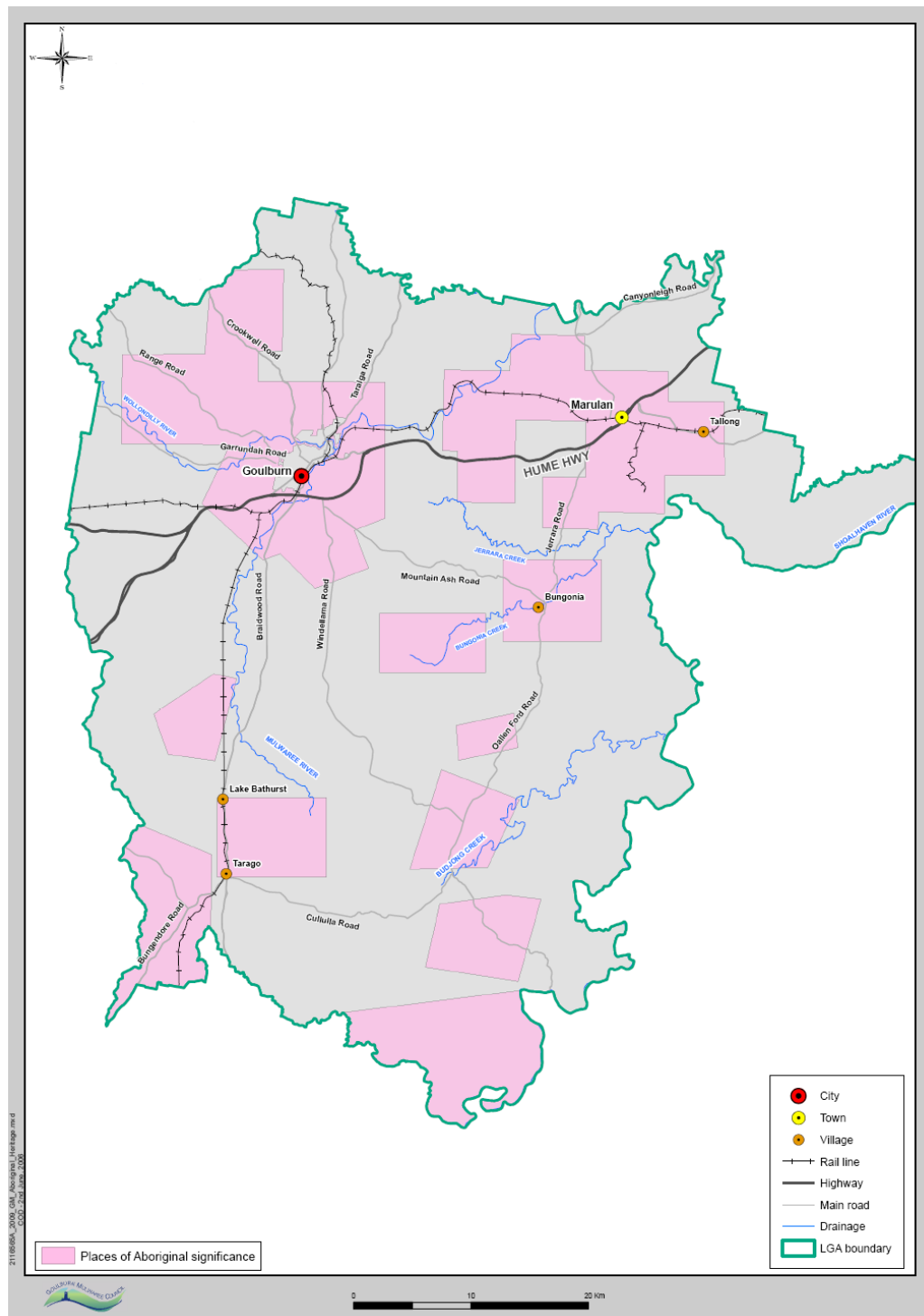
Division 9 of the *NSW Heritage Act 1977* contains measures to protect archaeological resources. Proposals to excavate land in the Goulburn Mulwaree local government area require an excavation permit issued by the Heritage Council of NSW for development where it is reasonably expected that disturbance to an item over 50 years old will occur.

An excavation permit is required in order to ensure that archaeological sites are excavated under proper supervision and that significant evidence of our past is not unnecessarily lost. Archaeology requires the careful excavation of evidence in the ground in order to fully understand the history and significance of the site.

The *NSW Heritage Act 1977* also requires that a person who has discovered a relic must notify the Heritage Council of the discovery within a reasonable time.

There are also legislative responsibilities and the need for Aboriginal Heritage Impact Permits under the *National Parks and Wildlife Act 1974*.

Figure 3-2: Places of aboriginal significance



### **3.2.1 Identifying potential for impacts upon Aboriginal cultural heritage values**

A development or project has the potential to impact upon Aboriginal cultural heritage values if it involves one or more of the following:

- disturbance to the ground surface or to sediments below the ground surface, except where disturbance will be strictly limited to:
- man-made manufactured surfaces (such as bitumen and concrete).
- deposits of imported land-fill or waste material.
- extremely disturbed contexts such as quarries or quarried areas (where there is no trace of the original soil and subsoil deposits, or of buried former soils and subsoil deposits).
- disturbance to the roots, trunk or branches of old growth trees up to and more than 130 years old, which are native to the Goulburn Mulwaree local government area;
- impact or disturbance to the content, or immediate surrounds (up to 100 metres away) of a known or previously recorded Aboriginal site; and
- occurs within, or in close proximity to, a place of special or high Aboriginal cultural significance (such as an identified cultural landscape, an existing or former ceremonial ground, a burial ground or cemetery, a story place or mythological site, a former Aboriginal reserve or historic encampment, or an archaeological site of high significance).

If one or more of these factors apply, or are likely to apply, to a proposed development or project, then the next step is to determine if an Aboriginal heritage impact assessment is required.

### **3.2.2 Identifying the need for an Aboriginal heritage impact assessment**

If one or more of the factors listed in chapter 3.2.1 apply, or are likely to apply, to a proposed development or project, then the following questions should be asked to determine if an Aboriginal heritage impact assessment is required in accordance with clause 5.10 *LEP 2009*.

#### **3.2.2.1 Has the development or works area been subject to a comprehensive level of Aboriginal heritage assessment within the last 5 years?**

The creation of a new Aboriginal heritage impact assessment would not normally be required where the area of the proposed development works occurs within the boundaries of a previously conducted Aboriginal heritage impact assessment, and that assessment was comprehensive in scope, and was conducted less than five years ago.

In this circumstance, the development or works proposal would be required to address the heritage management issues identified in the existing Aboriginal heritage impact assessment.

A comprehensive assessment can be identified by the following criteria:

- The Aboriginal heritage impact assessment complies with the current Department of Environment and Climate Change standards and guidelines for the conduct and reporting of Aboriginal heritage impact assessment reports; and
- The scope of the field survey coverage and predictive analysis is acknowledged to have effectively assessed the entire study area in a comprehensive manner. Generally this will include investigations with 40-100% field survey coverage, and exclude investigations relying upon sample survey areas totalling less than 40% of the study area.

Any proposed development area which falls outside of a former Aboriginal heritage impact assessment study area will require a new Aboriginal heritage impact assessment.

A new Aboriginal heritage impact assessment will need to be conducted, despite the existence of a previous Aboriginal heritage impact assessment, less than 5 years old, for the same area, in the following circumstances:

- The previous Aboriginal heritage impact assessment did not involve a comprehensive assessment of the study area;
- The Department of Environment and Climate Change standards and guidelines under which the previous Aboriginal heritage impact assessment was conducted have changed significantly and require a revision of the assessment report, and/or the re-conduct of all or a component of the fieldwork assessment;
- Aboriginal cultural heritage values which were not identified or predicted in the previous Aboriginal heritage impact assessment have been identified within the development area. These may be the result of a new site discovery, or arise from new oral history or documentary research; and
- The area has been identified by an Aboriginal advisory committee, Council heritage staff, or the Department of Environment and Climate Change as requiring an Aboriginal heritage impact assessment.

### **3.2.2.2 Does the development area include archaeologically sensitive landforms?**

Where a development or works area has not been subject to comprehensive Aboriginal heritage assessment within the last 5 years, the presence of archaeologically sensitive landforms will necessitate the conduct of an Aboriginal heritage impact assessment.

### **3.2.2.3 Does the development area include previously identified Aboriginal sites or places of Aboriginal cultural heritage value?**

Where a development or works area has not been subject to comprehensive Aboriginal heritage assessment within the last 5 years, the presence of previously identified Aboriginal sites or places of Aboriginal cultural heritage value will necessitate the conduct of an Aboriginal heritage impact assessment.

The presence of previously identified Aboriginal sites or places can be determined by:

- Conducting a search of the Department of Environment and Climate Change Aboriginal Sites Register (Aboriginal Heritage Information Management System); and
- Checking site locations identified and mapped by any previously undertaken Aboriginal heritage study.

### **3.2.2.4 Does the development or works area include all or part of an identified Aboriginal cultural landscape?**

Where a development or works area has not been subject to comprehensive Aboriginal heritage assessment within the last 5 years, the presence of all or part of an identified Aboriginal cultural landscape will necessitate the conduct of an Aboriginal heritage impact assessment.

### **3.2.2.5 Is the development area likely to include old-growth native trees up to and more than 130 years old?**

Where a development or works area has not been subject to comprehensive Aboriginal heritage assessment within the last 5 years, the presence of old-growth native trees will necessitate the conduct of an Aboriginal heritage impact assessment.

Old growth native trees that may be older than 140 years old have the potential to preserve Aboriginal scars. These scars may be the result of bark or wood removal, the

search for food, or other activities. Such scars are Aboriginal sites and are protected by law.

The age criterion of 140 years allows for tree germination at or before 1870, and cessation of Aboriginal tree scarring by 1900 (by which time the 1870s tree would have sufficient girth to support the harvesting of bark). The 140 years criterion is considered to be conservative, given that the removal of bark by Aborigines in the Goulburn Mulwaree local government area is likely to have ceased by the 1870s and 1880s.

The potential for suitable old growth native trees to occur (either dead or alive) within a proposed development or works area can be gauged by the following:

- a report from a suitably qualified botanist;
- an inspection or other record indicating that no tree cover, or no old-growth tree cover remains in the area; and
- a review of aerial photography.

Old growth trees typically survive within the Goulburn Mulwaree local government area as isolated or scattered shade trees in agricultural grassland, in remnant woodland, or in forest, especially in creek gullies and steep sided valleys.

### 3.3 Landscaping

#### ***Objective***

Provide well-designed, constructed and maintained landscapes that are an asset to the community. Well-designed landscapes contribute to the attractiveness of outdoor spaces, to the protection of the natural environment and to the health and well being of the community.

Promote good landscape design. Good design is critical in producing environmentally sustainable landscapes.

Provide attractive landscapes that are consistent with the visual character of the landscapes within the Goulburn Mulwaree local government area.

Provide for public safety by allowing for passive surveillance and other management techniques.

Provide open space for recreation within residential developments.

Provide for privacy, summer shade and winter solar access.

Promote the use of local native plant species to provide habitat for native fauna, to minimise water usage, to decrease the need for insecticide and pesticide for exotic plant species and to achieve biodiversity objectives.

Ensure that landscaping is an integral part of the site planning process and that it suits the proposed development.

Ensure that the positive landscape values of the site are not compromised.

### **3.3.1 Landscape Plan Design Requirements**

Development proposals over \$250,000 value are to be accompanied by landscape plans prepared by a qualified landscape architect, designer or other suitable qualified person.

Base the design on a thorough analysis of the site and surrounding areas attributes and context. Take advantage of opportunities and heed constraints (refer to **Appendix G**).

Landscape design and vegetation should be considered as a component of the site planning process and reflect the scale of development and context it is in. It should complement the surrounding streetscape and landscape.

Landscape design should be sensitive to site attributes such as existing landscape features, existing vegetation both native and exotic, streetscape character, land capability, micro-climate, views and vistas.

Allow for views to and from the site by not creating visual blockages, especially the views of important buildings.

Evergreen plant species should be used where screening of views is required.

Provided dedicated pedestrian access to all developments, design to avoid conflict with motor vehicles.

Assess the significance and health of the existing vegetation on the site prior to design; retain as much of the significant vegetation as possible. Protect existing native vegetation and fauna habitat. Provide protection for vegetation to be retained during the construction phase.

Landscape works shall maintain existing heritage significant plantings that contribute to the heritage significance of listed items and heritage conservation areas.

Note: vegetation in Heritage Conservation Areas and in listed heritage items requires Council approval prior to removal or significant modification.

Select plant material that reflects the character of the area. (**Part 2** of this Plan looks at character in detail).

Design vegetation to provide privacy and allow for summer shade and winter solar access (refer to **Figure 3-3**).

**Figure 3-3: Use of vegetation for solar access**



Outside Heritage Conservation Areas the use of local native plant species is preferred (refer to **Appendix B** for a list of preferred planting species suitable for varying conditions and locations within the Goulburn Mulwaree local government area). Choose plants that will not spread and become weeds in natural bushland but act as a buffer area.

Proposed landscaping is to include species that will grow to a height consistent with the height and scale of the building and the neighbouring buildings (refer to **Figure 3-4**).

Shrub and ground cover plants are to be planted at spacings so that when mature they form a continuous cover of the ground.

**Figure 3-4: Example of landscaping complementing building scale**



Minimise use of water by using drought tolerant plant species and reducing areas of lawn.

Use irrigation systems and practices that minimise the use of water. Utilise water collected in rainwater tanks for irrigation of plant material.

Use surface mulch to conserve moisture in the ground, inhibit weed growth and lessen the need for herbicide use (minimum thickness of mulch 75mm).

Provide site lighting.

Select environmentally friendly construction materials.

Do not remove or import bush rock as it provides habitat for native fauna. Enhance fauna habitats e.g. by providing rockeries, ponds for frogs and habitat plants (nectar for small birds).

Locate above and below ground services away from significant vegetation that is to be retained and protected. Maximise the use of common trenching for compatible underground services to reduce repeated disturbance of established plantings, now and into the future.

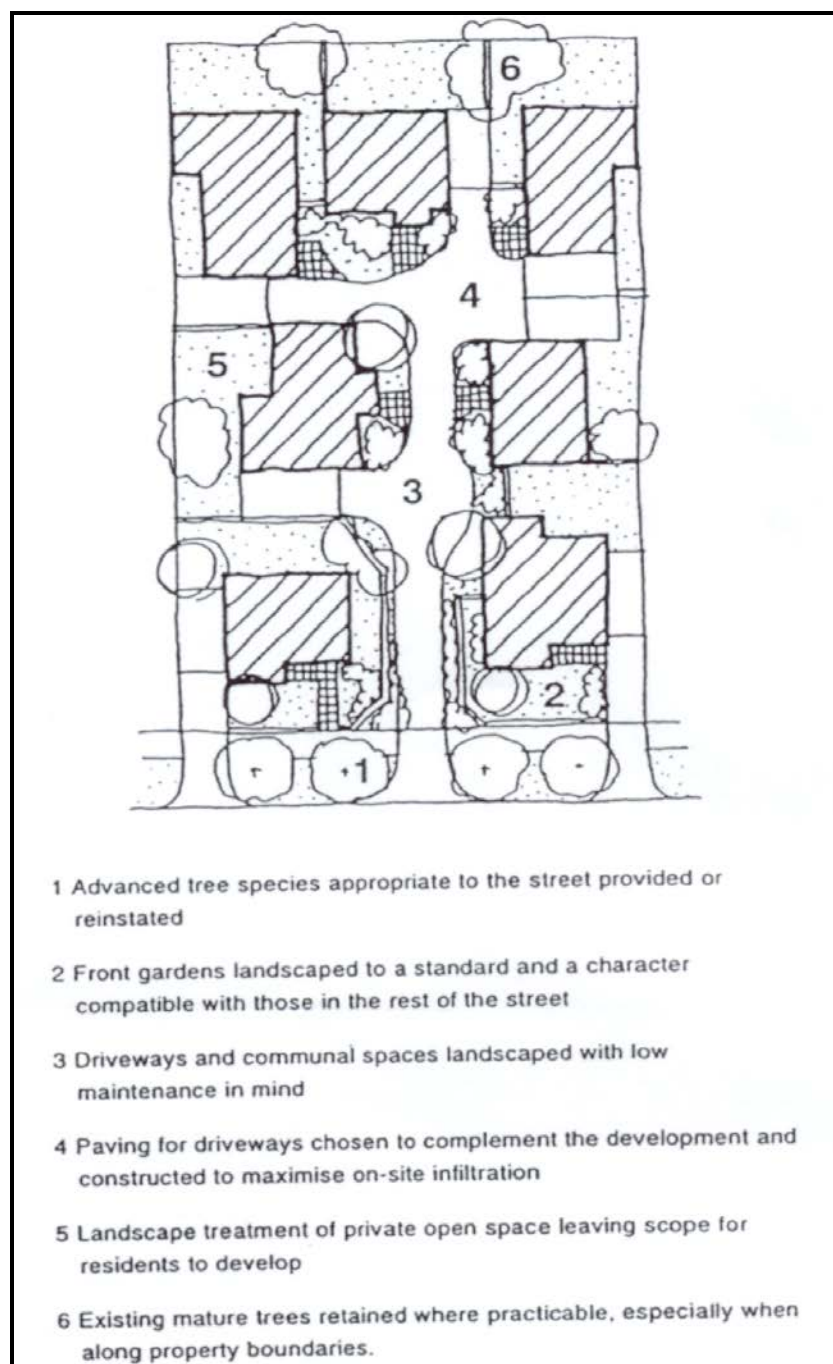
Provide waste and recyclables storage facilities that are not adjacent to communal outdoor/recreation areas. The storage area is to be suitably screened.

### 3.3.2 Residential development

Developments of two or more dwellings require a landscape plan (refer to **Figure 3-5**).

(Refer to **chapter 4** of this Plan for further development controls)

**Figure 3-5: Example of a landscaping plan**



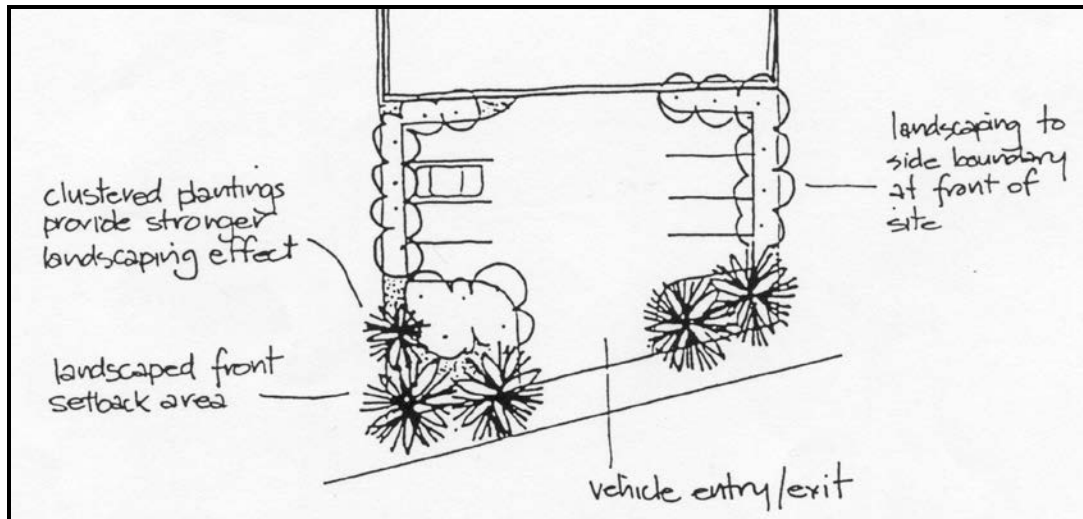
Provide communal open space area/s in residential developments containing five or more dwellings, the open space area is to be suitably landscaped.

Shade tree planting is required in parking areas where 6 or more places are provided at the rate of one tree per six parking spaces.

### 3.3.3 Non-Residential development

All major non-residential developments require a landscape plan (refer to **Figure 3-6**).

**Figure 3-6: Non-residential landscape planning**



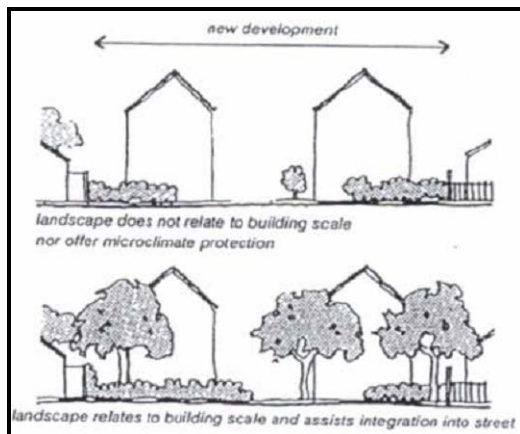
### 3.3.4 Streetscape (Urban)

#### **Objectives**

To provide attractive streetscapes that reinforce the functions of a street, enhance the amenity of buildings, and are sensitive to the built form, landscape, environmental conditions and services of the locality.

## Controls

**Figure 3-7: Landscape designed to integrate with development**



For infill development that abuts an existing public street, the application should demonstrate how the development fits in with the existing streetscape and makes efficient use of the site.

For new release urban areas, the provision for appropriate street tree planting taking into account the image and role of the street, solar access requirements, soils, selection of appropriate species and services (refer to **Figure 3-7**).

The site layout and building design enables the use of features of the site such as views, existing vegetation and landmarks.

### 3.3.5 Fences and gates (Urban)

#### Objectives

Design fences to complement the architectural styles of the building and the local area.

#### Controls

Design fences to respect the architectural character of the house and heritage context. Design fences to take account of streetscape, privacy and security issues, and to enhance entrances to the site and building. Use fences to define the edge between the street and semi-public front garden space.

Original fencing should be retained where possible and, if damaged, should be repaired rather than replaced.

Fencing shall complement any original fencing relating to the architectural style of the dwelling or found on adjoining properties and in the wider streetscape in terms of style, height and materials.

Where side fences project in front of the building line ensure that they complement the scale of the adjoining front fence and function of the front yard.

The height limit for front fences should coincide with that that of neighbouring dwellings, measured from the finished footpath level at any point adjacent to the fence to the top of the main part of the fence. This does not include supporting posts or mailboxes.

Where there is a change in ground level along the street boundary, the higher of the two levels will be taken when measuring fence heights:

- fencing over 1.2 metres in height shall be 50% transparent; or
- where there is dual street frontage, consideration may be given for the allowance of a higher side fence to ensure privacy.


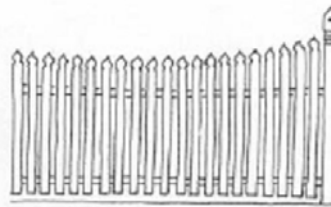
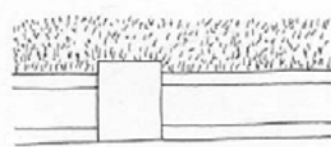
All controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrians.

Integrate the design of fences, with the location of mail boxes, nameplates and street numbering.

The use of intervening fences/walls setback from the front property boundary is discouraged and should not be used to determine the measuring point for the building envelope.

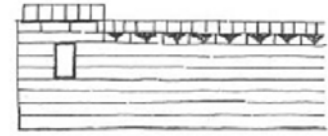
Generally, the fencing styles identified in **Table 3-1** should be reflected in the design of fences and gates, according to the character of the surrounding area and property.

**Table 3-1: Preferred period fencing styles**

Period	Example
<b>Georgian/Victorian</b> <ul style="list-style-type: none"> <li>▪ simple round or square picket</li> <li>▪ more decorative posts in grander dwellings, including wrought iron palisade</li> <li>▪ regular spacing</li> </ul>	
<b>Edwardian/Federation</b> <ul style="list-style-type: none"> <li>▪ timber pickets</li> <li>▪ round, square or tulip</li> <li>▪ top edge stepped up at post in some examples</li> </ul>	
<b>California Bungalow</b> <ul style="list-style-type: none"> <li>▪ low fences 405-900mm high</li> <li>▪ open weave wire and timber or square topped pickets</li> <li>▪ rendered brick with brick posts</li> </ul>	

#### Post-War

- rendered cappings and inset panels with unrendered brick posts
- pierced pre-cast concrete panels
- decorative brick capping
- decorative brick to match house fascia



### 3.3.6 Set backs

All setbacks are to be landscaped (refer to **Figures 3-4, 3-5, 3-6 and 3-7**)

No parking will be permitted within setback areas.

Minimum Setbacks:

- **Urban** – Refer to **chapter 4** for residential building setbacks.
- **Industrial** – Refer to **chapter 4** for industrial building setbacks.
- **Rural** – Refer to **chapter 5** for rural dwelling setbacks.

In front setbacks for developments facing a classified road or a public place plant trees with a mature height of a least 8 metres.

Trees must be a least 3 metres in height at the time of planting.

## 3.4 Vehicular access and parking

This policy aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design.

### 3.4.1 Parking layout, servicing and manoeuvring

#### **Objective**

Where on-site car parking or service areas are required, ensure that the layout and design does not detract from the amenity of adjoining areas.

Ensure the design of parking and servicing areas is efficient, safe, convenient, discrete and suitably landscaped.

Minimise nuisance caused by traffic movement, generation and servicing

## **Controls**

The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage. Car parking areas can have a significant impact on the streetscape and should therefore be carefully designed having regard to landscaping, layout and location to ensure that parking and service areas are integrated sympathetically with the development and locality.

Provision should be made for various modes of transport for employees and visitors to the site. Where parking is provided it must be in a safe and efficient manner, allowing for easy access for occupants, visitors and service vehicles, whilst ensuring the safety of pedestrians and other road users.

Where non-residential development is within or adjoining a residential zone, locate and design parking areas, servicing areas and the means of access/egress to:

- minimise conflict between non-residential, residential and pedestrian traffic;
- provide off-street parking and servicing of premises;
- respect the character of the existing residential areas and streetscape character by means of siting, design and landscaping.

Surface parking should be visually articulated by the use of soft and hard landscaping and the use of different surface treatments.

Parking areas and accessways should be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.

Ventilate enclosed parking areas using natural ventilation techniques.

Mechanically assisted parking facilities should not be provided.

Ensure public car parking and service areas are well signposted or otherwise identified from the entry point.

### **3.4.2 Specific land use requirements**

Off-street parking shall be calculated in accordance with **Table 3-2** or you may take the option of undertaking a traffic impact and parking study. .

Disabled standard will apply to most land uses at a rate of 1 space per 50 spaces or part thereof. The Building Code of Australia Part D prescribes the minimum requirements for

the provision of parking spaces for people with disabilities. This plan does not relieve an applicant of any obligation to comply with the Building Code of Australia.

Bicycle parking/racks should be considered for shopping and recreational developments.

**Table 3-2: Off-street parking requirements**

Land use	Number of spaces
<b>Commercial/business</b>	
Car tyre retail outlet	3 spaces per work bay
Catering and reception centre	1 space per 3 seats; or 1 space per 40m <sup>2</sup> of GFA for centres less than 100m <sup>2</sup> GFA
Drive-in liquor store (separately or in conjunction with a hotel/club)	1 space per 40m <sup>2</sup> of "browse room" area plus 1 space per employee
Hotel, (tavern), club (licensed)	20 spaces per 100m <sup>2</sup> of licensed floor area (bar, lounge, beer garden, bistro/dining areas) plus 1 space per motel unit
Motel	1 space for each unit; plus 1 space for each 2 employees; plus 1 space per 40m <sup>2</sup> of restaurant GFA
Motor showroom	1.5 spaces per 200m <sup>2</sup> of site area; plus 5 spaces per service work bay
Office	1 space per 40m <sup>2</sup> of GFA
Outdoor displays and sales	1.5 spaces per 200m <sup>2</sup> of external site area for storage, display and sale of goods
Restaurant	1 space per 3 seats for restaurants 100m <sup>2</sup> or greater or 1 space per 40m <sup>2</sup> of GFA for restaurants less than 100m <sup>2</sup> GFA
Roadside stall	Minimum number of spaces 4
Service stations	6 spaces per work bay; plus 1 space per 40m <sup>2</sup> of GFA for a convenience store; plus 1 space per 40m <sup>2</sup> of GFA for a restaurant
Shop	1 space per 40m <sup>2</sup> of GFA for shops less than 200m <sup>2</sup> GFA
Shopping centre (supermarket/convenience stores)	4.4 spaces per 100m <sup>2</sup> of NLS for developments of 200m <sup>2</sup> or greater
Drive-in take-away food outlet (fast food outlet)	12 spaces per 100m <sup>2</sup> of NLS plus 1 space per 3 seats plus, for development with drive-through facilities, a queuing area for 5 to 12 cars measured from pick up point and a separate area for vehicles waiting pickup
<b>Education</b>	
Child care centre	1 space per 2 employees plus set down/drop off area
Schools	1 space per 2 employees; plus minimum 10 spaces for students; plus bicycle racks
Tertiary institutions/adult education	1 space per employee; plus 1 space per 3 students

Land use	Number of spaces
<b>Health care</b>	
Hospital	Subject to parking study
Medical centre/health consulting rooms	3 spaces per consulting room; plus 1 space for each 2 employees
Veterinary surgery	3 spaces per surgery (Note: total parking may be reduced where it can be demonstrated that all consulting rooms will not be in concurrent operation)
<b>Industry/employment</b>	
Road transport terminals/container depots/bus depots	1 space per 3 employees; plus 1 space per company vehicle, including vehicles leased for or servicing the company
Truck stops	1 space for each motel unit; plus 1 space for 2 employees; plus 15 spaces per 100m <sup>2</sup> of GFA for public restaurant, with 50% of these spaces being truck parking spaces
Industrial buildings	1 space per 100m <sup>2</sup> of GFA; plus 1 space per 40m <sup>2</sup> of office GFA; plus 1 space per 37m <sup>2</sup> of retail GFA
Wrecking yards/junkyards	1 space per employee; plus 1 space per 200m <sup>2</sup> of site area
Warehouse/bulk stores	1 space per 300m <sup>2</sup> of GFA; plus 1 space per 40m <sup>2</sup> of retail GFA
Home industry	1 space per 3 employees; plus 1 space per dwelling
Extractive industry	1 space per company vehicle; plus 1 space per 2 employees
Car repair station	5 spaces per work bay. This may include the area available within the work bays where vehicles are worked upon
<b>Places of assembly</b>	
Halls, meeting places, churches, convention centres, cinemas, community facilities	1 space per 10 seats; or 1 space per 10m <sup>2</sup> of space used by the public, whichever is the greater (Note: Total parking provision may be reduced where it can be demonstrated that the time of peak demand for parking associated with locality does not coincide). Cinema complex may require a parking study.
<b>Recreational</b>	
Recreational facility	3 spaces per squash court; 3 spaces per tennis court; 3 spaces per bowling alley; 30 spaces for first bowling green; plus 15 spaces for each additional bowling green; 4 spaces per gymnasium; 16 spaces per indoor cricket court; 1 space per 40m <sup>2</sup> GFA, otherwise.
Tourist recreation	1 space per 40m <sup>2</sup> of GFA for restaurant; plus 1 space for each unit; plus 1 space per 40m <sup>2</sup> of GFA for commercial/retail; plus 1 space per 2 employees

Land use	Number of spaces
Caravan parks	1 space for each site; plus 1 space for each 10 long-term sites; plus 1 space for each 20 short-term sites; with a minimum visitor parking of 4 spaces
<b>Residential</b>	
Dwelling house	1 space per dwelling
Dual occupancy	2 spaces
Multi-unit development	2 spaces per dwelling unit, plus 0.25 spaces per dwelling unit(visitor spaces)
Housing for older people or people with a disability	Refer to <i>State Environmental Planning Policy.(Seniors Living 2004)</i>

**Note:** Gross floor area (GFA) means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1400 millimetres above each floor level excluding:

- Columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall;
- Lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts;
- Car-parking needed to meet any requirements of the Council and any internal access thereto;
- Space for the loading and unloading of goods.

Net leasable space (NLS) means the internal area of a building excluding all stairs, toilets, cupboards, vertical ducts, lifts, shafts, escalators, tea rooms, amenities, lobbies, plantrooms, service vehicle deliver areas, kitchens, corridors and the like.

Where commercial / business developments exceed stated height limits in the business zones by a reasonable degree in achieving self sufficiency in off-street parking requirements, Council encourages the use of LEP clause 4.6 "exceptions to development standards" to put a case to vary that height standard.

## 3.5 Disability standards for access

### **Objective**

To provide equitable access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.

### **Controls**

#### 3.5.1.1 Disability Discrimination Act 1992

The Commonwealth *Disability Discrimination Act 1992* (the DDA) aims to eliminate, as far as possible, discrimination against persons on the grounds of disability in areas of:

- work, accommodation, education, access to premises, clubs and sport

- the provision of goods, facilities, services and land
- existing laws
- the administration of Commonwealth laws and programs

Under the DDA, any area, legally accessible to the public must also be accessible to people with a disability. The DDA covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the DDA the EP&A Act and the BCA.

### **3.5.1.2 Building Code of Australia**

The BCA and the Australian Standards are the basic tools used in respect of access. Both prescribe the minimum standards that must be achieved in new development in order to provide equitable access for people with disabilities. However, where substantial alterations are proposed, the consent authority has the discretion to enforce the provisions of the BCA on existing developments.

The BCA operates on a performance-based basis which allows for a broader range of solutions making it easier to deal with the specialised needs of particular buildings, such as heritage buildings. Within the BCA are 'deemed to satisfy' provisions which provide one possible building solution that is considered to satisfy the performance based provisions. Alternative solutions, proposed by an applicant, to those described in the BCA may be considered if the applicant can show that the alternative method achieves the same outcome as a 'deemed to satisfy' provision.

### **3.5.1.3 Australian Standards**

The BCA makes reference to some of the Australian Standards applicable to the design of equitable access. However it is suggested that designers and planners consider the relevant and most up to date provisions of both the referenced Australian Standards and relevant non-referenced Australian Standards in respect to any development. The most up to date Australian Standards will be referenced during the assessment of any development proposal. At the time of the preparation of this plan the following standards apply:

- AS 1428 Design for Access and Mobility
- AS 1428.1 (2001) General Requirements for Access - New Buildings.
- AS 1428.2 (1992) Enhanced and Additional Requirements - Buildings and Facilities.
- AS 1428.3 (1992) Requirements for children and adolescents with physical disabilities.

- AS 1428.4 (2002) Tactile ground surface indicators for orientation of people with vision impairment.
- AS 1735.12 (1999) Lifts, escalators and moving walks. Part 12: Facilities for Persons with Disabilities.
- AS 2890.1 (1993) Parking facilities. Part 1: Off street parking car parking
- AS 4586 (2002) Slip resistance classification of new pedestrian surface materials
- AS 4663 (2002) Slip resistance measurement of existing pedestrian surfaces
- AS 4299 (1995) Adaptable Housing
- Draft DDA Disability Standard on Access to Premises (2004)
- Banking Industry Guidelines (2002)

#### **3.5.1.4 Development assessment**

In some cases compliance with access provisions may not be possible and an alternative solution may be desirable. This section of the plan outlines where alternative solutions may be considered and how these proposals will be assessed. It also contains information as to where a variation to an access provision may be accepted and what information must be submitted to justify the variation.

Section 23 of the DDA outlines where access to a premises must be provided in order to avoid discrimination. However, section 23 of the DDA also recognises that it may not be possible or fair to enforce the requirement of access to premises in all situations. Accordingly the DDA provides for claims of Unjustifiable Hardship. In determining what constitutes unjustifiable hardship all relevant circumstances of the particular case are to be taken into account. These may include:

- technical limits
- topographical restrictions
- financial circumstances
- heritage issues

Council has the ability to apply discretion in enforcing the provisions of this plan and the BCA in terms of access to existing buildings.

Should it be the case that provision of access for people with disabilities is not possible, a 'statement requesting variation' should be submitted with the development application. The statement requesting variation should address the following issues as a minimum:

- all design options explored
- the costs of each design option, including the percentage of the total development cost required for providing access

- the physical design constraints of each option
- any reasoning for non-compliance with an Australian Standard or the BCA

Included with the statement requesting variation should be other supporting documents relevant to the case such as a topographical survey of the site, carried out by a registered surveyor, a structural certificate completed by a qualified structural engineer or a cost summary report carried out by a qualified quantity surveyor.

Applicants should be aware that a variation accepted in one situation may not necessarily be accepted in another. It may also be the case that a partial solution may be preferred rather than a total exception. Access should be provided to the maximum level possible without causing unjustifiable hardship.

The consent authority will consider whether or not the case provided in the statement requesting variation is reasonable and whether or not it should be supported. Each case will be assessed on a merits basis and will consider the possibility of providing partial solutions as submitted in the statement requesting variation.

## **3.6 Crime prevention through environmental design**

### ***Objectives***

The objectives of this plan for crime prevention through environmental design (CPTED) are to:

- enhance and improve community safety within the Goulburn Mulwaree local government area
- create a physical environment that encourages a feeling of safety
- address community concerns with regard to issues of community safety and crime prevention
- reduce the level of crime within the Goulburn Mulwaree local government area
- prevent the opportunity for criminal activity
- ensure that new developments promote CPTED

### ***Controls***

These controls apply to all development in the Goulburn Mulwaree local government area on both public and private land. Some of the controls, however, are tailored to specific development types and are clearly stated as such.

### **3.6.1.1 Lighting**

Lighting plays a vital role in crime prevention and personal safety as you can see and respond to what is around you and ahead of you. Moreover, others can see you, which further reduce the likelihood of a crime being committed. The following CPTED requirements for lighting apply:

- all areas intended to be used at night should allow appropriate levels of visibility
- pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard (AS 1158). Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting
- lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways
- streetlights should shine on pedestrian pathways and possible entrapment spaces as well as on the road
- lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points
- lighting should take into account all vegetation and landscaping that may act as a entrapment spot
- lighting should be designed so that it is difficult for vandals to break
- where appropriate use movement sensitive and diffused lights
- avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance
- illuminate possible places for intruders to hide
- as a guide areas should be lit to enable users to identify a face 15 metres away
- all lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly
- use energy efficient lamps/fittings/switches to save energy

### **3.6.1.2 Fencing**

If fencing is too high or made of inappropriate materials it reduces the opportunity for casual surveillance of the street and for users of the public domain to see what activities are taking place on your site. This then further increases the likelihood of a crime being committed. The following CPTED requirements for fencing apply:

- fence design should maximise natural surveillance from the street to the building and from the building to the street, and minimise the opportunities for intruders to hide
- front fences should preferably be no higher than 1.2 metre. Where a higher fence is proposed, it will only be considered if it is constructed of open materials (eg. spaced pickets, wrought iron etc)
- if noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1 metre)

### **3.6.1.3 Car parking**

Poorly designed car parks whether underground or not can be a dangerous environment for their users. Through the provision of some basic design elements, such as lighting and signage, these spaces can be made safer. The following CPTED requirements for car parking apply:

- car parks, aisles and manoeuvring areas shall be:
  - designed with safety and function in mind
  - have dimensions in conformity with AS2890 - Parking Facilities (relevant parts of this standard are AS2890. 1 - Off-street parking, AS2890.2 - Commercial vehicle facilities, and AS2890.3 - Bicycle parking facilities)
- where parking spaces are to be provided for people with disabilities, these spaces are to be:
  - suitably located near entrances to the building and lifts/ access ramps, if required
  - provided in accordance with Australian Standards 1428.1 - Design for access and mobility
  - appropriate signage and tactile pavement treatments should also be installed, where required
- the design of car parking areas should incorporate the following elements:
  - provision of a safe and convenient vehicle entry and exit that avoids traffic/pedestrian conflict and impact on the surrounding road
  - the internal (vehicular) circulation network is free of disruption to circulating traffic and ensures pedestrian safety
- the movement of pedestrians throughout the car park should be clearly delineated by all users of the car park and minimises conflict with vehicles
- the design of the car park should ensure that passive surveillance is possible and where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimize dark areas through the provision of appropriate lighting

- large car parks should incorporate communication devices such as:
  - intercoms
  - public address systems
  - telephones
  - emergency alarms
- to ensure users of large car parks are easily able to determine their location, exit and access points security intercoms, and the like appropriate signage is to be included
- all surfaces in the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible
- all potential entrapment points should be avoided (e.g. under stairs, blind corners and wide columns). Adequate lighting and mirrors should be used when certain design features are unavoidable

#### **3.6.1.4 Entrapment spots & blind corners**

Entrapment spots and blind corners provide opportunities for perpetrators of crime to hide and or commit crime. The following CPTED requirements for the avoidance of entrapment spots and blind corners apply:

- pathways should be direct – all barriers along pathways should be permeable (including landscaping, fencing etc)
- consider the installation of mirrors to allow users to see ahead and around corners – the installation of glass or stainless steel panels in stairwells can also assist in this regard
- entrapment spots adjacent to main pedestrian routes such as a storage area or small alley should be eliminated from all designs
- if entrapment spots are unavoidable they should be well lit with aids to visibility such as convex mirrors and locked after hours
- to eliminate excuse making for individuals to loiter, avoid placement of seating near or adjacent to ATM's, public phone boxes, toilets, corridors and isolated locations

#### **3.6.1.5 Landscaping**

Trees and shrubs that are inappropriately located can easily reduce surveillance opportunities and provide entrapment spots and blind corners. The following CPTED requirements for landscaping apply:

- avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high-canopied vegetation are good for natural surveillance

- trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier
- use low ground cover or high-canopied trees with clean trunks
- avoid vegetation, which conceals the building entrance from the street
- avoid vegetation screening of all public use toilets
- avoid vegetation that impedes the effectiveness of public and private space lighting
- use 'green screens' (wall hugging vegetation that cannot be hidden behind) if screening large expanses of fencing to minimise graffiti

#### **3.6.1.6 Communal/public areas**

Communal or public open space areas that do not have adequate natural surveillance are a risk to personal safety. The following CPTED requirements for communal/public areas apply:

- position active uses or habitable rooms with windows adjacent to main communal/public areas (playgrounds, swimming pools, gardens, car parks etc)
- communal areas and utilities (e.g. laundries and garbage bays should be easily seen and well lit)
- where elevators or stairwells are provided, open style or transparent materials are encouraged on doors and/or walls of elevators/stairwells
- waiting areas and entries to elevators/stairwells should be close to areas of active uses, and should be visible from the building entry
- seating should be located in areas of active uses

#### **3.6.1.7 Movement predictors**

Movement predictors are routes which people move through on a regular and predictable basis such as a pedestrian underpass. Careful design is needed to ensure that they are not included in a development or are appropriately treated where included to reduce the risk. Through site links are another type of movement predictor, however, unlike underpasses these can provide a benefit to the community if designed appropriately to ensure safety. The following CPTED requirements for movement predictors apply:

- pedestrian underpasses should not be included in new developments
- where movement predictors are used the users of it should have clear site lines so they can see what is ahead and behind at all times
- lighting of movement predictors is essential. Natural lighting should be used where possible with consideration given to wall and ceiling materials to help reflect light

- emergency intercoms, telephones and security videos should be included in the design of movement predictors. Adequate consideration should be given to who will be monitoring such equipment
- no entrapment spots should be included in any movement predictor

### **3.6.1.8 Entrances**

Entrances to all types of development that are not visible from the public domain provide an opportunity for perpetrators of crime to hide and or commit crime. Entrances to all types of development need to be clearly visible and legible so that the users can obtain entry quickly and expediently. The following CPTED requirements for entrances apply:

- entrances should be at prominent positions and clearly visible and legible to the users
- design entrances to allow users to see into the building before entering
- entrances should be easily recognisable through design features and directional signage
- minimise the number of entry points – no more than 10 dwellings should share a common building entry
- if staff entrances must be separated from the main entrance, they should maximise opportunities for natural surveillance from the street
- avoid blank walls fronting the street
- in industrial developments, administration/offices should be located at the front of the building

### **Introduction to next subsections 3.7 – 3.17**

The next subsections generally deal with the maintenance and improvement of amenity and natural resource areas. The following overall objectives are the target outcomes expected of development proposals.

#### **Objectives**

To maintain and improve existing biodiversity values and habitat connectivity corridors between conservation reserves and remaining areas of native vegetation for the purpose of facilitating species movement, dispersal and interchange of genetic material.

To minimise the fragmentation of land through subdivision.

To protect land within zones from adverse impacts of development located on land with an adjoining zone.

To ensure that there is no net loss of native vegetation.

To have regard to the likely long term effects of climate change on the areas natural environment when considering development proposals including:

- Increased bushfire and flood risk and any associated measures required to mitigate that risk to protect human assets.
- The long term sustainability of water supply and its availability to natural area.
- The cumulative impacts of water extraction and use on the catchment surface and underground waters and water quality.
- The impacts of climate change on biodiversity, natural habitats, endangered ecological communities, threatened species and native fauna.

## 3.7 Flood affected lands

### **Objective**

This plan aims to minimise the impacts of flooding on development within the flood planning area.

### **Controls**

#### 3.7.1.1 Definitions

**Flood planning level (FPL)** – is land at or below a one percent annual exceedance probability flood level plus 0.5 metres.

**Flood planning area** – The area of land below the FPL and thus subject to flood related controls.

#### 3.7.1.2 Controls for development at or below the flood planning level

- applicants must have regard to the provisions of clause 7.1 LEP 2009
- **construction** – pier and beam construction or suspended reinforced concrete slabs must be used, as these minimise the requirement for cut and fill and allow floodwaters to flow under the building
- **cut and fill** – cut and fill should be minimised for all development within the floodplain. Filling can result in a reduction in flood storage or change flow patterns and is not permitted unless it can be demonstrated that there is no decrease in storage capacity on the property and that flow characteristics will not significantly be changed. Cutting can result in an increase in flood depths and potentially, an increase in flood hazard and/or

extent of inundation, and is not permitted unless it can be demonstrated that flood behaviour will not be altered

- **flood storage** – no development is permissible in areas designated as flood storage, unless it can be demonstrated that there will be no decrease in net flood storage available on the site
- **building materials and construction methods** – all buildings at or below the flood planning level must be constructed of flood compatible materials
- **structural soundness** – all development applications must demonstrate that the proposed structure can withstand the force of floodwater, debris and buoyancy.
- **fencing** – solid fences that impede the flow of floodwaters are not permissible. Fences must be at least 50% open to allow the progress of floodwaters
- **residential floor levels** – all habitable rooms within residential development must be at or above the flood planning level
- **commercial and industrial development:**
- **flood evacuation and management** – all development applications for industrial and commercial development must be supported by a flood emergency plan. Appropriate warning and advisory signage must be prominently visible at entry/exit points.
- **parking** – no excavated underground car parking is permitted on land at or below the flood planning level. Undercroft parking is however appropriate.

**Following recommendations from Wollondilly River and Mulwaree Chain of Ponds Floodplain Risk Management Study and Plan (the SMEC Report March 2003):**

Recommended permissible and prohibited uses in relation to flood hazard categories:

LAND USE	HAZARD CATEGORY					
	Low Hazard Flood Fringe	Low Hazard Flood Storage	Low Hazard Floodway	High Hazard Flood Fringe	High Hazard Flood Storage	High Hazard Floodway
Agricultural Uses	✓ 1	✓ 1	✓ 2	✓ 1	✓ 1, 4	✓ 2
Residential Uses	✓ 3	✓ 3	×	×	×	×
Commercial Uses	×	×	×	×	×	×
Industrial Uses	✓	✓	×	✓	✓ 4	×
Special Uses	×	×	×	×	×	×
Open Space /Recreation	✓	✓	✓ 2	✓	✓ 4	✓ 2

✓ Permissible

× Prohibited

#### **Non-habitable buildings:**

- Class 10 buildings and structures in association with a permissible / existing use are permitted in a flood-affected area other than a floodway hazard category.
- Engineering details for the effect of flooding are not required for non-habitable buildings and structures.
- Advisory Note to be included in any approval indicating:
  - Flood Hazard Category
  - Flood levels (1%, 5%, Extreme)
  - Any site levels for the property
  - Building / structure may be damaged by floodwaters

#### **Key:**

- <sup>1</sup> A single dwelling is permissible, subject to the Flood DCP, on a rural allotment in these hazard category areas, where residency is essential for operational or security purposes.
- <sup>2</sup> No development or building, such as a dwelling, clubhouse, barn facilities block, shed etc, is permissible in a floodway.
- <sup>3</sup> Only development of single dwellings is permissible. Any development that would increase density (dual occupancies, multi-unit developments, etc) is not permissible. Subdivision is not permissible.
- <sup>4</sup> Development is permissible in areas designated as flood storage, only if it can be shown that there will be no decrease in net flood storage available on the site.

### **3.7.1.3 Mapping**

For the purposes of this section the mapped Flood Planning Area is provided by the Flood Plain Management Plan for Wollondilly River and Mulwaree Chain of Ponds prepared by SMEC, March 2003, held at the office of Council.

#### **(d) Reference Material**

The following reference material is highly recommended for designs when preparing development applications in a mapped flood planning area or land suspected and / or expected on topographic evidence to flood. These guidelines aim to reduce vulnerability to flood impacts and thus substantially lower the levels of flood risks.

- i) **“Designing safer subdivisions, Guidance on Subdivision Design in Flood Prone Areas, Hawkesbury – Nepean Floodplain Management Steering Committee, 2006.”**

Though this document was written for the Hawkesbury – Nepean lowland areas it is also totally appropriate for Goulburn Mulwaree Area.

Chapters include details on:

- (1) The subdivision process;
- (2) Understanding catchments and flooding;

(Note: Goulburn Mulwaree catchment zone characteristics would be classed as upper and middle reaches).

- (3) Identifying the floodrisk;
- (4) Hydraulic impacts;
- (5) Designing subdivision on flood prone land;
- (6) Designing for emergency response and evacuation;
- (7) Design of associated stormwater systems;
- (8) Medium density and high rise developments; and
- (9) Case studies

ii) **“Reducing vulnerability of Buildings to flood damage, guidance on building in flood prone areas, Hawkesbury Nepean Floodplain Management Steering Committee, 2006.”**

This is another excellent publication.

Chapters include details on:

- (1) Controlling risk exposure through flood aware design;
- (2) Vulnerability of housing to floods and potential solutions;
- (3) General design and construction considerations;
- (4) Structural component design; and
- (5) Non-structural component design.

iii) **“Managing flood risk through Planning opportunities, guidance on land use planning in flood prone areas, Hawkesbury – Nepean Floodplain Management Steering Committee, 2006.”**

This publication is a general reference document aimed at professional planners and other related professionals in the public and private sectors with responsibilities for planning and development in the Goulburn Mulwaree Local Government Area.

## 3.8 Tree and vegetation preservation

### **Objective**

The objective of these provisions is to preserve the amenity, biodiversity and ecology of the area through the preservation of trees and other vegetation.

### **Controls**

#### 3.8.1.1 Definitions

**tree** means:

a perennial plant with:

- (i) one or more self supporting trunks, any one of which has a circumference of 30cm or more (at a height of 40 cm above existing ground level), or
- (ii) a height of 2.5 metres or more, or a branch spread of more than 2.5 metres.

**Other Vegetation** means:

Remnant Native Vegetation including:

- (i) trees,
- (ii) understorey plants,
- (iii) ground cover,
- (iv) plants occurring in a wetland.

Note: Native Vegetation has the same meaning as in the Native Vegetation Act 2003.

#### 3.8.1.2 General

Clause 5.9 of the *LEP 2009* applies to all trees and shrubs in Heritage Conservation Areas, on land that contains a Heritage Item and land identified as 'Biodiversity Hot Spots' and mapped wetlands.

Heritage Conservation Areas are shown on the LEP 2009 Heritage Maps.

Heritage Items are listed in Schedule 5 to the *LEP 2009*.

'Biodiversity Hot spots' are identified in figure 3.10 and mapped wetlands in figure 3.9.

A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation identified above without the authority conferred by a development consent or a permit granted by the Council.

Any removal of native vegetation including trees, shrubs and other vegetation that occurs in an area zoned non-urban and non-industrial, may require consent under the Native Vegetation Act unless an exemption applies.

Applicants should contact the Hawkesbury Nepean or Southern Rivers Catchment Management Authority for details.

### **3.9 Dryland salinity**

#### ***Objective***

To direct development away from actual and potential salinity affected areas.

#### ***Controls***

Moderate dryland salinity and urban salinity occurs in the Goulburn Mulwaree LGA. The first principle in development assessment in regards to salinity is to avoid development in any area identified as having dryland or urban salinity.

Information is available from the Council on potential salinity areas.

As a known hazard all residential development needs to be designed, constructed and managed with salinity in mind. Applicants should be aware that issues such as cut and fill, road and house construction and stormwater discharges can exacerbate salinity affection and design accordingly.

### **3.10 Waterbody and wetland protection**

#### ***Objective***

Manage and protect natural resources in an ecologically sustainable manner.

#### ***Controls***

Applicants must have regard to clause 7.2 *LEP 2009*. Further information is available from Council on known wetland areas such as Lake Bathurst. The Morass, Wollogorang Lagoon, Narrambulla Creek, Breadalbane Plains and Roses lagoon are mapped as part of the Goulburn Mulwaree Biodiversity Strategy.

The following table is taken from the Lake Bathurst and the Morass wetland Management Plan.

The table is generally representative of all the local government areas mapped wetland areas.

Developers of land, including agricultural development in the catchment areas of the identified wet lands are to demonstrate how their development proposals will satisfy the applicable management objectives detailed in table 2 to the Lake Bathurst and the Morass Wetland Management Plan.

Table 2: Management Objectives, Targets, Actions and Resources (\* = Priority).

Management Objectives	Targets	Actions
*Protect and enhance native vegetation	<ul style="list-style-type: none"> <li>No further reduction of native vegetation cover or condition</li> <li>Reduce weed cover in the wetland and surrounding catchment</li> <li>Increase existing wetland, riparian and catchment vegetation</li> <li>Provide suitable conditions for native vegetation growth</li> <li>Protect threatened species</li> </ul>	<ul style="list-style-type: none"> <li>Develop detailed weed and vegetation maps (High priority)</li> <li>Identify appropriate cost effective control techniques for priority weeds</li> <li>Coordinated multi-landholder trials of different methods of weed control</li> <li>Identify areas for enhancement or protection</li> <li>Identify conditions to encourage native vegetation growth</li> <li>Fencing and planting in identified areas</li> </ul>
*Protect and enhance social and Aboriginal cultural values	<ul style="list-style-type: none"> <li>Maintain sites of aboriginal significance</li> <li>Maintain recreation use</li> <li>Maintain community access</li> <li>Identify and implement sustainable land use</li> </ul>	<ul style="list-style-type: none"> <li>Identify and protect significant areas</li> <li>Identify recreation use and options for maintaining and minimising its affects</li> <li>Ensure access remains open to the public</li> <li>Maintain economic viability of surrounding land</li> <li>Increase awareness of the values of the wetlands and the surrounding area</li> </ul>
*Protect and enhance native fauna and their habitat	<ul style="list-style-type: none"> <li>No further reduction of habitat</li> <li>Provide suitable conditions for native animals, particularly threatened species</li> <li>Reduce impacts on native fauna</li> </ul>	<ul style="list-style-type: none"> <li>Maintain or improve habitat for native species</li> <li>Provide information on threatened species habitat requirements</li> <li>Fencing of significant areas</li> <li>Removal of introduced predators and feral species</li> <li>Provide information on legislation to landholders</li> </ul>
*Control the abundance of noxious weeds and other pest plants, in particular Serrated Tussock ( <i>Nassella trichotoma</i> )	<ul style="list-style-type: none"> <li>Reduce the abundance and impact of priority weeds</li> <li>Control Serrated Tussock</li> <li>Develop a long term management approach to reducing weed impacts</li> </ul>	<ul style="list-style-type: none"> <li>Develop detailed weed and vegetation maps (High priority)</li> <li>Identify appropriate control techniques for priority weeds</li> <li>Trial different methods of weed control</li> <li>Identify conditions to encourage native vegetation growth for competition</li> <li>Investigate seed viability</li> <li>Develop a long term program for control</li> </ul>
*Control the abundance of pest animals, particularly rabbits ( <i>Oryctolagus cuniculus</i> )	<ul style="list-style-type: none"> <li>Reduce the abundance and impact of pest animals</li> <li>Rehabilitate areas damaged by pest animals</li> <li>Develop a long term management approach to reducing pest animals</li> </ul>	<ul style="list-style-type: none"> <li>Identify appropriate control techniques of priority pest animals</li> <li>Identify areas of abundance</li> <li>Develop a long term program for control</li> <li>Develop a revegetation program for areas been damaged by pest animals</li> </ul>

Management Objectives	Targets	Actions
Re-establish the filled in link between the Nth Morass lake and Lake Bathurst	<ul style="list-style-type: none"> <li>Reinstate natural flow regime</li> </ul>	<ul style="list-style-type: none"> <li>Remove flow obstructions</li> </ul>
Support sustainable agriculture	<ul style="list-style-type: none"> <li>Determine sustainable stocking rates and suitable areas for grazing</li> <li>Reduce negative impacts of grazing</li> <li>Rehabilitate affected areas of dryland salinity</li> </ul>	<ul style="list-style-type: none"> <li>Investigate appropriate areas for grazing within the wetland area and sustainable stocking rates</li> <li>Investigate incentive funding sources for landholders to install stock-proof fencing and alternative water sources, to improve grazing management of wetlands when flooded</li> <li>Identify affected areas of dryland salinity</li> <li>Fence off and plant salt-tolerant pasture grasses or grade the bank above the erosion areas to divert run-off and reduce erosion (CALM)</li> </ul>
Understand the impact of catchment processes on water quality	<ul style="list-style-type: none"> <li>Decrease the impact of groundwater discharge on wetland salinity</li> <li>Decrease the impact of poor quality runoff</li> <li>Minimise rates of erosion</li> <li>Decrease sedimentation</li> </ul>	<ul style="list-style-type: none"> <li>Identify recharge zones in the upper catchment and plant with native vegetation</li> <li>Invest in programs to address major knowledge gaps</li> <li>Identify sedimentation sources and identify management responses</li> </ul>
Mitigate the impacts associated with drought, reduced water flow and climate change (temperature, evaporation and rainfall)	<ul style="list-style-type: none"> <li>Develop process for adapting to the impact of drought</li> <li>Investigate the impacts of climate change (temperature, evaporation and rainfall) on the catchment</li> <li>Investigate the current water balance for the catchment</li> <li>Investigate impacts on current land use practices</li> </ul>	<ul style="list-style-type: none"> <li>Investigate local climate change, drought and reduce water flow impacts</li> <li>Community education on climate change impacts</li> <li>Identify local action e.g. Investigate drought tolerant species, improve water use efficiency, provide more shade for livestock and develop best practice methods for land management (CSIRO 2007)</li> </ul>
Increase community awareness of threats and values of Lake Bathurst and The Morass	<ul style="list-style-type: none"> <li>Implementation of the Lake Bathurst and The Morass Wetland Management Plan</li> <li>Increase community awareness of the wetlands</li> </ul>	<ul style="list-style-type: none"> <li>Develop site action plans for surrounding landholders</li> <li>Identify opportunities for highlighting the threats and values facing the Lake Bathurst and The Morass</li> </ul>
Implement a collaborative approach to wetland management	<ul style="list-style-type: none"> <li>Clear roles and responsibilities</li> <li>Access funding for NRM</li> <li>Bi-yearly forum/communication</li> </ul>	<ul style="list-style-type: none"> <li>Clearly define the roles and responsibilities of land managers</li> <li>Identify opportunities for funding</li> <li>Establish a forum for communicating between key stakeholders</li> </ul>

### 3.11 Groundwater

#### **Objective**

To protect and enhance the water quality of groundwater systems.

The objective is to identify and protect vulnerable groundwater resources from contamination as a result of inappropriate development.

#### **Controls**

Information is available from Council on potential groundwater areas (limestone).

Applicants must consider the extent to which the development would affect the groundwater resources in terms of the:

1. potential for ongoing impacts through the operation of the development.
2. adequacy of the measures proposed to avoid, mitigate or remedy any adverse affects of the proposed development.
3. Development consent must not be granted to development unless the applicant has submitted a report with the development application that addresses, to the satisfaction of the consent authority, the following matters:
  - (a) characteristics of the groundwater present in the area,
  - (b) any potential risk of groundwater, contamination from on-site storage or disposal of solid or liquid waste and chemicals,
  - (c) any potential adverse cumulative impacts on groundwater including the impacts on groundwater extraction for potable water supply or stock water supply,
  - (d) a description of any proposed measures to be undertaken to avoid or ameliorate any potential adverse impact.
  - (e) that the extraction is environmentally sustainable, ie does not exceed re-charge

Note: Groundwater extraction also requires consent from the Department of Water and Energy.

### **3.12 Basic landholder riparian rights for subdivision**

#### ***Objective***

To achieve rural living water use that is consistent with water management principles.

To ensure compliance with section 5(2) of the *Water Management Act 2000*.

#### ***Controls***

Lots created by subdivision for a dwelling where a town water supply is not available shall not have direct frontage to the Wollondilly, Mulwaree and Shoalhaven rivers.

The dwelling shall not be sited on land that overlaps an aquifer.

The development application must demonstrate how an adequate potable water supply and non-potable water supply will be sourced for each lot to be created (minimum supply is 0.7ML/year).

### **3.13 Biodiversity management**

Note: Reference Clause 7.2 – LEP 2009

#### **3.13.1 Wollondilly, Mulwaree, Shoalhaven and Tarlo Rivers**

##### ***Objectives***

To provide bed and bank stability

To protect water quality

To maintain viability of riparian vegetation

To provide continuity and connectivity

##### ***Controls***

Major development proposals including subdivision, residential accommodation, tourist and visitor accommodation, are to provide buffer corridors adjacent to nominated rivers including a 40 metre wide core riparian zone, 10 metre wide vegetated buffer and a bushfire asset protection zone between the outer edge of the vegetated buffer and the development each side of the river where appropriate.

Development is to be excluded from the 50 metre wide zone and the zone is to be fenced off with limited access points to the river.

Bushfire asset protection zone area can be utilised for stormwater infrastructure, walkways, cycleways, perimeter road and building set back area.

Stormwater is to be captured and treated outside of the 50 metre buffer area prior to discharge to the Rivers.

### 3.13.2 Riparian Corridors

#### **Objectives**

Protect and manage existing good condition vegetation remnants in riparian corridors.

Restore degraded vegetation in riparian corridors.

Regenerate vegetation in cleared areas along riparian corridors.

Protect and restore buffer areas to vegetation along riparian corridors.

Identify, protect and manage the aquatic ecological values including bed and bank stability, water quality and natural flow regimes.

Protect the linkages provided by riparian corridors.

Have a neutral or beneficial effect on water quality.

#### **Controls**

**Reference:** Goulburn Mulwaree Biodiversity Strategy 2007.

#### **Category 1**

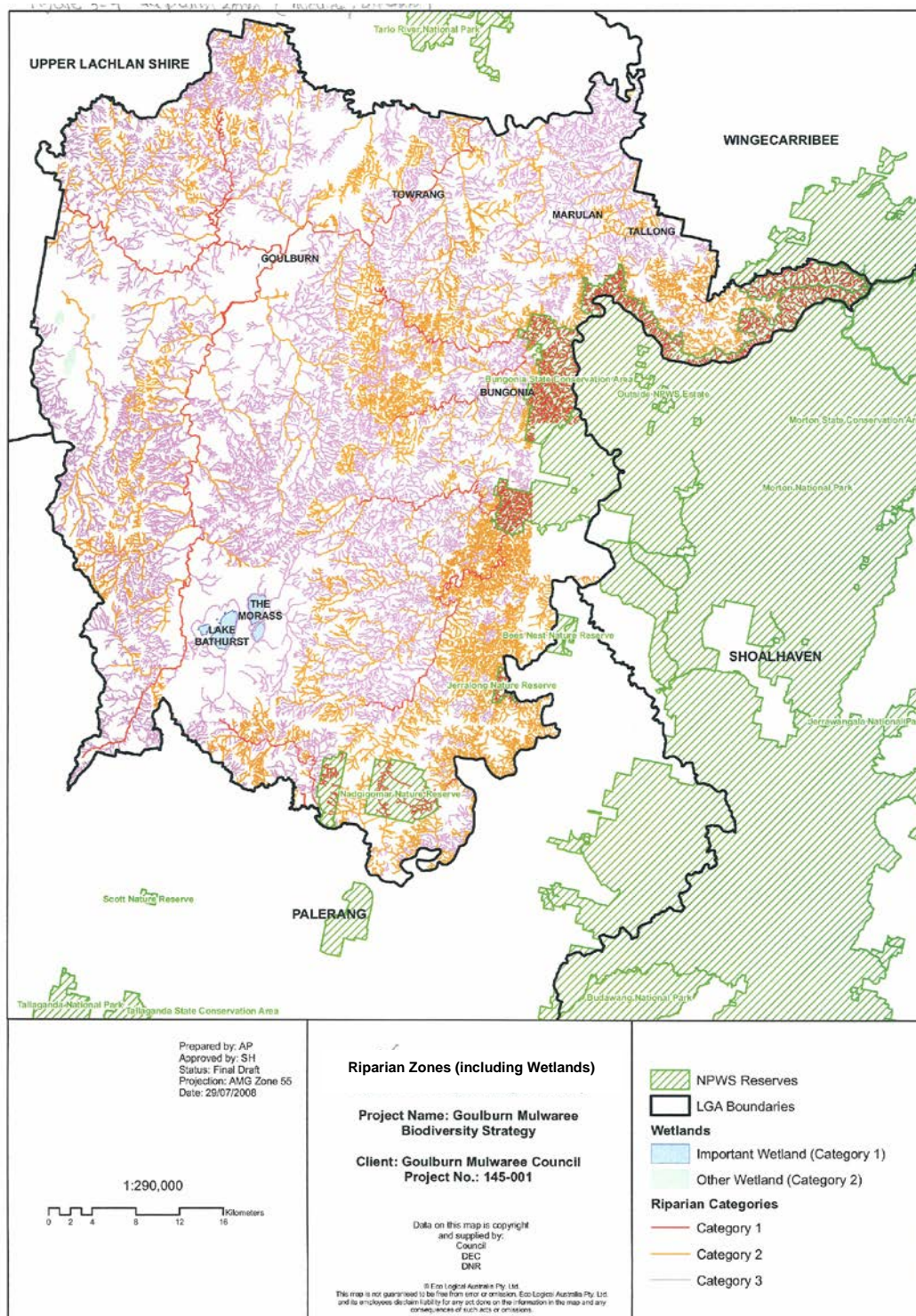
Riparian corridors are identified in **Figure 3-8**.

A person must not take an action in or adjacent to lands mapped as Category 1 (40m from top of bank) where that action:

- is within 10 metres of the 40m buffer, or
- leads to an adverse affect on the condition of native vegetation within the riparian corridors, or
- fragments an occurrence of vegetation within the riparian corridors, or
- modifies or destroys abiotic factors (such as water, nutrients or soil) necessary for the survival of vegetation within riparian corridors, or

- results in invasive species that are harmful to riparian corridors becoming established in an occurrence of these lands, or
- diminishes the capacity of a buffer area adjacent to riparian corridors, or
- adversely affects the capacity of a regional connectivity area or a riparian corridor, or
- adversely affects water quality

Figure 3-8: Riparian zones (including wetlands)



## Category 2

A person must not take an action in or adjacent to lands mapped as Category 2 (20 metres from top of bank) where that action:

- is within 10 metres of the 20m buffer, or
- leads to a long-term adverse affect on good or moderate condition native vegetation within riparian corridors, or
- reduces the overall extent of vegetation within the riparian corridors, or
- fragments an occurrence of vegetation within the riparian corridors, or
- modifies or destroys abiotic factors (such as water, nutrients or soil) necessary for the survival of vegetation within the riparian corridors, or
- results in invasive species that are harmful to riparian corridors becoming established in occurrence of these lands, or
- adversely affects the capacity of the riparian corridor, or
- adversely affects water quality.

## Category 3

A person must not take an action in or adjacent to lands mapped as Category 3 (10 metres from top of bank) where that action:

- leads to a long-term adverse affect on good condition native vegetation within the riparian corridors, or
- fragments an occurrence of vegetation within the corridor, or
- destroys abiotic factors (such as water, nutrients or soil), or
- results in invasive species that are harmful to riparian corridors becoming established in an occurrence of these lands, or
- adversely affects the capacity of the riparian corridor, or
- adversely affects water quality.

**Note:** A person must not take an action in or adjacent to riparian corridors where the requirements under the Threatened Species Conservation Act, Fisheries Management Act and Rivers and Foreshore Improvement Act (or Water Management Act when it repeals the Rivers and Foreshores Improvement Act) have not been met.

### 3.13.3 Regional corridors

Corridors are linear landscape features that connect two or more, larger habitat patches, allowing either movement of individuals, or gene – flow among native fauna and flora.

### **Objectives**

Protect and manage existing vegetation remnants in regional corridors.

Protect the linkages provided by regional corridors.

Restore degraded vegetation.

Regenerate vegetation in cleared areas.

### **Controls**

A person must not undertake an action in or adjacent to lands mapped as regional corridors (refer to **Figure 3-9**) where that action:

- leads to a long-term adverse effect on native vegetation within the regional corridor
- reduces the extent of vegetation within the regional corridors
- adversely affects the capacity of a regional corridor or riparian corridor

A person must not undertake an action in or adjacent to vegetation within regional corridors where the requirements under the *Threatened Species Conservation Act* and *Native Vegetation Act 2003* have not been met.

## **3.13.4 High conservation valued areas**

Vegetation conservation values are identified in **Figure 3-10**.

### **Objectives**

Protect remaining high conservation value vegetation.

To prevent trading unless considered to be a social and economic benefit of State significance.

Protect and restore buffer areas to high conservation value vegetation.

Protect the contribution high conservation value vegetation has to regional connectivity areas and riparian corridors.

Figure 3-9: Regional corridors, biodiversity hotspots and reserves

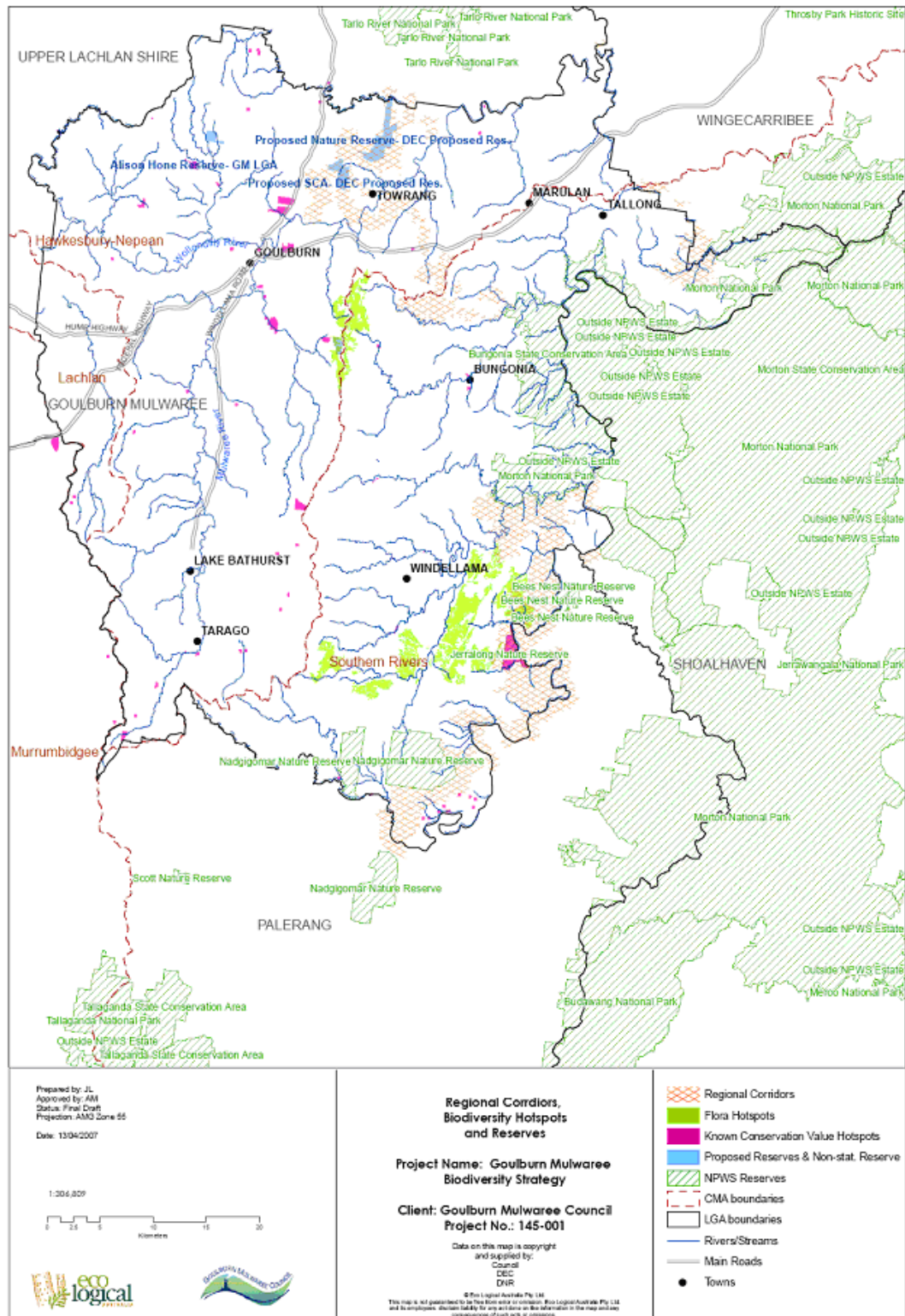
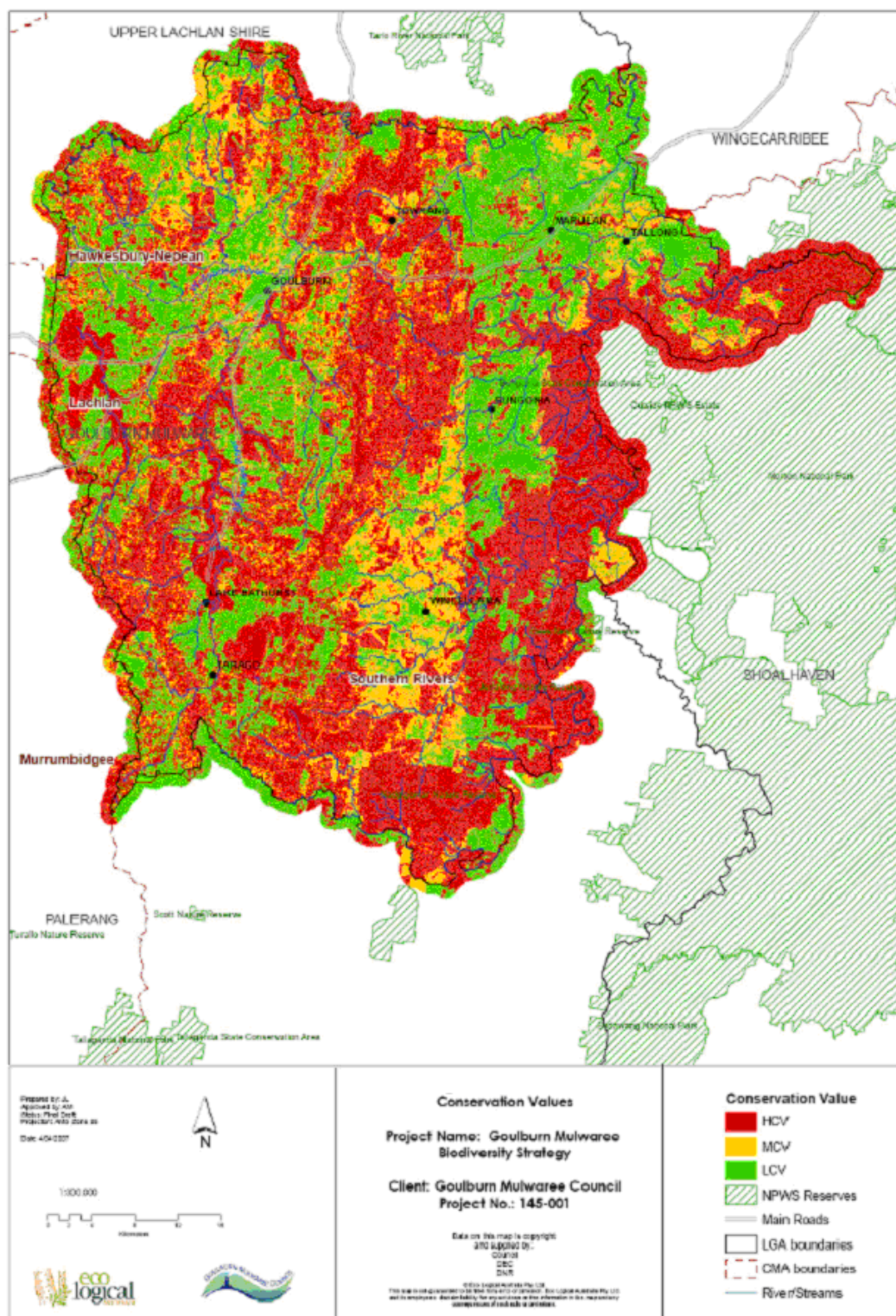


Figure 3-10: Vegetation conservation values



### **Controls**

A person must not undertake an action in or adjacent to high conservation lands where that action:

- will not meet the 'maintaining and improve' biodiversity outcomes
- leads to a long-term adverse effect on high conservation value vegetation
- reduces the extent of high conservation value vegetation
- fragments an occurrence of high conservation value vegetation
- adversely affects habitat critical to the survival of high conservation value vegetation
- modifies or destroys abiotic factors (such as water, nutrients or soil) necessary for the survival of high conservation value vegetation
- results in invasive species that are harmful to high conservation value vegetation becoming established in an occurrence of these lands
- diminishes the capacity of a buffer area adjacent to high conservation value vegetation
- adversely affects the capacity of a regional connectivity area or riparian corridor

## **3.13.5 Medium conservation valued areas**

### **Objectives**

No net loss of medium conservation value vegetation.

Some flexibility for trading and offsets.

Protect the viable remnants of medium conservation value.

Restore medium conservation value when low conservation value native vegetation is to be cleared.

Protect the contribution medium conservation value lands have to regional and riparian corridors.

### **Controls**

A person must not undertake an action in or adjacent to medium conservation value lands where that action:

- leads to a long-term adverse effect on medium conservation value vegetation
- reduces the extent of a medium conservation value vegetation
- fragments an occurrence of the medium conservation value vegetation
- adversely affects the capacity of a regional connectivity area or riparian corridor

**Note:** A person must not undertake an action in or adjacent to medium conservation value vegetation where the requirements under the Threatened Species Conservation Act and an applicable Property Vegetation Plan certified by the relevant Catchment Management Authority have not been met.

### **3.13.6 Key fish habitat**

#### ***Objectives***

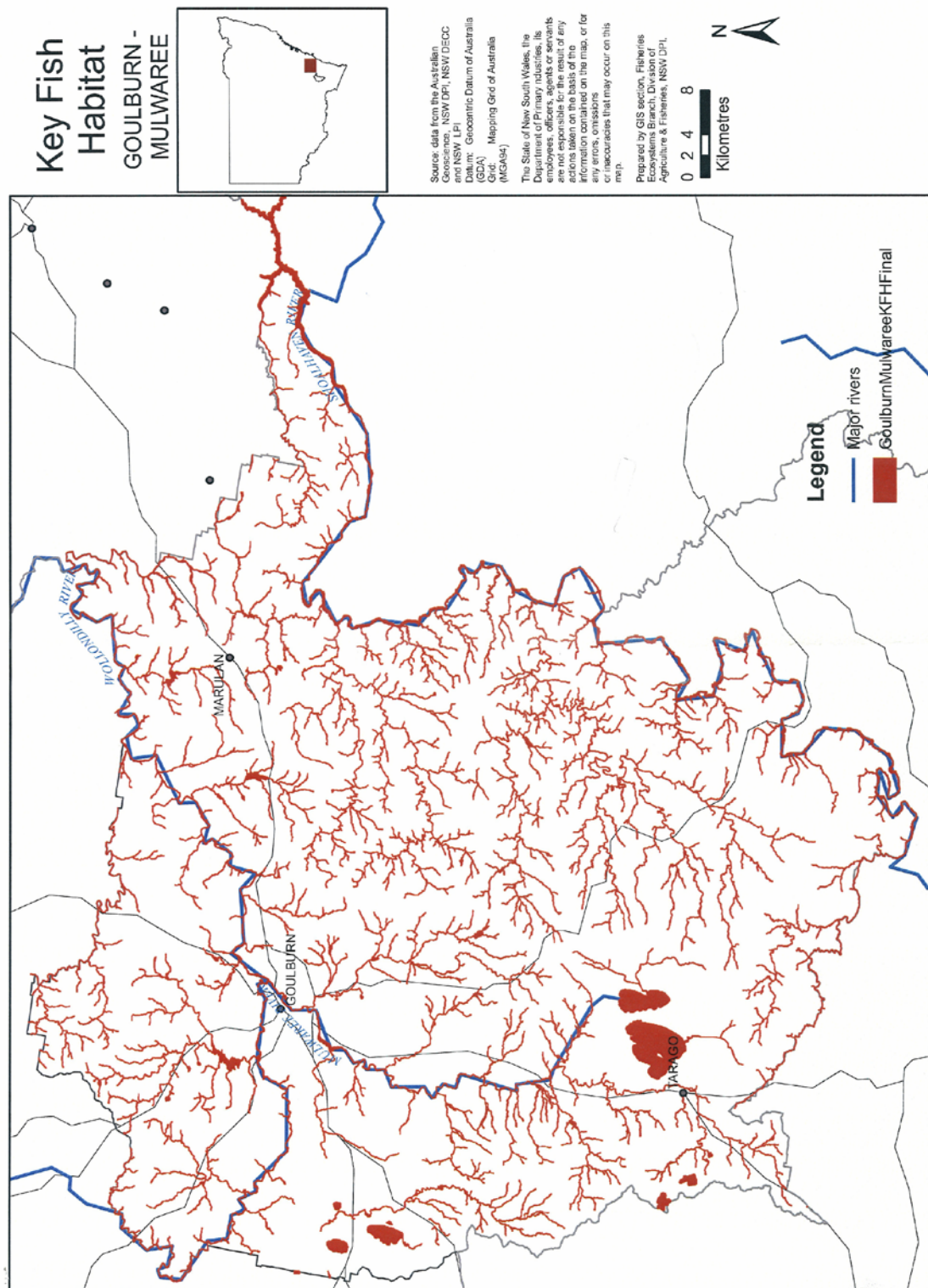
Protect and restore fish habitat.

Restore degraded vegetation in riparian corridors.

#### ***Controls***

- **NSW Department of Primary Industries:**
  - Many developments within or adjacent to waterways (Refer to Key Fish Habitat Map Figure 3.11) are subject to the provisions of the Fisheries Management Act 1994. The Act may apply regardless of whether or not development consent from Council is requested or has been granted.
  - Proponents are strongly advised to contact the Department of Primary Industries for advice before undertaking any development work in the Key Fish Habitat areas.
- **Key threatening processes:**
  - “Installation of instream structures that modify flow regimes” is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994.” Careful consideration of the appropriateness of a development proposal that will involve the installation of a dam, weir, causeway or culvert is required.
  - Removal of large woody debris (snags) is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994.” Careful consideration of the appropriateness of a development proposal that will involve or contribute to the removal of large woody debris is required.
  - “Degradation of Native Riparian Vegetation” is listed as a Key Threatening Process under the provisions of the Fisheries Management Act. Careful consideration of the appropriateness of a development proposal that will contribute to a loss or decline in riparian vegetation is required.

Figure 3-11: Key Fish Habitat



**Approvals or concurrence required from NSW Department of Primary Industries include:**

- Any dredging or reclamation in any waters (permanent or intermittent, man-made or natural, public or private) will require a permit from NSW DPI, whether carried out by a developer or the Council itself (unless approved by another NSW Public Authority). The definitions of dredging or reclamation under (s198-203) of the *Fisheries Management Act 1994* are very broad and essentially can be interpreted as any works within a waterway or “water land”. This potentially includes:
  - Waterway crossings, culverts, weirs, bridges or similar structures;
  - Water recreation structures (eg wharf, jetty, boat ramps);
  - Earthworks and drainage works (in “water land”);
  - Stormwater control devices;
  - Environmental protection work (e.g. erosion control devices, wetland restoration, riverbank erosion protection);
  - Extractive industries;
  - Flood mitigation work;
  - Maintenance dredging;
  - Irrigation works (pipelines, pumping stations);
- Any blockages or obstructions to fish passage under (s218-220) of the Fisheries Management Act 1994;
- Any release or importation of “fish” under (s216-217) of the Fisheries Management Act 1994 into any waters will require a permit from NSW DPI Fisheries;
- Removal or movement of in-stream snags including large woody debris or boulders (i.e. Fish Habitat Protection Plan No. 1);
- Use of explosives or electrical devices within a waterway under (s111-114) of the Fisheries Management (General) Regulations 1995; and
- Any damage to gravel beds in waters where trout are likely to spawn under (s206-207) of the Fisheries Management Act 1994.

**Subdivision – Consent Requirements**

NSW DPI recommends that the consent authority, before granting consent for subdivision, must consider the following matters:

1. Roads or subdivision access across watercourses are potential blockages to fish passage. Single access points across a watercourse should be incorporated into planning (e.g. a single road easement across a watercourse to subdivisions). All such structures should require development consent and a minimum requirement to grant consent should be compliance with NSW DPI's Policy and Guidelines for Waterway

Crossings (Why do fish need to cross the road?) which is available from the Department's website.

2. Rural subdivision adjacent to waterways needs to be minimised or controlled so that there is no net increase in basic riparian water rights and extraction levels of surface water from natural watercourses. Subdivision of water front land can result in a proliferation of Basic Landholder Rights (formerly Riparian Rights) administered by the Water Management Act 2000. Increased extraction has a severe cumulative negative impact on the protection of downstream aquatic habitats.

**Advisory Note:** (1) Excavation of material from the bed or banks of a waterbody, (2) depositing any sand, soil, rock, rubble or other material on the bed of a waterbody, (3) constructing a structure (weir, dam, causeway etc) within a waterbody such that the flow of water or the free passage of fish may be obstructed, or (4) extracting water from the waterway may require a permit in accordance with the provisions of the Water Management Act, Rivers and Foreshores Improvement Act or the Fisheries Management Act. Please check with the Department of Water and Energy and the Department of Primary Industries.

**Advisory Note:** "Degradation of native riparian vegetation along NSW waterways", "Removal of large woody debris (snags)" and "Installation and operation of instream structures and other mechanisms that alter natural flow regimes of rivers and streams" are listed as Key Threatening Processes under the provisions of the Fisheries Management Act. Careful consideration of the appropriateness of a development proposal that will contribute to a loss or decline in native riparian vegetation, involve the removal of snags or involve the installation or change in operation of an instream structure is required. If the area is habitat for a threatened species, population or community of fish, then a "significant impact" is likely to be the conclusion of the 7 part test and a Species Impact Statement will be required.

**Advisory Note:** Any removal of native vegetation including trees, shrubs and other vegetation that occurs in an area zoned non-urban and non-industrial may require consent under the Native Vegetation Act unless an exemption applies. Applicants should contact the Hawkesbury Nepean or Southern Rivers Catchment Management Authority for details.

### 3.14 Stormwater Pollution

#### **Objective**

Improve water conservation, reduce stormwater run-off and pressure on the existing stormwater system, and increase on-site storage of rainwater.

## **Controls**

Stormwater pollution is caused by litter, debris and dust which is washed off the streets and other surfaces during rainfall. Pollution is increased by chemicals and products that are poured or leak into drains and also by sewer overflows. Traditionally, the management of urban stormwater has relied upon engineering hard pipe and channel systems. Whilst these systems have minimised the social and economic costs of flooding, and have mostly been effective at removing stormwater at speed, there have been considerable environmental costs. Furthermore, many parts of our stormwater systems need upgrading because of inadequate maintenance, changes in design standards or increased urban settlement in catchment areas.

New development should incorporate perforated pavement materials, such as paving with wide bands of gravel aggregate, to allow the water to be absorbed into the ground.

Ensure large development sites 'fit' as much as possible, within the hydrology of the natural system. Reduce the possibility of pollutants entering the stormwater system, increase stormwater detention and reduce erosion and sedimentation.

Stormwater infrastructure in large developments should provide maximum infiltration and retardation of peak stormwater flows.

Where open spaces are integrated as part of a large development, investigate their dual use for site drainage by means of infiltration and/or delayed release to the stormwater system.

On-site detention, especially when used on unpaved or grass surfaces, can trap and remove contaminants from stormwater and increase infiltration into the ground.

Ensure compliance with Part 5 of the Drinking Water Catchment REP.

Reference should also be made to 3.15 following, which outlines the requirements for developments in the drinking water catchment and current recommended practices and performance standards endorsed or published by the Sydney Catchment Authority that relate to the protection of water quality.

### 3.15 Impacts on drinking water catchments

#### **Objectives**

Ensure water catchments deliver high quality water while sustaining diverse and prosperous communities.

Improve water quality in degraded areas and critical locations where water quality is not suitable for the relevant environmental values.

Maintain or improve water quality where it is currently suitable.

Satisfy the requirements of the *Drinking Water Catchments Regional Environmental Plan No 1* and the *Water Management Act 2000*.

#### **Controls**

For development within the Sydney Drinking Water Catchment, applicants should address the relevant provisions of Part 5 the *Drinking Water Catchments Regional Environmental Plan No 1*, where applicable.

The following are the equivalent of REP clauses 25, 26 and 28:

“Development within the Sydney Catchment Authority’s Hydrological Catchment

1. In this clause:

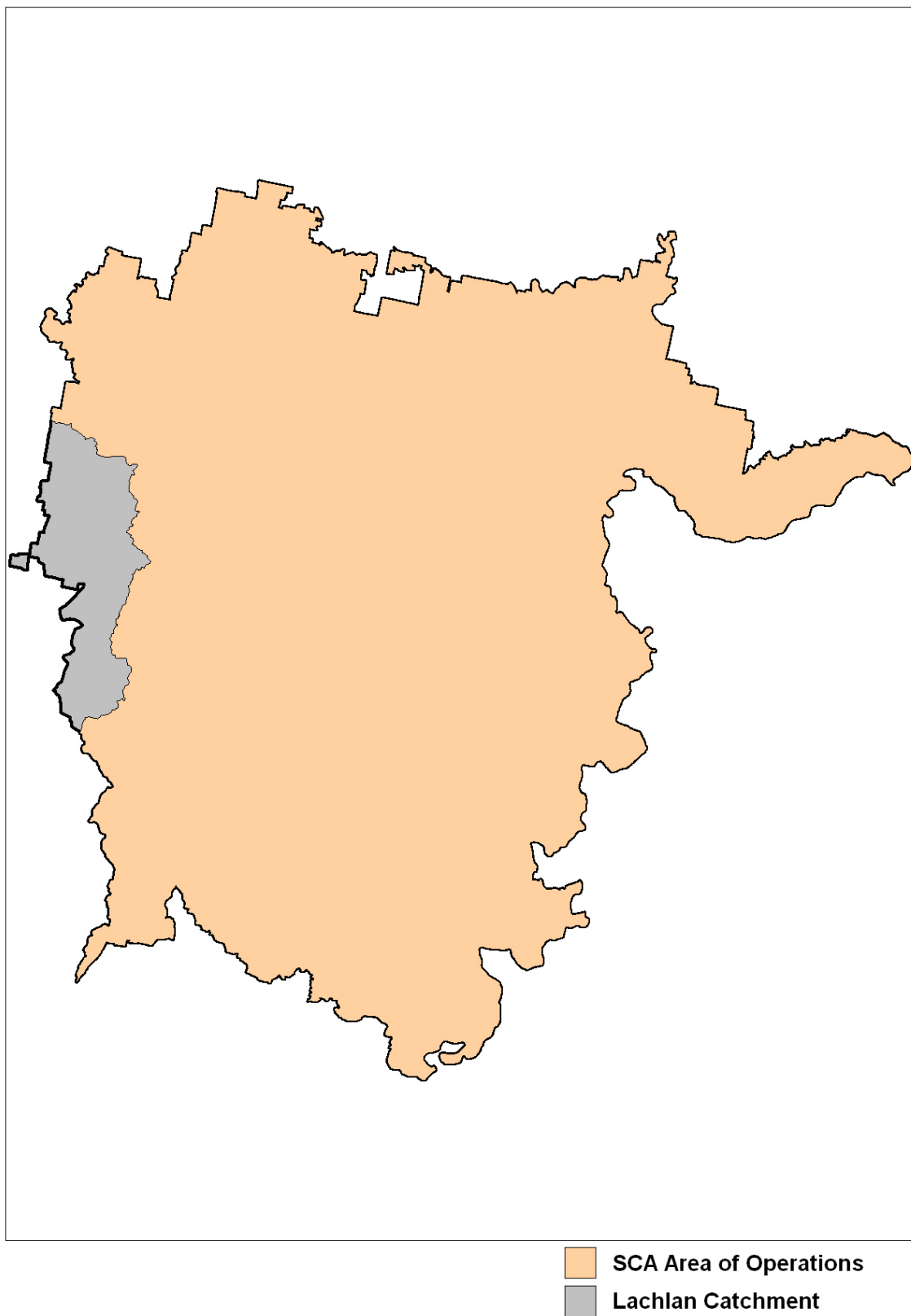
**Sydney Drinking Water Hydrological Catchment** means the land identified on the Sydney Drinking Water Hydrological Catchment Map (Figure 3.12).

**Chief Executive** means the Chief Executive of the Sydney Catchment Authority.

2. Recommended practices and performance standards of the Sydney Catchment Authority

- Any development or activity proposed to be carried out on land to which this plan applies should incorporate any current recommended practices and performance standards endorsed or published by the Sydney Catchment Authority that relate to the protection of water quality (the Authority’s current recommended practices and standards).
- If any development or activity does not incorporate the Authority’s current recommended practices and standards, the development or activity should demonstrate to the satisfaction of the consent authority or determining authority how the practices and performance standards proposed to be adopted will achieve outcomes not less than the Authority’s current recommended practices and standards.

**Figure 3-12: Sydney Drinking Water Hydrological Catchment**



3. Development consent cannot be granted unless neutral or beneficial effect on water quality

A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the hydrological catchment unless:

- it has considered whether the proposed development will have a neutral or beneficial effect on water quality, and
- it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.

4. Development that needs concurrence of Chief Executive.

- A person must not carry out development on land in the hydrological catchment except with the concurrence of the Chief Executive (except as provided by subclause (3)).
- For the purposes section 30(3) of the Act, the matters that are to be taken into consideration by the Chief Executive in deciding whether to grant concurrence are:
  - i. whether the development incorporates any current recommended practices and performance standards endorsed or published by the Sydney Catchment Authority that relate to the protection of water quality, and
  - ii. if the development does not incorporate those practices and standards, whether the alternative practices that relate to the protection of water quality that have been adopted in relation to the development will achieve at least the same outcomes as those practices and standards, and
  - iii. whether the development will have a neutral or beneficial effect on water quality.

5. This clause does not apply if the consent authority is satisfied that the proposed development:

- has no identifiable potential impact on water quality, or
- will contain any such impact on the site of the development and prevent it from reaching any watercourse, waterbody or drainage depression on the site, or

- will transfer any such impact outside the site by treatment in a facility and disposal approved by the consent authority (but only if the consent authority is satisfied that water quality after treatment will be of the required standard).

6. For the purposes of subclause (3), **site** means the site of the proposed development.
7. A consent authority must forward a copy of its determination of a development application which required concurrence of the Chief Executive to the Chief Executive within 10 days after the determination is made.

Development within the Sydney Drinking Water Catchment must comply with the neutral or beneficial effect on water quality test, in accordance with the Sydney Catchment Authority Neutral or Beneficial Effect on Water Quality Assessment Guidelines (2006).

For development within the Goulburn Mulwaree Drinking Water Catchment, as a water supply authority, Council requires applicants to apply for a compliance certificate pursuant to section 305 of the *Water Management Act 2000*.

To guide development and help manage water quality impacts from various land uses and developments, the SCA has endorsed a number of development and management practices. The endorsed practices are referred to as current recommended practices (CRPs). For new development and activities in the catchment, the REP requires the incorporation of any CRPs and performance standards endorsed by the SCA to be considered, or alternatively the adoption of innovative approaches that achieve the same or better quality outcomes.

The following list details the development and management activities that the SCA has endorsed CRPs for:

- wastewater management
- erosion and sediment controls for urban development
- erosion and sediment controls for non-urban development
- rural roads standard
- low density subdivision
- water sensitive urban design
- stormwater management
- waste and recycling

- agricultural management practices (horticulture, grazing poultry, etc).

A complete copy of current recommended practices can be found on the SCA website:  
[www.sca.nsw.gov.au](http://www.sca.nsw.gov.au).

### 3.16 Bushfire risk management

#### **Objectives**

Provide for the protection of human life (including firefighters).

Minimise impacts on property from the threat of bush fire, while having due regard to development potential, on-site amenity and protection of the environment.

Afford occupants of any building adequate protection from exposure to a bush fire.

Provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and material ignition.

Ensure that safe operational access and egress for emergency service personnel and residents is available.

Provide for ongoing management and maintenance of bush fire protection measures, including fuel loads in the asset protection zone (APZ).

Ensure that utility services are adequate to meet the needs of firefighters (and others assisting in bush fire fighting).

#### **Controls**

All development on land that is classified as bush fire prone land identified on Council's bushfire prone land map must be developed in accordance with the Rural Fire Service *Planning for Bush Fire Protection Guidelines (2006)*.

"The Rural Fire Service advises that any development on bush fire prone land will be subject to the requirements of Section 79BA of the *Environmental Planning and Assessment Act 1979* and Section 100B of the *Rural Fires Act 1997*.

Additionally, the following bushfire matters should be provided for in the planning stages of any development:

- The future management regimes for any areas of hazard remaining within the subject area. This should focus on the level of hazard posed to future development by the land or adjacent land and how the hazard may change as a result of development.

- Minimising the impact of radiant heat and direct flame contact by separating the development from the bush fire hazard by identifying the extent to which future development can provide for asset protection zones in accordance with *Planning for Bush Fire Protection 2006*. Setbacks will depend on proximity to vegetation, vegetation type and slope.
- Substantial revegetation of a property, a riparian or wildlife corridor may increase bush fire risk to proposed or existing development. Any proposed revegetation should be undertaken in such a way that limits the spread and occurrence of fire.
- A plan of management will need to include fuel management within the development and maintenance of asset protection zones in accordance with *Planning for Bush Fire Protection 2006* and the Service's document 'Standards for asset protection zones'.
- Roads within new development areas are designed to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*."

Note: RFS has made getting additional information easier. For general information on *Planning for Bush Fire Protection 2006*, visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under *Planning for Bush Fire Protection 2006*

### 3.17 Heavy Vehicle generating developments – Haulage Routes

#### **Objectives**

Ensure village and rural amenity levels are maintained or improved on current levels along haulage routes to and from the development site.

#### **Controls**

A principal haulage route needs to be nominated when submitting a development application for a project such as a quarry, transport terminal, distribution centre or the like, which involves significant heavy vehicle movements. The applicant needs to justify selection of the haulage route based upon traffic engineering grounds, amenity considerations and availability of alternative options (i.e. rail). If the existing road network is unsatisfactory then upgrades will be required.

The following level of detail is required to be submitted for Council's consideration:

Impact on the road network:

- Existing traffic movements along the haulage route.

- Estimated increase in traffic movements resulting from the proposed development. This includes detail of any staging proposal, truck / car ratio and the life of the project / development.
- Foreseeable increases in traffic movements resulting from other known development (i.e. subdivision of land etc).
- Heavy vehicle type and volume (i.e. rigid or articulated, covered or uncovered).
- Type of material transported.
- Hours of operation and frequency of movements.

Impact on amenity and the environment – Rural, Village Zones and generally:

- Proximity of haulage route to residence, community land etc.
- Community expectation including ambience and enjoyment of life.
- Community assets including accessibility to parks by residents and visitors.
- Noise generation.
- Vibration generation.
- Visual impact.
- Pedestrian safety and safety of other road uses.
- Impact on roadside habitat resulting from road upgrade works.
- Consistency with the objectives of all zones that the haulage route passes through.

Note: Road standards are provided in chapter 7.2.

### **3.18 Change of use involving “existing use” provisions**

#### ***Objective***

Ensure any change of use which involves “existing use” provisions is compatible with the relevant zone objectives.

#### ***Definitions***

*Environmental Planning and Assessment Act 1979 No 203 – 17 July 2008*

### **“Definition of “existing use”**

In this Division, ***existing use*** means:

- (a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for Division 4A of Part 3 or Division 4 of this Part, have the effect of prohibiting that use, and
- (b) the use of a building, work or land:
  - (i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and
  - (ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.”

*Environmental Planning and Assessment Regulation 2000 – 17 July 2008*

### **“Certain development allowed**

- (1) An existing use may, subject to this Division:
  - (a) be enlarged, expanded or intensified, or
  - (b) be altered or extended, or
  - (c) be rebuilt, or
  - (d) be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or
  - (e) if it is a commercial use – be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or
  - (f) if it is a light industrial use – be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).
- (2) However, an existing use must not be changed under subclause (1) (e) or (f) unless that change:

- (a) involves only alterations or additions that are minor in nature, and
  - (b) does not involve an increase of more than 10% in the floor space of the premises associated with the existing use, and
  - (c) does not involve the rebuilding of the premises associated with the existing use, and
  - (d) does not involve a significant intensification of that existing use, and
  - (e) relates only to premises that have a floor space of less than 1,000 square metres.
- (3) In this clause:

**commercial use** means the use of a building, work or land for the purpose of office premises, business premises or retail premises (as those terms are defined in the *Standard Instrument (Local Environmental Plans) Order 2006*).

**light industrial use** means the use of a building, work or land for the purpose of light industry (within the meaning of the *Standard Instrument (Local Environmental Plans) Order 2006*)."

**Note:** Development consent is required for the matters listed under subclause (1).

**"Existing use" changed to another use**

Changes to development involving existing use rights are to satisfy the zone objectives pertaining to the subject land.

**Note:** Additional controls pertaining to "existing uses" can be found in the legislation at:

- Environmental Planning and Assessment Act 1979 – Part 4 Division 10.
- Environmental Planning and Assessment Regulation 2000 – Part 5.

## 4 Principal development controls – Urban

### 4.1 Residential development

**Reference:** The NSW Housing Code (SEPP (Exempt and Complying Development Codes) 2008) commenced Friday 27 February 2009.

The SEPP specifies exempt development and complying development and the complying development conditions. The Policy has State – Wide application.

This Section applies to residential development, residential development in business zones and miscellaneous development in residential zones.

#### 4.1.1 Site facilities

##### **Objectives**

Design to integrate adequate and convenient site facilities such as storage, recycling and collection areas into the overall development.

Ensure site facilities are practical and easily maintained.

##### **Controls**

Garbage bins, waste recycling areas, mailboxes and external storage facilities should be adequate in size, durable, waterproof, blend in with the development, avoid visual clutter and be accessible to the users of the building and service vehicles.

Ensure garbage storage and waste recycling areas are not located adjacent to any residential habitable rooms.

Provide adequate internal storage and design internal layouts to allow the building to be re-used for other purposes in the future.

#### 4.1.2 Site planning, Bulk, Scale and Density

##### **Objective**

Achieve a coherent site layout that provides a pleasant, attractive, manageable, resource efficient and sustainable living environment.

Ensure bulk and scale does not have an unacceptable impact on the streetscape and the character of the locality.

Higher density developments are located close to public transport shopping and community facilities.

### **Controls**

Ensure the site layout integrates with the surrounding environment through:

- adequate pedestrian, cycle and vehicle links to street and open space networks;
- buildings facing streets and public open spaces;
- building, streetscape and landscape design relating to the site topography and the surrounding neighbourhood character.

(i) Floor space ratio – Residential Development in Business zones

Building bulk is to be controlled by the following floor space ratio's (FSR) in business zones:

- B2 Local Centre – FSR 1.2:1;
- B3 Commercial Centre – FSR 2:1;
- B4 Mixed Centre – FSR 1.5:1
- B6 Enterprise Corridor – FSR 0.8:1

FSR represents the ratio of the gross floor area of all buildings within the site. Clause 4.5 (LEP), demonstrates the method of calculation of floor space ratio and site area.

Residential accommodation is permissible in Business zones:

- B2 Local Centre (except residential flat buildings);
- B4 Mixed Centre; and
- B6 Enterprise Corridor (except residential flat buildings and shop top housing).

Residential accommodation is prohibited in Business zones B1 and B3 (except shop top housing).

Percentage of residential development allowed in Business zones:

- B1 Neighbourhood Centre and B3 Commercial Core – Nil (except for shop top housing);
- B2 Local Centre– 40% of gross floor area;

- B4 Mixed Business – 100% of gross floor area;
- B6 Enterprise Corridor – 20% of gross floor area.

The minimum gross floor area for dwelling units all Business zones is 150m<sup>2</sup>.

The following is an example of the calculation of maximum number of multi unit dwellings allowed in the Business B2 Local Centre zone:

- Subject lot area – 1000m<sup>2</sup>;
- Gross floor area (GFA) is calculated by multiplying FSR (1.2) by site area (1000) which is 1200m<sup>2</sup>;
- Minimum GFA for a single dwelling unit is 150m<sup>2</sup>;
- Allowable residential percentage is 40%;
- Number of dwelling units is calculated by dividing 40% of the FSR (1200) by minimum GFA for a single dwelling unit (150) which is 3.2.

Maximum theoretical number of dwelling units for this site is 3.

Developments with higher floor space ratios are to be located:

- within walking distance of good public transport; or
- within reasonable walking distance of shopping and community facilities; or
- where favourable physical conditions exist such as an outlook onto public open space, a wide road, corner position, a north-facing slope, rear lanes or multiple access opportunities; or on sites larger than normal infill sites (eg. greater than 1000m<sup>2</sup>).

(ii) Neighbourhood shop development in residential zones.

The total floor area for “neighbourhood shops” in R1 General Residential and R2 Low Density Residential zones is not to exceed 1000m<sup>2</sup> of which a small supermarket shall be no more than 800m<sup>2</sup>.

(iii) Places of public worship in R2 Low Density Residential zones.

Gross floor area of places of public worship shall not exceed 150m<sup>2</sup>.

(iv) Multi unit residential accommodation density.

The minimum average amount of site area required for each dwelling in dual occupancy and multi unit residential accommodation development is:

- R1 General Residential and R2 Low Density Residential – 350m<sup>2</sup> per dwelling unit.
- R5 Large Lot Residential (minimum lot size 2000m<sup>2</sup>) – 1000m<sup>2</sup> per dwelling unit.
- R5 Large Lot Residential (minimum lot size 2 hectares) – 1 hectare per dwelling unit.
- RU5 Village – 750m<sup>2</sup> per dwelling unit.

Note: To ascertain minimum allowable lot sizes for individual sites reference should be made to the lot size maps (LEP 2009).

Multi unit residential accommodation is permissible in:

- R1 General Residential zone;
- R2 Low Density Residential zone (except residential flat buildings);
- R5 Large Lot Residential zone (except attached dwellings, multi dwelling housing and residential flat buildings);
- RU5 Village

The following is an example of the calculation of maximum number of multi unit dwellings allowed in residential zones:

- Zone R1 General Residential;
- Subject lot area – 1000m<sup>2</sup>;
- Average Site area required for each proposed dwelling unit – 350m<sup>2</sup>;
- Number of dwelling units is calculated by dividing lot area (1000) by unit site area required (350);
- Maximum number of units allowed (rounded) is 3.

Note: this theoretical calculation is based on full reticulated services being available to the site.

(v) Residential Flat Design Code

Reference:

- State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development and Residential Flat Design Code found at:

<http://www.planning.nsw.gov.au/design-quality-of-residential-flat-buildings>

When designing Residential Flat development, at a minimum the proposal shall comply with the stated design code.

#### **4.1.3 Number of storeys**

***Objective***

Minimise the impact of building heights on neighbours of proposed residential development.

***Controls***

Dwellings and multi dwellings are recommended to have a maximum of 2 storeys outside the statutory height mapped areas

(Refer also to height of buildings maps in the LEP 2009).

#### **4.1.4 Solar access**

***Objective***

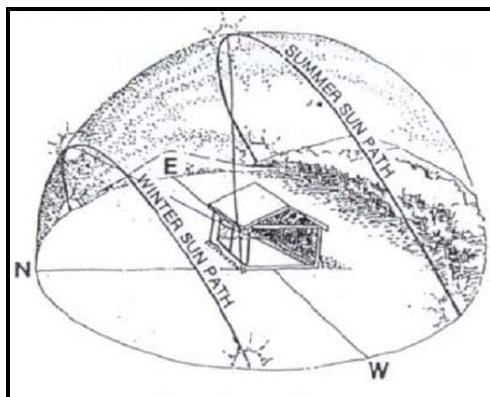
Achieve energy efficient urban housing, using passive solar design that provides residents with year round comfort and reduces energy consumption.

***Controls***

Residential buildings shall be designed to ensure that the proposed dwelling, adjoining residential buildings, and the major part of their landscaped open space, have at least four hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).

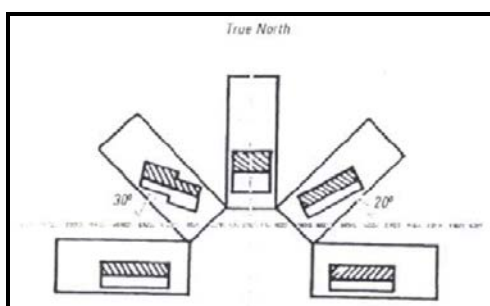
**Figure 4-1** identifies the variation of the sun's path in winter and summer.

**Figure 4-1: Variation of the sun's path**



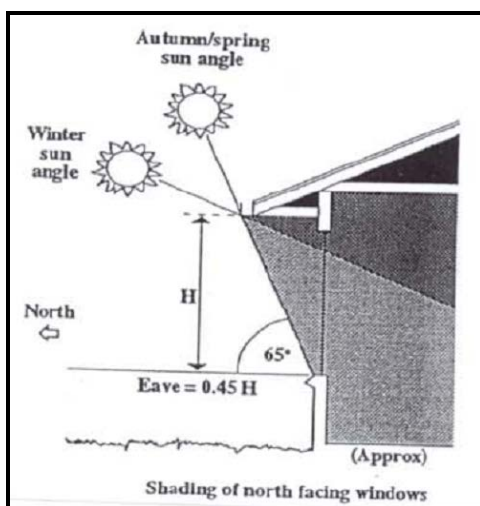
The dwelling should be designed and positioned so that the greatest potential for adequate shade in summer and exposure to sunlight in winter occurs (where windows to living areas of dwellings have an orientation within an angle of 20 degrees east and 30 degrees west from the north).

**Figure 4-2: Best orientation of buildings**



Shaded areas in **Figure 4-2** identify the preferred location of habitable rooms relative to True North to maximise energy efficiency. Where possible, buildings are orientated on a north-south or east-west access to maximise solar access.

**Figure 4-3: Shading of north facing windows**



**Figure 4-3** demonstrates the shading of north facing windows in buildings with optimum orientations. Eaves on north facing walls should be designed to completely shade windows in summer but allow the sun to shine through in winter. To calculate the distance the eaves should overhang, from the base of the window on an elevated plan, draw a line at 65°. Methods for shading the glass with awnings or vegetation should be considered.

## 4.1.5 Privacy

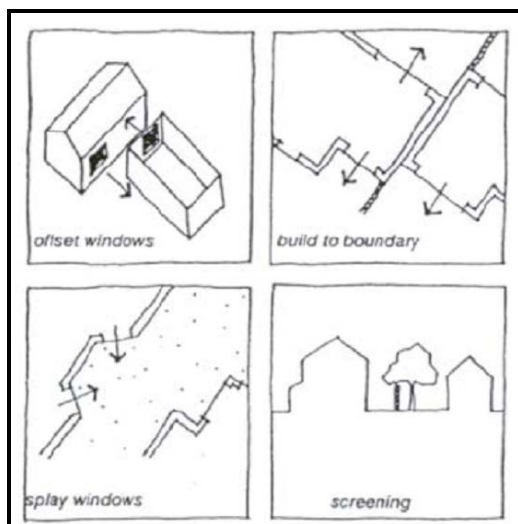
### Objectives

Ensure privacy between dwellings.

Avoid overlooking of living spaces in buildings and private open spaces.

### Controls

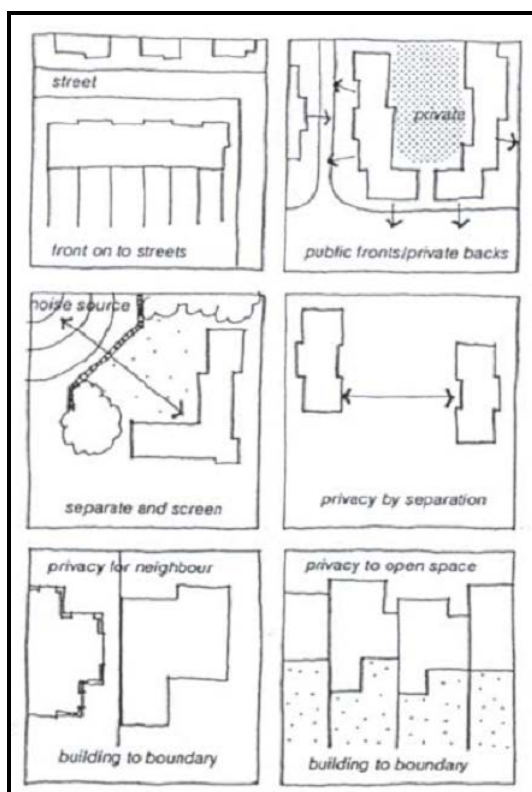
**Figure 4-4: Locating windows to reduce overlooking**



Visual privacy for adjoining properties and within development projects can be achieved by:

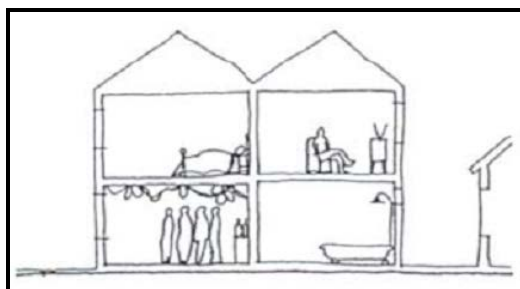
- using windows which are narrow, translucent, or obscured
- ensuring that windows do not face directly onto the windows, balconies, or courtyards of adjoining dwellings (refer to **Figure 4-4**)

**Figure 4-5: Designing for privacy**



- screening devices and landscaping opposing windows, balconies and courtyards
- windows and balconies of dwellings to be separated or screened from commercial areas so as to avoid overlooking of private open space (refer to **Figure 4-5**)

**Figure 4-6: Designing for acoustic privacy**



Noise generating areas of a development (e.g. driveway entrances to car parks, air conditioning plant and swimming pool areas) should be adequately screened or located away from the bedroom areas to minimise their impact on neighbouring areas (refer to **Figure 4-6**).

Bedrooms of one dwelling must not share walls with living rooms or garages of adjacent dwellings; and

Bedroom windows are to be at least 3 metres from shared streets, driveways and parking areas of other dwellings.

#### 4.1.6 Private Open Space

##### **Objective**

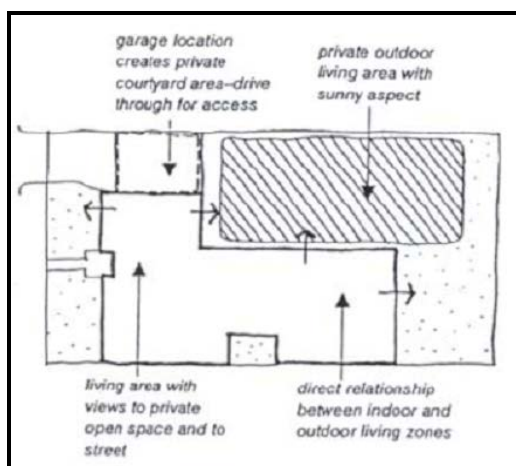
Provide open space for recreation within the site.

Maintain and enhance the existing streetscape and landscape character.

Provide for privacy and shade.

### Controls

**Figure 4-7: Optimising private open space**



Whenever possible, open space is to be orientated to have a north easterly aspect and living areas are to open out thereon, whenever possible (refer to **Figure 4-7**).

Areas used for driveways, car parking, drying yards and service yards shall not be included as landscaped open space.

Recommended amount of private open space per dwelling is 75 m<sup>2</sup>.

## 4.1.7 Setbacks

### Objective

Setbacks should relate to the traffic function of the street and to setbacks of adjacent development. The objective of a setback is to:

- maintain, as a minimum, the following setbacks for both privacy and amenity
- set back buildings from roads so as to enable landscaping to provide for attractive streetscapes
- permit flexibility in the siting of buildings
- minimise adverse impact on adjacent and adjoining properties

In established areas, the objective is to blend new development into the public streetscape. The setback of buildings contributes to existing or proposed streetscape character, assists the integration of new development into the public streetscape, makes efficient use of the site and provides amenity for residents.

### Controls

#### 4.1.7.1 Side and rear setback

Council will generally consider setback applications on their merits provided that dwelling structures are adequately separated for privacy and overshadowing does not result (including private open space and dwelling structures on adjoining land not in the same ownership). In addition, the wall proposed to be constructed adjacent to the allotment boundary must comply with the Building Code of Australia fire rating requirements and where the site can be viewed from a public place side and rear set backs shall be a minimum of 3 metres.

#### 4.1.7.2 Front setback (building line)

Generally, Council will consider flexibility in front setbacks, however the following development standards are recommended.

In areas being newly-developed areas, setbacks (inclusive of verandah, porch etc) from the street boundary should be a minimum of 6 metres, however Council will consider setbacks in accordance with **Table 4-1** where it can be demonstrated that the setback is appropriate.

**Table 4-1: Minimum front setbacks in new areas**

Street Type	Minimum frontage setback (m)	Minimum side setback to corner street (m)
Local access street	3	3
Classified road	6	3

The setback may be averaged, providing no part of the building is setback less than 2 metres.

In established areas where the setback of an adjacent building is greater than 3m, infill development is to be setback:

- the same distance as one of the other adjoining buildings, provided the difference between the setbacks of the two adjoining buildings is less than or equal to 2 metres
- the average of the setbacks of the adjoining dwellings if the difference between the setbacks of the adjoining building is greater than 2 metres

The setback of buildings in the Heritage Conservation Area or near heritage items shall match that of adjacent development.

In establishing areas where the setbacks of adjacent buildings are 0-3 metres, infill development is to be set back the same distance as one or the other of the adjoining dwellings.

Garages are to be setback a minimum of 5.5 metres from the front property boundary to allow vehicles to stand on site.

#### **4.1.8 Views**

##### ***Objectives***

To minimise, where possible, the obstruction of views from adjoining buildings or public places.

To maximise views from living areas within the allotment.

##### ***Controls***

Step buildings to follow the slope of the land.

Minimise the height of buildings and planting on the highest part of the site.

Council may require an applicant to provide a survey showing the position of the proposal on its site, the location of adjoining buildings and the degree of view lost.

Retain and protect existing vegetation where possible.

#### **4.1.9 Traffic safety and management**

##### ***Objectives***

Reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation.

Provide sufficient and convenient parking for residents, visitors and service vehicles.

Ensure vehicular and pedestrian safety.

Encourage access design to form part of the overall landscape design.

Provide acceptable levels of access, safety and convenience for all road users.

##### ***Controls***

#### 4.1.9.1 Car parking and driveways

**Figure 4-8: Preferred garage treatment**



The visual impact of garages is to be minimised, as illustrated on **Figure 4-8**.

All garage and carport entries are to be set back from the front facade of the dwelling by a minimum of 1 metre, and a minimum of 5.5 metres from the front property boundary.

For residential development, the minimum standard of provision is detailed at **clause 3.4** of this plan.

Parking areas and driveways shall be designed in accordance with Council's Standards for Engineering Works, July 2009 and Access, Driveways and Parking Areas, 2001

All driveways, paths, car parking areas are to be paved in brick pavers, bitumen, concrete or another approved manner. Use of decorative paving is encouraged.

Long, straight driveways are to be avoided, eliminated or appropriately screened to Council's satisfaction.

Paved area is to be minimised.

Access for one dwelling via right of carriageways is to be a minimum of 3.5 metres in width (excludes traffic control devices), except when it is more than 40 metres long where the minimum width increases to 5 metres.

#### 4.1.10 Site facilities

##### **Objectives**

Design to integrate adequate and convenient site facilities such as storage, recycling and collection areas into the overall development.

Ensure site facilities are practical and easily maintained.

##### **Controls**

Garbage bins, waste recycling areas, mailboxes and external storage facilities should be adequate in size, durable, waterproof, blend in with the development, avoid visual clutter and be accessible to the users of the building and service vehicles.

Ensure garbage storage and waste recycling areas are not located adjacent to any residential habitable rooms.

Provide adequate internal storage and design internal layouts to allow the building to be re-used for other purposes in the future.

#### **4.1.11 Energy efficient siting and layout**

##### ***Objective***

Achieve improved energy efficiency through the siting and design of all buildings.

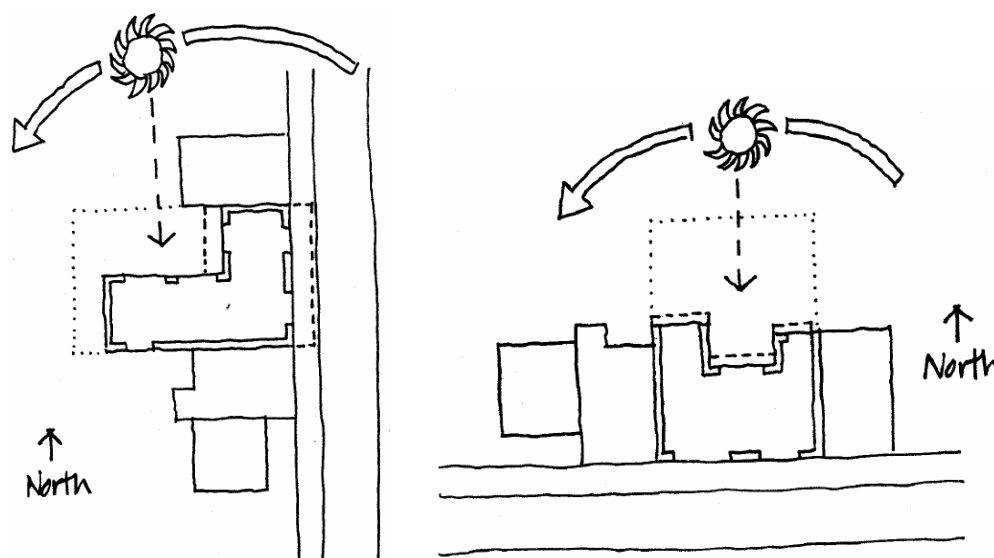
Building shape and orientation have a high impact on the energy performance of a building. A well designed building has the potential to reduce energy costs by up to 50%. The improved performance does not have to add to the project cost or change the appearance of a building.

##### ***Controls***

Building shape and orientation are major influences that affect energy consumption. The most critical element of a building's form is the size and orientation of its windows. The shape of a building influences the amount of floor area that can benefit from daylight through windows. Daylight is generally useful to a depth of 4-6 metres from a window.

Buildings should be designed to ensure that much of the floor area is within a 4-6 metre distance of an external window. An elongated plan shape produces this characteristic, as will the use of an atrium or courtyard. Maximise north and south facades, whilst minimising east and west facades (refer to **Figure 4-2 & 4-9**).

**Figure 4-9: Examples of building orientations to maximise energy efficiency**



#### 4.1.12 External window shading and internal and external lighting

##### **Objectives**

Integrate external window shading into the design of buildings to improve energy efficiency and comfort.

Maximise natural light to buildings and reduce the use of non-renewable energy resources.

##### **Controls**

Ideally, shading devices should be external.

North facing windows can provide valuable heat gain and light in winter but should be shaded from direct sunlight in summer.

East and west facing windows are difficult to shade in summer and should be minimised. South facing windows require no shading but can cause substantial heat loss in winter.

Maximise north and south windows and minimise those facing east and west.

For north facing walls provide horizontal shading devices such as awnings, upper floor balconies, pergolas, verandas, eaves and overhangs.

Where windows face east or west, vertical shading devices such as blinds, shutters, adjustable awnings and landscaping should be used.

Consider the location, shape, type and height of fully grown trees when using landscaping as a shading device.

Shading materials are to comply with C1.10 of the Building Code of Australia.

The choice of glass depends upon whether you want to maximise the sunlight or heat loss, or minimise heat gain into the building.

The use of skylights, light wells, and atriums can let additional daylight into a building although provision of shading in summer and possible heat loss in winter will need to be considered.

The need for artificial lighting can be reduced by the correct orientation and design of the building and the size and placement of windows and service areas which require high lighting levels (e.g. desks or workstations, by individual task lights).

Lighting costs can be reduced by selecting low energy lamps, ballasts and fittings which provide the desired level of illumination but consume 75% less energy. Lighting controls can be fitted to ensure that lights are not left on when not required. For instance, switches should be provided for separate zones within a large room and for task lights. Time switches or movement sensors should be employed for areas with sporadic use.

Lighting systems should be designed to supplement daylight in order to provide appropriate lighting levels for specific tasks.

#### **4.1.13 Insulation**

##### ***Objectives***

Improve the energy efficiency and comfort of buildings by designing to make the best use of natural ventilation.

##### ***Controls***

Windows should be oriented to take advantage of the cooling summer breezes. The position of internal walls and partitions should allow the passage of air through the building although, in some cases, ceiling fans may be required.

In cases where mechanical ventilation is necessary (e.g. kitchens, some computer rooms or areas where external noise levels are high), ensure that the system installed has appropriate controls which can cater for the particular use of the building whilst maximising the conservation of non-renewable energy.

Significant factors affecting natural air movement are:

- building form and the location of windows
- site and landscaping features

- internal planning and design

Ventilation can be achieved in the following ways:

- cross ventilation, where air enters a building from one side passing out on the other, replacing warm inside air with cooler outside air
- stack effect, where warm air rises through the height of the building, and is replaced by cool air at the base of the building
- artificial ventilation, where fans are used to extract warm air allowing it to be replaced by cool air

For effective ventilation:

- locate openings on opposite sides of rooms
- locate windows and openings in line with each other, and where possible, in line with prevailing breezes - a low level inlet and high level outlet is preferable
- use water features such as fountains in strategic positions to cool breezes
- consider strategic positioning of vegetation to modify wind direction
- use ceiling fans to provide a high level comfort on most hot days, at low running costs

Use window types that provide security while allowing for good ventilation.

Design buildings with a maximum internal dimension between openings of 14m to maximise natural ventilation without compromising other design elements.

Ensure ventilation can be achieved by permanent openings, windows, doors or other devices, which have an aggregate opening or openable size of not less than 5% of the floor area of the room.

In restaurants or buildings with kitchens where mechanical ventilation is needed, use those which operate directly above cookers, rather than designing high ventilation rates through the whole kitchen.

#### **4.1.14 Space heating and cooling**

##### ***Objectives***

Where thermal comfort cannot be achieved through building design elements choose energy-efficient and environmentally-friendly space heating and cooling systems.

### **Controls**

If air conditioning is necessary, install a unit with sufficient controls to ensure that it is used only when required. Consider partial air-conditioning directed to areas, rooms where it is needed, whilst the rest of the building remains naturally ventilated.

When choosing heating, consider which type is most suited to your particular needs, i.e. usage patterns, location of staff etc. As with other equipment select heating devices that have appropriate controls to cater for the particular use of the building whilst maximising the conservation of non-renewable energy.

Use passive methods of minimising heat gain.

Design buildings with window shading, appropriate insulation, and sealed against hot air infiltration during the day, incorporating ventilation and natural cooling.

## **4.1.15 Water pollution**

### **Objectives**

Minimise water pollution caused by new development.

### **Controls**

During construction the potential to pollute is high. To reduce this risk Council may require:

- on-site wheel and vehicle base cleaning facilities to reduce soil and contaminated material leaving the site
- protection of as much existing vegetation as possible to reduce erosion
- storage of building materials on site to minimise stormwater contamination

To ensure all potential water pollutants are controlled and dealt with on site. Council may require devices such as:

- effective bunding
- retention pits
- grease traps
- booms and trash racks
- silt and litter arrester pits
- siltation ponds

These lists are not exhaustive and may vary as innovative products and methods are developed.

The pollution of any waters is prohibited. Discharges from premises of any matter, whether solid, liquid or gaseous into any waters is required to conform with the *Protection of the Environment Operations Act 1997* and its Regulations, or a environment protection licence issued by the Department of Environment and Climate Change for Scheduled Premises.

#### **4.1.16 Working hours – Residential and Business**

##### ***Objectives***

Ensure the operations of the proposed development will not cause nuisance to residents by way of working hours.

##### ***Controls***

Council seeks to ensure that the hours of operation of businesses, commercial premises and places of work are compatible with the type of activities carried out on the premises and the relationship with neighbouring residential occupiers.

Where residential buildings are physically attached to non-residential buildings, hours of operation should not normally fall outside the hours of 7.30am and 6.00pm Monday to Friday and 7.30am and 1pm on Saturday.

Hours of operation will depend on the type of use proposed, its location in relation to residential properties and the impact of extended hours on the occupiers of those properties.

Where development sites are within a residential area, hours of work during site preparation and construction should not normally fall outside the hours of 7.30am and 6.00pm Monday to Friday and either 8.00am to 2.00pm on Saturday or 8.00am to 2.00pm on Sunday.

#### **4.1.17 Subdivision**

**Note:** Reference chapter 7 of this Plan. – All roads etc are to be designed and constructed in accordance with Council's Standards for Engineering Works 2009.

##### ***Objective***

Control the density of development in order to manage population growth and maintain the character of urban areas.

Promote lot sizes of appropriate size to accommodate residential dwellings and related private open space.

#### **4.1.17.1 Minimum lot sizes in Residential areas (LEP 2009)**

R1 General Residential and R2 Low Density Residential – 700m<sup>2</sup>;

R5 Large Lot Residential – 2,000m<sup>2</sup>;

R5 Large Lot Residential (Run-O-Waters) – 2 hectares;

RU5 Village – 1,500m<sup>2</sup>.

**Note: 1.** To ascertain minimum lot sizes for individual sites reference should be made to the lot size maps (LEP 2009).

**Note: 2.** Unserved land may not be able to achieve the quoted minimum lot size.

##### ***Qualifications***

- (i) The minimum lot size quoted for zones R1, R2 (700m<sup>2</sup>) and R5 (2,000m<sup>2</sup>) are for serviced land where each lot created will be connected to reticulated water and sewerage services.
- (ii) The minimum lot size quoted for zones part R5 (Run-O-Waters) and RU5 are for unserved land.
- (iii) For unserved land the lot size quoted depends on a satisfactory detailed investigation on:
  - Accumulative water quality issues associated with wastewater management of effluent disposal and stormwater disposal for the subdivision proposal and
  - The provision of an adequate water supply to each lot for drinking (potable supply), ablutions and fire fighting purposes. (Chapter 5.3 discusses development standards for individual rural dwellings and should be noted for the purpose of these investigations).

#### **4.1.17.2 General provisions**

##### ***Objectives***

To encourage subdivision layouts that:

- allow integration of neighbourhoods between “natural” boundaries or barriers and connections between the neighbourhoods
- minimise environmental impact by ensuring subdivision into residential lots only occurs on land free of development constraints

- are based on a hierarchy of roads for the efficient movement of vehicle traffic
- focus open space on the drainage constraints and network
- incorporate water sensitive urban design principles into subdivision design
- encourage northern orientation of future dwellings for energy efficiency benefits and passive solar access
- ensure residential lots have a sufficient area to allow for the siting of a dwelling and ancillary buildings (including private open space, vehicle access and parking)
- ensure residential lots face public areas (including open space areas) for passive surveillance
- provide for protection/enhancement of visually prominent sites/locations
- protect riparian areas and native vegetation areas

### **Controls**

#### **Site area**

Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessways, which includes any rights-of-carriageway/access, are to be excluded.

Allotments should be able to accommodate a building envelope of 150m<sup>2</sup> with the minimum dimensions of 10m by 15m, within a 6m front building setback and a 1m side and rear setback and clear of any easements.

#### **Lot orientation**

The following design techniques are to be adopted to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses:

- align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.
- allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.
- allotments on south side of street should be sufficient depth so buildings can be set well back to allow north facing rooms to look onto larger front yards.
- allotments on north-south streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.

- taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3pm.
- regular rectangular shaped allotments maximises siting opportunities and increases potential lot yield.
- on sloping sites, north-facing sites improve opportunities for solar access.

Lots shall face toward public open space areas, vegetation conservation areas and public roads to encourage passive surveillance from dwellings over these public spaces to assist with safety and security.

### **Bicycle and pedestrian movements**

Provision for bicycle and pedestrian movements are to be provided throughout the subdivided area.

Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking at clusters of community and commercial facilities (refer Council's Bicycle Strategy 2007).

To encourage cycling as an easy transport alternative, on-road and off-road cycle networks will be clearly highlighted with signposting and pavement logos. Engineering works, including signposting and line marking must comply with the appropriate engineering standards.

Paved footpaths are to be provided in accordance with Council's Standards for Engineering Works, July 1996, and the hierarchy of roads (e.g. both sides for higher order roads, single side only on lower order roads).

### **Retention of Significant Environmental Features**

Where significant environmental features such as natural landforms, remnant native vegetation, wetlands or natural drainage lines or water courses occur on a development site, they shall be conserved and or enhanced. Subdivision design shall incorporate these elements as much as can practicably be achieved. This may necessitate larger lot sizes in order to maintain these features.

### **Road Reserves**

Should remnant vegetation be located in either existing or proposed road reserves it shall be conserved in the design and construction process. Access to new lots should be located in an alternate position or to take advantage of existing road reservations where

they exist. Council will require that access to lots (driveways) be nominated in Section 88(b) instruments in order to protect existing vegetation and to reduce their visual impact.

Service infrastructure is also to be located in such a way as to ensure minimal environmental disturbance.

#### **Landscape embellishment**

A condition of Council's subdivision approval will be to carry out landscape treatment of lots and public road reserves with the objective of enhancing vegetation and specifically native vegetation in the locality. The landscape treatment shall be designed to mitigate the:

- environmental impact of the development;
- visual obtrusiveness of new development and enhance the visual connection of the newly created landscape with any remnant native vegetation in the locality.

#### **Building Envelopes**

##### **Street Trees**

Street tree planting is required where new or existing lots are developed in order to create a consistent theme. Street trees add to the areas character and reduce the visual impact of new development. They have environmental benefits of reducing the impacts of sun in the summer months; reducing global warming and when natives are used providing possible habitat for native fauna.

Important Street Tree principles are:

- Preserve vistas to and from significant heritage buildings and to rural areas;
- Reinforce traditional exotic planting themes and prominent gardens where they exist;
- Retain and enhance significant existing trees and remnant native areas;
- Reinforce the planting themes of the central town or village area.

## **4.2 Non-residential development – Retail, Commercial and Industrial**

Note: **Clause 4.2** of this plan applies to new business, industrial and other non specified residential development irrespective of the zoning of the land.

Floor Space Ratio (FSR) controls on bulk and scale are found in the LEP 2009 clauses 4.4 and 4.5 for zones B2, B3, B4 and B6.

Heritage controls are found in **chapter 3.1** of this plan.

Separate controls for the business zones of Goulburn's CBD are found in **Appendix I**, "Good Design Statement" 2005.

#### **4.2.1 Retail and Commercial (General)**

Chapter 8 contains site specific provisions for:

- The Marulan Local Business Centre – George Street Marulan, Chapter 8.4 and
- The Goulburn City Business District – Chapter 8.6.

These chapters relate to Council's main retail and commercial areas.

Retail and commercial development outside of these areas should refer to the general principles outlined in these sub-chapters.

Heritage principles are also found in Chapter 3.1. Previous design principles which are still worth referencing are contained in "Goulburn Mulwaree Good Design Statement", September 2005 – Appendix I.

Background material for **chapter 8.6** are found at **Appendices J, K, L and M**.

#### **4.2.2 Design principles – Industrial**

##### ***Objectives***

Encourage a high standard of architectural design which contributes to a visually cohesive character.

Encourage building design which allows energy efficient development and good solar access.

##### ***Controls:***

Large blank wall surfaces visible from a public place (eg road) shall be articulated by structural variations and/or blend of external finishes.

Prominent elevations and 'areas of visual importance' are to have a building form of significant architectural and design merit, with special attention to scale, form, external finishes, setbacks, height limits and landscaping.

Areas of visual importance include:

- gateway entries to the City, township or village
- developments that can be viewed from residential and public areas
- Heritage Conservation Area and heritage items

Prominent elevations include:

- arterial road frontage
- public reserve exposure.
- Visual

#### **4.2.3 Visual Quality – Industrial**

##### ***Objectives***

Identify areas of visual importance.

Limit external storage of goods.

##### ***Controls***

External storage areas shall not be visible from a public place.

External storage areas are to be:

- located behind a building, or
- suitably screened (with dense landscaping and/or solid fencing);

In assessing development applications involving external storage of goods, Council shall take into consideration:

- height and arrangement of stored goods
- safety issues
- access arrangements
- aesthetics and ease of maintenance

#### **4.2.4 Building setbacks – Industrial**

##### ***Objective***

Provide an open streetscape which will enhance visual quality of development and the urban landscape.

##### ***Controls***

All setback areas are to be landscaped (refer to **Figure 4-11**).

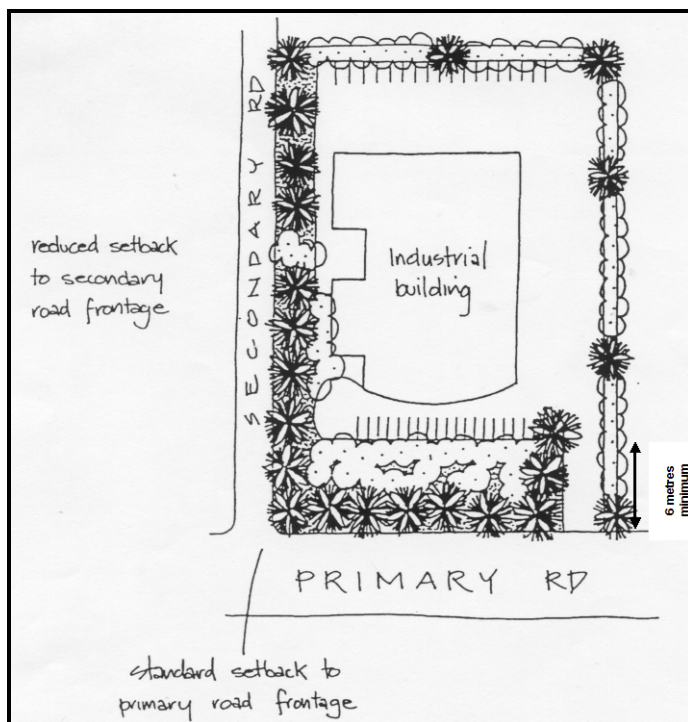
No parking will be permitted within setback areas.

Minimum requirements:

- frontage – 6 metres;
- side and rear – setbacks required for corner allotments (secondary road frontage) and in areas of visual importance.

**Note:** Setback distances are proportionally related to required building materials so as to satisfy wall fire ratings – refer to Building Code of Australia for details.

**Figure 4-11: Preferred industrial setbacks**



#### 4.2.5 Height – Industrial

##### **Objectives**

Encourage building forms to respond to topography and the site's relative position to other allotments and the streetscape.

Maintain the visual quality of the locality.

##### **Controls**

On land within a residential Zone, a maximum 8 metre height limit is recommended (distance measured vertically from any point on the roof of the building to the ground level immediately below that point).

Variations on land within such zones will only be considered where it can be demonstrated that:

- the proposed height is in keeping with the character of the locality
- it is not visually obtrusive
- the additional height is required due to the nature of the proposal
- the overall design, including landscaping and building materials, reduces the impact of height and bulk

On land not affected by the height of building maps, no height limit is specified, however the height (as defined above), shall take into account and address the following matters in the development application's, statement of environmental effects:

- the proposed height is in keeping with the character of the locality
- it is not visually obtrusive
- the height is required due to the nature of the proposal
- the overall design, including landscaping and building materials, reduces the impact of height and bulk

#### **4.2.6 External materials and finishes - Industrial**

##### ***Objectives***

Promote the use of appropriate external finishes and innovative use of materials.

Ensure that industrial development contributes to the streetscape and visual aesthetics of the area.

##### ***Controls***

The external walls of industrial buildings shall be profiled colour treated cladding or masonry materials, or a combination of both and incorporate visual relief elements.

Particular consideration shall be given to the design and use of materials for the street elevation of industrial buildings.

Where the side or rear elevation of an industrial building is visible from residential or public areas, colours and wall profiles should be selected to minimise their visual impact.

#### **4.2.7 Noise and vibration – general requirements**

##### ***Objectives***

Minimise the impact of noise and vibration by proposed operations and on proposed developments of existing and projected future sources of noise and vibration.

##### ***Controls***

Council is the appropriate regulatory authority for noise related activities, such as heavy industries, mining, extractive industry, motor racing tracks and the like under the *Protection of the Environment Operations Act 1997*. If development sensitive to noise were to be approved on adjacent properties to the noise source, Council will be responsible for regulating any resulting noise impacts.

Council recommends applicants utilise the following documents to assist them in making decisions relating to acceptable noise levels for noise generating and noise sensitive developments:

- NSW Industrial Noise Policy
- Environmental Criteria for Road Traffic Noise
- Noise Guide for Local Government

The above documents are available from the Department of Environment and Climate Change website: [www.environment.nsw.gov.au/noise](http://www.environment.nsw.gov.au/noise)

The impact of noise generated by a proposal can be minimised to comply with the statutory requirements in different ways. The following guidelines address means of achieving the standards.

Incorporate sound proofing for machinery or activities considered likely to create a noise nuisance during design development.

Locate noisy operational equipment within a noise insulated building away from residential areas.

Design logistically efficient business practises to minimise the use of equipment, movements per site, and number of vehicle movements per site per day.

Where sites adjoin a residential area, limit the number of hours and times at which mechanical plant and equipment is used in conjunction with the measures described above.

Ameliorate the noise and vibration impact of transport operations by using appropriate paving or track mounting and installing acoustic barriers as required to meet standards on neighbouring uses.

Incorporate appropriate noise and vibration mitigation measures into the site layout, building materials, design, orientation and location of sleeping recreation/work areas of all developments proposed in areas adversely impacted upon by road or rail related noise and vibration.

#### **4.2.8 Air pollution - Industrial**

##### ***Objectives***

Minimise air pollution caused by new development.

##### ***Controls***

The operation of any new premises and any machinery or plant to be installed or any process to be used must not cause emissions contrary to the *Protection of the Environment Operations Act 1997* and Regulations. Applicants will need to demonstrate that these standards are met. Approvals may also be required from the Department of Environment and Climate Change for some types of development.

Machinery and operations should be designed to minimise the emission of air impurities. This includes minimising vehicular movements to and from the site.

Restricting the hours of operation may reduce any emissions to an acceptable level.

#### **4.2.9 Water pollution – Industrial**

##### ***Objectives***

Minimise water pollution caused by new development.

##### ***Controls***

During construction the potential to pollute is high. To reduce this risk Council may require:

- on-site wheel and vehicle base cleaning facilities to reduce soil and contaminated material leaving the site
- protection of as much existing vegetation as possible to reduce erosion
- storage of building materials on site to minimise stormwater contamination

To ensure all potential water pollutants are controlled and dealt with on site. Council may require devices such as:

- effective bunding
- retention pits
- grease traps
- booms and trash racks
- silt and litter arrester pits
- siltation ponds

These lists are not exhaustive and may vary as innovative products and methods are developed.

The pollution of any waters is prohibited. Discharges from premises of any matter, whether solid, liquid or gaseous into any waters is required to conform with the *Protection of the Environment Operations Act 1997* and its Regulations, or a environment protection licence issued by the Department of Environment and Climate Change for Scheduled Premises.

#### **4.2.10 Mixed use development – Industrial and Residential**

##### ***Objectives***

Ensure that industrial development does not have an unacceptable impact on existing residential development within the same zone or at the interface between industrial and residential development.

##### ***Controls***

Building set backs between residential (existing) and proposed industrial development shall be 9m.

Height of industrial buildings in a mixed use situation are to be consistent with nearby housing development.

Traffic management and calming measures are to be recommended on roads shared by both industrial and residential traffic.

Change of use in mixed use situations are to detail and include amenity protection measures for existing residential development.

These measures may include (but not limited to):

- additional landscaping provisions (reference chapter 3.3);

- additional amenity considerations and actions (reference chapter 3.17 – “Impact on amenity and the environment, Rural, Village zones and generally”);
- additional privacy provisions built into the proposal (reference chapter 4.1.4);
- traffic safety and management provisions (reference chapter 4.1.8);
- industrial design to ‘fit’ with residential streetscape and character (reference chapter 4.1.9);
- noise and vibration generation mitigation measures (reference chapter 4.2.15);
- reduce hours of operation (reference chapter 4.2.18);
- use of hard (solid barriers) and soft (vegetation) buffers at the interface between residential and industrial developments (principles of the use of buffers are contained in chapter 5.8).

## 5 Principal development controls – Rural

Reference: The NSW Housing Code (SEPP(Exempt and Complying Development Codes) 2008) commenced Friday 27 February 2009. The SEPP specifies exempt development and complying development and the complying development conditions. The Policy has State-Wide application.

### 5.1 Intensive Agriculture

#### **Objective**

To ensure the following forms of intensive agriculture are conducted in a sustainable manner: horticulture, intensive livestock agriculture, turf farming and aquaculture.

#### **Controls**

Sustainable agriculture is defined as the use of farming practices and systems which maintain or enhance:

- the economic viability of production;
- the natural resource base; and
- other ecosystems which are influenced by agricultural activities.

The principles of sustainable agriculture are:

- farm productivity is sustained or enhanced over the long term.
- adverse impacts on the natural resource base of agriculture and associated ecosystems are ameliorated, minimised or avoided.
- residues resulting from the use of chemical in agriculture are minimised.
- the net social benefit derived from agriculture is maximised.
- farming systems are sufficiently flexible to manage risks associated with the vagaries of climate and markets (Standing Committee on Agriculture 1993).

Applications for intensive agriculture should be accompanied by a plan of management which addresses the principles of sustainable agriculture. The application may be referred to Department of Primary Industries or a consultant for advice.

Property owners should contact NSW Workcover for the requirements for the storage and use of chemicals.

To reduce environmental impact of agricultural activities, an assessment of the capability of the land should be undertaken. Consideration should be given to the sustainability of different soil landscapes and the suitability of steep slopes for agricultural activities.

Dwellings should be sited to maintain the continuity, and minimise the disturbance, of agriculturally productive land. For further relevant advice refer to the following:

- Goulburn Mulwaree Council (December 2006) The Rural Living Handbook 2007-2009, A guide for rural residential landholders
- Department of Primary Industries' Sustainable Agriculture Policy

## 5.2 Subdivision

### **Objective**

Control the density of development in order to limit population growth and maintain the rural character of the area.

Promote lots of sufficient size to conduct agriculture and other rural pursuits.

### **Controls**

Minimum lot sizes are specified in the lot size maps to the LEP 2009.

Lots should be designed to maximise useable areas of the site and have regard for the topography.

Subdivision design should provide opportunity for the retention of significant landscape features including remnant vegetation, rock outcrops, water elements, appropriate location of boundary lines and building envelopes.

Each lot shall contain a development site that can accommodate a dwelling house, private open space, effluent disposal area and vehicle access in a way that is consistent with the constraints identified on site (eg. bushfire, flood hazard, steep slopes and significant vegetation).

Areas for on-site sewerage disposal need to be a minimum of 150 metres from the Wollondilly and Shoalhaven Rivers or a major water storage dam (Sooley Dam & Lake Ross), 250 Metres from a licenced well, 100 metres from other rivers, creeks and perennial watercourses, 100 metres from an intermittent watercourse, defined as having banks and beds or ponds or remaining wet for considerable periods between rainfall events and which may be characterised by supporting moisture tolerant vegetation or 40 metres of a dam or drainage depression, defined as low points that carry water during rainfall events but dry out quickly once rainfall has ceased.

**Note:** Reference the LEP 2009, clause 7.3 and chapter 7 of this Plan.

#### **Specific provisions – Battle axe allotments:**

Battle axe allotments must have a minimum road frontage of 20 metres. The minimum width must continue along the length of the access handle to accommodate a driveway and public utility services.

Access handles shall be provided with a driveway (minimum 4m wide gravel surface) complying with state agency requirements for intersection treatment, sedimentation control, bushfire protection and the like. All works shall be completed by the developer prior to release of any Subdivision Certificate.

Electricity provisions shall service each new lot via a satisfactory inter-allotment arrangement. The extension of services along the battle axe handle is only permitted where alternative arrangements can not be provided. All works shall be completed by the developer prior to release of any Subdivision Certificate.

#### **Specific provisions – Right of carriageways:**

A right of carriageway shall be 20m wide. The area of a right of carriageway forms part of the minimum lot area required for the servient / burdened allotment.

A right of carriageway shall be provided with a driveway (minimum 4m wide gravel surface) complying with state agency requirements for intersection treatment, sedimentation control, bushfire protection and the like. All works shall be completed by the developer prior to release of any Subdivision Certificate.

Electricity provisions shall service each new lot via a satisfactory inter-allotment arrangement. The extension of services along the right of carriageway is only permitted where alternative arrangements can not be provided. All works shall be completed by the developer prior to release of any Subdivision Certificate.

All road, accessways etc shall be designed and constructed in accordance with Council's 'Standards for Engineering Works 2009'.

### **5.3 Rural dwellings**

**Note:** Reference Goulburn Mulwaree LEP 2009, clause 4.2A.

#### **Objective**

To ensure the appropriate form of residential development in the rural zones within the Goulburn Mulwaree local government area.

## **Controls**

### **5.3.1.1 General controls**

The general standards for dwelling houses proposed in Rural zones are detailed below:

- orientate living areas to the north
- maintain front setback requirements of:
  - 5 metres in RU5 Village Zone and 20 metres in R5 Large Lot Residential Zone; and
  - 50 metres in the RU1 Primary Production Zone, RU2 Rural Landscape Zone and RU6 Transition Zone.
- and colours are to be consistent with the rural character of your local area:
  - respect your neighbours and your own future amenity by careful siting of your dwelling:
    - build well back from the public roads, especially gravel roads;
    - build below ridgelines to respect the rural views;
    - build well away from nearby intensive rural developments (eg poultry sheds).
  - Notwithstanding the bushfire requirements you can and should screen your building site by vegetation. It will help reduce the visual impacts of your buildings, provide shade from the summer sun, assist global warming and where natives are used, provide habitat for native fauna.
- Where significant environmental features, such as natural forms, remnant native vegetation, wetlands or natural watercourses and drainage lines occur on your land, they shall be avoided for building purposes, conserved and or enhanced.

Additional dwelling design principles are detailed in Chapter 4.

#### **Note:**

1. Free copy of the "Rural Living Handbook 2007-2009", a guide for rural residential landholders is available from Council.
2. Do not bring on site illegal temporary structures to live in, for example containers.
3. Remove any existing illegal structures.

#### **Site access**

All dwellings must have legal and properly constructed access by way of a public road. Where a new road is to be constructed it shall be constructed in accordance with Chapter 7. Where an existing road or right-of-carriageway is substandard, it shall be improved to provide an all weather pavement to the satisfaction of Council.

Each dwelling is to be provided with an adequate all weather access to enable satisfactory vehicular passage from the public road into the allotment. Where kerb and guttering does not exist, this will generally require bitumen sealing from the road shoulder to the boundary and in most cases will require the provision of a piped gutter crossing to the satisfaction of Council.

A right-of-carriageway may be used to provide access only where the right-of-carriageway traverses only one allotment of land and does not serve any other allotment of land other than that on which the dwelling is erected.

#### **5.3.1.2 Water supply**

Every dwelling erected on land to which this Plan applies will be required to have not less than 46,000 litres of roof water storage for domestic purposes if a reticulated, disinfected water supply is not available.

#### **5.3.1.3 Effluent disposal**

If a reticulated sewerage or effluent disposal scheme is not available to the land, all effluent and wastewater shall be disposed of on-site. Each allotment must have adequate area available for an on-site sewage management facility.

A wastewater management assessment report will be required, to confirm acceptability of proposed effluent disposal sites. The Wastewater Management Assessment Report need not be a major undertaking but should consider factors such as soil profile to one and a half metres, climate (mean monthly rainfall and evaporation rates), terrain, aspect, maximum potential effluent generation, the impact of any existing wastewater management system and the sizing of a sustainable effluent management area (EMA).

Reference should be made to the principles contained in the guidelines entitled 'On-site Sewage Management for Single Households' (Department of Local Government, 1998) and AS/NZS 1547-2000 'On-site Domestic Wastewater Management' (Standards Australia, 2000) in this regard. Properties located in the Sydney Drinking Water Hydrological Catchment Area will be subject to the provisions of the *Drinking Water Catchments Regional Environmental Plan No. 1*.

The following are the recommended buffer distances (overland flow path) for effluent management areas:

- 150 metres from the two major rivers in the local government area – the Wollondilly and Shoalhaven, for full length of each river as defined on topographic maps;

- 100 metres from other rivers, creeks and perennial watercourses;
- 100 metres from intermittent watercourses, defined as having banks and beds or ponds or remaining wet for considerable periods between rainfall events and which may be characterised by supporting moisture tolerant vegetation;
- 40 metres from drainage depressions, defined as low points that carry water during rainfall events but dry out quickly once rainfall has ceased;
- 150 metres from Sooley Dam and Lake Ross;
- 250 metres from a licenced bore (well).

Applicants should be aware that depending upon the abovementioned factors, the area of an existing single allotment within a Village may not be adequate for the on-site disposal of effluent. All on site wastewater systems are to operate in accordance with conditions of approval.

#### **5.3.1.4 Electricity supply**

An electricity supply must be provided to the dwelling in accordance with the requirements of Country Energy. If power is currently not available to the allotment, building plans will only be released when notice is received from Country Energy that satisfactory arrangements have been entered into for the provision of power to the site.

Proposed alternative methods of power supply may be considered by Council. The approval of alternative methods of power supply are at the discretion of Council.

#### **5.3.1.5 Vegetation retention**

Site development away from vegetation to avoid conflict and need for removal to provide asset protection zones.

#### **5.3.1.6 Fencing**

Fences shall be of a design that is sympathetic to the rural character of the locality.

### **5.4 Rural sheds**

#### ***Objective***

To ensure the appropriate use of sheds within the rural zone within the Goulburn Mulwaree local government area.

### **Controls**

Sheds are controlled to ensure they are not used for human habitation, except where approval has been given through Development Consent. Temporary accommodation shall be limited to a period of 12 months whilst a dwelling is being built. These sheds will need to be reverted back to non-habitable status when the dwelling is suitable for occupation.

A toilet, shower, hand basin and fireplace may be constructed for amenity purposes in rural sheds provided the shed is not used for human habitation (these facilities will require the lodgement of a Section 68 Application under the Local Government Act 1993)

## **5.5 Rural industries**

### **Objective**

To provide for business activities including the processing of primary products produced in the area or the servicing of agricultural equipment.

### **Controls**

Measures that protect the amenity of surrounding residents should be incorporated into designs. These include landscaping, sound attenuation and buffers.

The following should be considered in selecting a site for a rural industry:

- sites with less exposure to neighbouring dwellings and noise sensitive areas
- sites with good vehicular access
- sites which can accommodate landscaping to screen the rural industry
- sites with suitable land capability
- sites with sufficient area for expansion
- refer also to Chapter 6.

## **5.6 Boarding and/or breeding kennels for dogs and cats in rural areas**

### **Objectives**

To ensure new kennel development implements best practice design and that applicants undertake all necessary measures to minimise the impacts on adjoining land users.

### **Controls**

#### **5.6.1.1 Floor materials of kennels**

The floor of the kennels is to be constructed of concrete and to be property drained to Council's satisfaction.

#### **5.6.1.2 Distance of kennels from residences and occupancies**

No kennels are to be erected within 100m of any adjoining residences or occupancy.

#### **5.6.1.3 Exercising of dogs**

Dogs are to be exercised under supervision

#### **5.6.1.4 Acoustical compliance**

Any building used for the housing of animals is to be soundly constructed and soundproofed to prevent any noise nuisance. Noise levels emitted from the premises are not to exceed 5dB(A) above the existing background levels.

The occupation of the kennels will not be permitted until Council is furnished with a certificate from an Acoustic Engineer to this effect.

#### **5.6.1.5 Storage and preparation of food**

All feed is to be stored and prepared in a properly constructed building capable of being easily cleaned, maintained and kept free of vermin.

#### **5.6.1.6 Animal confinement**

Dogs and cats shall at all times be kept within the confines of the kennels and exercise yards except during their receipt or release.

#### **5.6.1.7 Storage and disposal of excrement**

All excremental waste and loose hair, if not removed immediately, is to be collected in an impervious fly-proof container which is to be emptied and cleansed at least once in every seven consecutive days. All such wastes shall be deposited at a Council agreed waste disposal depot and shall not be incinerated or buried on the premises

#### **5.6.1.8 Drainage**

The kennel drainage system shall be constructed so as to ensure the collection of all waste water which shall then be transported through earthenware or plastic pipe to a

suitable arrestor pit thence to a properly constructed absorption drain. Details of all proposed drainage is to be submitted and approved by Council.

#### **5.6.1.9 Landscaping**

The proposal shall use natural screening and trees and provide landscaping of sufficient height and density adequate to screen the development. The landscaping is to be established within 6 months of commencement of the development. A landscape plan is to be submitted with the development application.

#### **5.6.1.10 Environmental management plan**

An environmental management plan which addresses, but is not limited to the following matters:

- treatment and disposal of litter and effluent
- odour management
- noise management
- food storage and vermin control
- erosion control measures
- water and drainage management
- chemicals and fuel storage
- complaints register
- landscape plan

### **5.7 Hazardous chemicals**

#### ***Objective***

Chemicals such as fuel, fertiliser and pesticide are commonly used to help run rural properties. These chemicals are often dangerous, some are flammable, most are poisonous, and all can be harmful to the environment if used incorrectly.

This plan aims to minimise the environmental impacts of hazardous chemical use on rural properties within the Goulburn Mulwaree local government area.

#### **5.7.1.1 Chemical Storage**

All chemicals used on site should be stored in an area specially designed for chemical storage. Any proposed chemical store must incorporate the following features:

- a separate, well-ventilated cupboard or building used only for this purpose, located away from houses, pumps, tanks, waterways and animals.
- contains an inventory, copies of labels and Material Safety Data Sheets (MSDS).
- allows storage in a cool dry place.
- some form of spillage containment or bunding.
- shelving made of impervious materials – for small quantities of chemicals, place containers in drip trays.
- liquids should not be stored above solids.
- a locked storage area.
- clearly sign-posted storage area (e.g. 'Chemical Store – Keep Out') and install a no smoking sign.

#### **5.7.1.2 Chemical transport**

Everyone transporting chemicals has a duty of care and a responsibility to carry out tasks in a manner that will not cause harm or injury to themselves, other people, their property, animals and the environment.

Before moving chemicals, information on the transport requirements of individual chemicals included on container labels or Material Safety Data Sheet should be consulted and followed.

Make sure the vehicle is roadworthy and can safely transport chemicals. Chemicals should be placed inside a tray of some kind to contain any spillage. Chemicals must not be included in the same compartment as the driver and passengers, food or drinks, or animals.

Items classified as 'Dangerous Goods' must not be transported in large quantities. Private vehicles should transport less than 100 kilograms or 100 litres of farm chemicals at a time. Chemicals should be loaded securely so items cannot move or fall over time. Different classes of chemicals should be stored separately.

#### **5.7.1.3 Disposal of chemicals and containers**

After chemicals have been applied according to the supplier's instructions, any chemical containers and any unused chemicals must be disposed of in an environmentally responsible manner. The disposal of chemical concentrate on-site or on farm is prohibited.

DrumMUSTER – to solve the problem of what to do with used non-returnable chemical containers Avcare, the National Farmers Federation, the Veterinary Manufacturers and Distributors Association and local government have developed the drumMUSTER scheme. A levy has been applied to non-returnable chemical containers to fund the

collection and recycling scheme. Contact Council to find out more details about this program.

Used chemical containers should be rinsed on fallow ground away from drains and waterways. When rinsing chemical containers, personal protective equipment, as specified by the supplier, should be worn. Containers must be triple-rinsed before being available for drumMUSTER collection.

## **5.8 Rural land use conflict**

### ***Objectives***

To ensure that rural development occurs in such a way as to minimise land use conflict.

### **5.8.1.1 Buffer distances**

Rural dwellings and proposed dwelling envelopes are to be separated from other rural landuses in accordance with **Table 5-1** below. This is to minimise negative impacts on rural dwellings from agriculture and rural industry by way of dust, fumes, odour, spray drift, light and noise. Failure to ensure adequate setbacks can lead to landuse conflict, which has the potential to significantly impact on rural production, with resultant adverse effects on local employment and economic activity. As a general principle, all required buffers are to be provided on the land subject of the development proposal.

Agriculture, forestry and associated rural industry are significant sources of economic activity and employment. Because of this, rural dwelling development is a secondary, or ancillary, use of rural land and should not adversely impact on the continuing viability of these industries, including their ability to adapt to changing market and environmental circumstances, through new techniques, approaches and crops. On this basis, Council will not accept the imposition of restrictions on the use of adjoining rural lots in lieu of appropriate buffers within the designated large lot residential areas.

Where new dwellings are proposed on existing vacant lots, which have dwelling entitlements, the buffers indicated in **Table 5-1** will not necessarily apply. In such cases, Council will nonetheless require the maximum practical buffer possible and the provision of a suitable vegetated buffer where necessary.

In the case of major recreation facilities (eg. motor racing tracks), dwellings proposed closer than the recommended buffer distance, at a minimum should comply with industry best noise insulation standards.

### 5.8.1.2 Variations to buffers

The buffers indicated in **Table 5-1** are only provided as a guide. Council has the discretion to either reduce or increase the required buffer, depending on the specific circumstances of the proposal.

The required buffers may be reduced if, in the opinion of Council, the development will not be adversely affected by the use of adjoining land. In assessing whether reduced buffers are acceptable in a particular case, Council will consider the following variation criteria:

- the extent, nature and intensity of the adjoining land use
- the operational characteristics of the adjoining land use
- the external effects likely to be generated by the adjoining land use (ie dust, fumes, odour, spray drift, light and noise) and their potential to cause conflict
- the potential of adjoining land to be used for various commercial activities including agriculture, quarries, rural industries etc
- any topographical features or vegetation which may act to reduce the likely impacts of an adjoining land use
- prevailing wind conditions and any other climatic characteristics
- any other mitigating circumstances

Where a variation is proposed, the applicant must provide a written statement to Council addressing the variation criteria, with an explanation as to how potential conflicts can be addressed. In keeping with ecologically sustainable development principles, a precautionary approach will be taken when assessing buffer variations.

Council may also consider relaxation of the buffer requirements in **Table 5-1** where it can be demonstrated that the adjoining land is extremely unlikely to be used for agriculture, forestry, rural industry or other such user. In such cases, the adjoining land will need to comprise of remnant vegetation either with high conservation value or located on land with limited development potential, such as extremely steep slopes, narrow gullies or wetlands.

### 5.8.1.3 Vegetation buffers

Vegetation buffers may be used to reduce the total buffer distance required between dwellings and adjoining land uses. However, caution must be exercised when considering the appropriateness of a vegetation buffer. Vegetation buffers take time to establish, require on-going maintenance and are subject to storm and insect damage. Trees only

have a limited life span. Therefore, vegetation buffers will not be appropriate in all circumstances.

Where vegetation buffers are proposed to satisfy the requirements of **Table 5-1**, the vegetation needs to be established along the relevant boundaries prior to release of the Subdivision Certificate (in the case of subdivision) or prior to commencement of other uses. The minimum width of a vegetation buffer is that of the canopy at maturity. Particular care must be made to ensure that vegetation buffers do not compromise the bushfire safety of existing and future dwellings on either the subject or adjoining land. Vegetation buffers are therefore to be located such that they will not comprise Asset Protection Zones.

Where a vegetation buffer is proposed, a detailed landscape plan is to be submitted with the development application. The plan should include a variety of species with a variety of heights at maturity, including ground cover, shrubs, and small and large trees. Vegetated buffers are to include trees at least 10 metres in height at maturity

Tree rows should be planted at a maximum spacing of 10 metres, with rows of smaller plants between. Species with long, thin and rough foliage should be included where the adjoining land use may involve chemical spraying, as these facilitate capture of spray droplets. A mixture of fast growing pioneer species and slower-growing, longer lived species should be used. The pioneer species will ensure that the buffer is effective as soon as possible. The longer lived species will over time replace the pioneer species. Preferred species are included in **Appendix B**.

**Table 5-1: Buffers between rural activities and rural dwellings**

Land use	Separation distance	Vegetation buffer
Abattoirs	1,000 metres	N/A
Cattle dip	200 metres	N/A
Cattle feedlot (less than 500 head)	300 metres	N/A
Cattle feedlot (500 head or more)	500 metres	N/A
Extractive industry or mines	1,000 metres	N/A
Grazing lands	60 metres	20 metres
	80 metres	none
High voltage power lines	20 metres	N/A
Horticulture	80 metres	40 metres
	150 metres	none
Intensive dairies (less than 500 head)	300 metres	N/A
Intensive dairies (500 head or more)	500 metres	N/A
Other intensive livestock keeping (less than 500 head)	300 metres	N/A
Other intensive livestock keeping (500 head or more)	500 metres	N/A
Piggeries (less than 500 head)	300 metres	N/A
Piggeries (500 head or more)	500 metres	N/A
Poultry farms (less than 500 head)	300 metres	N/A
Poultry farms (500 head or more)	500 metres	N/A
Recreational Facilities (Major)	1,000 metres	N/A
Rural industry	80 metres	40 metres
	150 metres	none
Sawmills	300 metres	N/A
Sewerage treatment plants	400 metres	N/A
Waste management facilities	500 metres	N/A

## 5.9 Public Entertainment in Rural zones

### **Objectives**

To ensure that 'public entertainment' festivals in rural areas do not have unacceptable environmental and amenity impacts on existing rural communities.

To ensure that adequate public safety, health and security contingencies are in place for the patrons.

### **Definitions**

'Places of public entertainment' and 'public entertainment' are defined in chapter 1.10.

### 5.9.1.1 Required pre festival consultation

Consultation is required with the following service providers:

- Rural fire service's zone office;
- NSW Goulburn Police;
- NSW Ambulance Service Goulburn;
- Medical services;
- Goulburn Mulwaree Council;
- Country Energy.

#### (b) Matters to be addressed in development applications

Notwithstanding, other provisions of this plan the following additional issues are to be addressed and included as part of the development application process:

- evidence of consultation with the service providers and the actions taken as recommended by those service providers;
- Traffic safety and management provisions to be detailed in a traffic management plan including but not limited to:
  - parking and road access for conventional two wheel drive vehicles;
  - dust suppression measures on public roads and at the venue;
  - emergency escape access routes (eg. in a bushfire situation).
- Noise level mitigation measures proposed for the nearest residence;
- Festival duration time and performance times;
- Bushfire requirements including notification to the rural fire service, any required permits, identified emergency escape access routes and on site fire suppression measures and fire fighting water availability;

- Public safety and security protocols to be put in place for the festival venue and for surrounding rural properties;
- Emergency contingency plans in case of:
  - illegal drug use and alcohol abuse;
  - removal of festival patrons for whatever reason;
  - emergency medical attention for injuries received on site, eg snake bite, serious falls, camping incidents, drug and alcohol overdose, heat exhaustion etc;
  - unruly social behaviour.
- Public health arrangements and facilities to be provided for:
  - food and potable water supply;
  - power supply;
  - sanitary fixtures;
  - toilet arrangements;
  - accommodation, including temporary structures and camping arrangements;
  - waste disposal, during and after the festival;
  - evacuation contingencies;
- Insurance arrangements, including public liability and duty of care to those attending the venue;
- Transport arrangements to and from venue.
- Often rural locations are remote from public transport. Detail measures to be used if the need arises to remove patrons for whatever reason. (eg festival bus);
- Environmental considerations to be addressed are detailed in Chapter 3, 3.7 to 3.17.
- Number of events per property shall be limited to a maximum period of 30 days in any period of 12 months.

## **5.10 Rural Workers dwellings in the Rural Primary Production zone (RU1)**

### ***Objectives***

The provision of sound parameters to facilitate the orderly development and construction of rural workers dwellings.

### ***Definition***

'Rural workers dwelling' is defined in chapter 1.10.

### ***Controls***

- Rural workers dwelling proposals must demonstrate at the development application stage that:

- it is required to support the main activity of agricultural or a rural industry on the subject land holding;
  - it is ancillary to the principal dwelling and is on the same lot of land as the principal dwelling;
  - the intended occupiers will be employed for the purpose of agricultural or a rural industry on the subject land holding.
- Dwelling construction design principles are detailed in chapter 5.3.

## 6 Special development types

### 6.1 Poultry farms

#### **Objectives**

To cater for the inherent land use conflicts associated with the operation of poultry farming, this plan seeks to avoid such conflicts related to small farm operations, the encroachment of urban sprawl, older shed design and poor farm management.

To ensure new poultry development implements best practice design and that applicants undertake all necessary measures to minimise the impacts on adjoining land users.

#### **Controls**

##### a) Minimum Site Area

Minimum lot size shall be 80 hectares. Square shaped lot sizes are preferable. They allow maximum farm layout, design options and recommended separation distances from the boundaries.

##### b) Separation distances

The proposal should meet the following minimum separation distances to:

- another broiler farm of 3 kilometres
- another breeder farm of 5 kilometres
- a crown reserve road of 200 metres
- front setback from a public road of 300 metres
- a major water storage area (domestic water supply or dam of greater than 300 megalitres) of 800 metres
- drainage depression (low points that carry water during rainfall events but dry out quickly once rainfall has ceased) of 40 metres
- intermittent watercourse (having banks and beds or ponds or remaining wet for considerable periods between rainfall events and which may be characterised by supporting moisture tolerant vegetation) of 100 metres
- ephemeral or perennial creek or river of 150 metres
- land zoned Residential of 5 kilometres;
- a dwelling on the same property, of 50 metres;
- the property boundary, of 200 metres; and
- an existing dwelling on other land, of 500 metres.

##### c) Landscaping

The proposal shall use natural screening and trees and provide advanced landscaping of sufficient height and density adequate to screen the development. The landscaping is to be established within 6 months of commencement of the development. A landscape plan is to be submitted with the development application.

d) Water management

The development site must be a zero discharge site hydrologically isolated from surrounding land surface waters and all drainage directed to a dedicated catchment dam designed along the following parameters:

- total storm capture for the catchment;
- run off coefficient of one (1);
- 20 days rainfall capture; and
- up to 100th percentile event; (In accordance with Managing Urban Stormwater: Soils and Construction, August 1998, Department of Housing).

Applicants are to comply with Landcom's Soils and Construction Managing Urban Stormwater 2004 Manual.

The applicant shall provide a detailed plan of how the dedicated catchment dam is to be adequately managed to ensure that the sufficient storage capacity is maintained.

A minimal quality of potable water (about 45,000 litres/1000 chickens shed capacity/year) is essential. This is based on 8 litres per chicken, which is the absolute minimum.

Water consumption can go as high as 25 litres per chicken in a hot dry period. Consequently if 8 litre standard is used then a reserve water supply will also be required to be provided (minimum of two days maximum usage).

Additional water is also needed for cleaning, cooling, landscaping, fire protection and domestic use.

Details of the source and quantity of water shall be provided (Note: Guidelines relate to meat chickens and may not be suitable for other forms of poultry).

An integrated water management plan prepared by a suitability qualified person shall be developed for the site, which addresses all aspects of the water cycle. The aim of the plan should be to maximise the potential for reuse and minimise

water demand and the risk of water pollution. The management plan should evaluate reuse, demand management and pollution prevention options such as:

- using rainwater tanks to utilise the significant catchment area on the roofs of the sheds to substitute water supplied from other sources and reduce stormwater impacts (any roof water collected for drinking or domestic use on-site should be monitored for bacteriological and chemical quality);
- collecting, treating and storing stormwater and using it for dust control;
- designing and locating poultry sheds to maximise water efficiently, and minimise the need for water for evaporative cooling;
- the separation of clean and dirty stormwater and appropriate management arrangements for each; and
- procedures to ensure adequate capacity in the catchment dam for stormwater management.

Potential impacts on groundwater quality, caused by the operation of the proposed facility, the proposed extraction of groundwater or contaminated recharge to the aquifer, should be identified and addressed. This should be discussed with reference to Water Quality Objectives by identifying beneficial and human uses and assessing the impacts against numerical criteria for indicators provided in the ANZECC (2000) Guidelines.

e) Ground water

A hydrogeological assessment and a program of test drilling is recommended to evaluate the groundwater resource protection measures for the proposed development.

With regard to requirements for the environmental impact statement, the following information should be included:

- any information with respect to the local groundwater resource, including:
  - water table position and known aquifer zones
  - hydraulic flow data;
  - water quality data, such as chemical and biological analyses
  - results of any drilling and hydraulic tests
  - standing water levels of bores and any bore monitoring data collected
  - other relevant geological and hydrogeological information
- discussion of the proposal's possible impacts on the local groundwater resource
- discussion of the potential for groundwater contamination from the development, and any preventative measures. This includes construction

and implementation of the poultry farm operations, and other issues such as the on-site effluent management

- outline any proposed additional drilling and describe groundwater monitoring programs to be undertaken, including parameters to be tested, sampling intervals, and review period
- discussion of any environmental impacts on nearby ecosystems, such as groundwater dependent wetlands, nearby lakes, watercourses, or neighbouring properties etc
- where groundwater is proposed as a source of water supply all proposed water supply bores should be pump tested to obtain the long term sustainable yield of the resource, and the results of the drilling and testing be evaluated by a hydrogeological professional
- All bores, including any monitoring or investigation bores, sunk as part of the development, should be licensed with the appropriate Department.

f) Access

The proposal must front a bitumen sealed two lane road. In circumstances where a proposal does not comply with this requirement the proponent will be required to contribute the full cost for the upgrading to RTA standards and bitumen sealing of any road to ensure compliance.

The internal access road within the development site is to be constructed to a minimum width of 4 metres. All car parking and turning areas as well as the internal access road are to be constructed providing, at least a gravel pavement incorporating adequate drainage and soil erosions control measures at the applicants full cost and to the requirements of Council.

g) Dead stock

This relates to disposal of dead birds that die as part of normal mortality. Applicants shall identify how they intend to dispose of these expected mortalities.

This may include options such as composting onsite or offsite in a system such as a 'Vertical Composting Unit' or 'Hotrot' and operational procedures of such units are to be provided with the application; and

The applicant shall clearly identify how they intend to dispose of mass bird mortalities in an emergency situation, including location and details of waste disposal methods.

The applicant shall report to Council (in the event of a mortality rate of 1% of total bird numbers or more on a particular day) identifying the disposal method and location.

h) Power

The site must have reliable access to three phase power.

i) Shed construction

Sheds shall be constructed and designed to provide:

- dust emission free operation
- orientation so that the long axis of the sheds is aligned east-west is the preferred option. However shed orientation needs to be balanced with topographic and meteorological constraints (e.g. fans of tunnel ventilated sheds should be oriented to have minimal impact on the neighbours and an elevated site is preferred for natural ventilation and drainage)
- concrete floors and aprons on a reasonable level site to minimise contamination and erosion potential are considered best practice
- bunded water catchment areas around sheds or the shed complex
- sheds that are wildbird, vermin and rodent proof

j) Transportation

Transportation of litter, feed and birds shall be covered to ensure no escape of litter and feathers. Trucks entering the site should be washed down and disinfected, however as a rule, entry of people and equipment should be controlled and supervised in accordance with the Broiler Industry Biosecurity Code.

k) Litter

Sheds are to be cleaned and disinfected after every batch. Used litter may be completely cleaned out at the end of each batch or cleaned out after several batches. The increased frequency of cleanouts is good practice and should be considered, utilising methods to minimise windblown litter during clearance and transport.

The reuse of poultry litter may require development consent and if onsite shall form part of the submitted application.

Litter reuse on pastures, offsite within the Goulburn Mulwaree local government area may require a separate development application. Details of proposed offsite disposal shall be provided with the application.

Litter reuse on pastures outside of Goulburn Mulwaree Council's area may require a licence from the Department of Environment and Climate Change.

Where the land application of litter is proposed, the application should be guided by a nutrient balance that meets crop requirements, protects and/or enhances

soil properties and prevents the movement of pollutants from the application site. Typically, litter is spread at the rate of approximately 15m<sup>3</sup>/ha/year.

Litter shall not be disposed of in the following areas:

- 150 metres to the major rivers in the catchment — the Wollondilly and Shoalhaven, for the full length of each river as defined on topographic maps;
- 100 metres from other rivers, creeks and perennial watercourses;
- 100 metres from intermittent watercourses, defined as having banks and beds or ponds or remaining wet for considerable periods between rainfall events and which may be characterised by supporting moisture tolerant vegetation;
- 40 metres from drainage depressions, defined as low points that carry water during rainfall events but dry out quickly once rainfall has ceased; and
- 50 metres maximum from all property boundaries (note: width of the buffer will depend on slope and ground cover and any litter stored on site or offsite shall be in a covered bunded area with appropriate erosion control measures in place e.g. sediment fencing).

l) Fauna and Flora

At a minimum this will require the submission of the 7-part test pursuant to section 5A of the *Environmental Planning & Assessment Act 1979* in the form of a flora and fauna assessment. A species impact statement (SIS) may also be required. The preparation of a species impact statement will also require consultation with the Department of Environment and Climate Change.

m) Odour

No offensive odour shall occur beyond the boundary of the premises.

n) Dust

An air quality impact assessment shall be undertaken in accordance with best practice.

o) Noise

A noise impact assessment shall be undertaken in accordance with best practice.

p) Waste Management

Waste must be assessed, classified and managed in accordance with best practice.

q) Bushfire

A bush fire assessment shall be undertaken in accordance with "Bushfire Protection Guidelines 2006".

r) Chemical usage

All agricultural chemicals are to be stored, mixed, applied and disposed of in accordance with instruments on the relevant label or permit and NSW WorkCover Authority's code of practice for the safe use and storage of chemicals (including pesticides and herbicides) in agriculture (1998).

## 6.2 Service centres

### **Objective**

The objective of this plan is to provide environmental controls and guidelines to facilitate the proper development of direct access service centres on the Hume Highway.

### **Controls**

a) Visual impacts

The visual impact of the development of the service centres is a product of many factors including building design, height and landscaping.

Service centres shall be generally screened from view from adjoining land uses such as dwellings. Screening shall be achieved through the appropriate use of landscaping.

The land between the entry and exit ramps of each service centre shall be landscaped to provide general screening of the service centres.

No roof should have a highly reflective surface, any metal roof should have a colourbond or equivalent finish in a colour approved by Council.

No advertising structures shall be higher than the parapets or ridges of buildings to which they are attached.

Flagpoles or other similar structures shall be considered on their merits.

b) Acoustic impacts

Development shall comply with relevant noise management guidelines published by the Department of Environment and Climate Change.

Noise mitigation measures shall be provided to ensure compliance with adopted guidelines.

Any proposed noise barriers shall be designed and constructed in a manner that minimises their visual impact. This may involve a combination of different materials, the use of earth mounding and extensive screen landscaping.

c) Lighting

Lighting of the service centres shall be provided in a manner so as to:

- minimise impacts on the amenity of existing and future residences in the locality
- not affect traffic safety on the Highway

Matters that should be addressed in the design of lighting are the:

- intensity of lights
- mounting height of lamps
- use of shields on lamps
- reduction in the extent of lighting of the site during night time non-peak periods

d) Traffic arrangements

Access ramps to the service centres are to comply with the requirements of the Roads and Traffic Authority.

The minimum distance between the access ramps of the service centres and the ramps to the nearest interchange shall be no less than two kilometres.

Vehicular access to the sites shall be restricted to access from the Highway only.

The design of internal circulation roads should discourage excessive speed. It is suggested that on-site speeds in excess of 15 kilometres per hour be discouraged.

Vehicle types shall be separated as soon as possible after leaving the entry ramp. Separate refuelling and parking areas shall be provided for cars and trucks/buses.

The location of service centres shall be adequately advertised through the use of advanced warning signs on the Highway in accordance with Roads and Traffic Authority guidelines.

Council shall determine the level of provision of on-site parking having consideration to the following:

- Council's requirements under clause 3.4 of this plan
- the requirements of the Roads and Traffic Authority and their guidelines published in Policy Guidelines and Procedures for Traffic Generating Developments
- the projected increase in traffic using the Highway
- the policy or intentions of the Roads and Traffic Authority in permitting other direct access service centres on the Freeway in the future

Overflow parking areas shall be provided to cater for peak parking demand.

Adequate land shall be available on-site to allow for an increase in parking provision if required in future. Future parking requirements shall be assessed on the increase in traffic flows and the likelihood of additional service centres being provided to cater for increased demand.

Staff and customer parking shall be separated with customer parking provided as close as possible to proposed facilities.

Pedestrian access to the service centres shall be prohibited by the use of appropriate fencing along the Highway boundaries of the sites.

#### e) Design Guidelines

The design of all buildings shall be generally consistent or complementary architecture, building materials and colours.

Advertising signs shall only display the corporate names of facilities provided within the service centres and the services provided therein. Advertising signs displaying the following will not be permitted:

- product names of retail items whether sold within the service centres or not
- services, goods or any other information not directly associated with the service centres

Advertising signs shall be of a consistent design and shall be consolidated onto as few advertising structures as is practical.

All buildings shall be setback a minimum distance of 25 metres from the Highway reservation.

Advertising structures shall generally be prohibited from being placed within the required 25 metre setback. Exceptions to this will only occur if the applicant can satisfy Council that such structures are necessary to the operation of the Service Centres.

f) Services

Development shall not be permitted unless adequate means for the disposal of effluent are provided to the satisfaction of Council. Land application of treated effluent will not be permitted.

## 6.3 Wind farms

### **Objective**

To minimise the impacts of wind farm development on the environment of the Goulburn Mulwaree local government area.

### **Controls**

a) Locational guidelines and constraints

The locational attractiveness of the Goulburn Mulwaree local government area for wind energy facilities is acknowledged. However, within the Goulburn Mulwaree local government area there are localities sensitive to the form of infrastructure associated with wind energy facilities.

Wind turbines can usually co-exist with many types of land uses. Exceptions are urban development (particularly residential areas), forestry areas and sensitive activities such as airports and some communication facilities.

While the locational requirements of wind farms are sensitive to specific wind speed, at specific localities, these requirements need to be balanced with the landscape values of the area and settlement patterns.

To assist with finding this balance the following locational guidelines and constraints for wind energy facilities are made:

- proposals must be permissible under the LEP, compatible with the existing uses of the subject land and surrounding land and avoid areas identified for future urban development.

- proposals should avoid areas of high environmental value such as:
  - Lands protected under the *National Parks and Wildlife Act 1974* including National Parks, reserves and other areas covered by a Conservation Agreement or Aboriginal place declaration
- World Heritage Areas, other historic/heritage areas, buildings or sites.
  - Wilderness areas identified or declared under the Wilderness Act 1987
  - Areas of National environmental significance as identified under the *Environmental Protection and Biodiversity Conservation Act 1999*
  - Areas affected by *State Environmental Planning Policy No 44 – Koala Habitat*
- Developers will:
  - investigate bird and bat habitat and flight paths. Advice should be sought from past studies, literature reviews, field investigations, local wildlife groups and DECC and other NRM Agencies and then undertake the necessary assessments and document the impact and appropriate mitigation measures in the statement of environmental effects, environmental impact statement or supporting the development application
  - have regard to chapters 3.1 (European Heritage) and 3.2 (Indigenous Heritage and archaeology) of this plan.
  - have regard to the recommendations of the Goulburn Mulwaree Biodiversity Strategy 2007.
- Noise amenity impact upon nearest existing or proposed dwelling is not to exceed 5dBA above ambient background noise or an absolute level of 35 dBA, whichever is greater. Notwithstanding, the minimum setback of towers from residential development shall be 350m.
- To minimise visual impact, avoid locations where turbines are seen by many people. To this end towers are not to protrude beyond ridgelines within view of land visible from areas of existing and future closer settlement such as residential land, large lot residential land, the range of rural lifestyle blocks and the villages of Bungonia, Lake Bathurst, Tallong and Tarago. Similarly, the visual impact of new transmission lines must be evaluated.
- Avoid landing strips and airport facilities especially aircraft flight paths. The Civil Aviation Safety Authority is to be consulted about the need for warning lights on any proposed towers (this is a mandatory requirement for development over 110m in height).
- Site access and road construction will lead to noise, dust and interference with watercourses and vegetation. A total management plan including water management (neutral or beneficial test), road design and management of ecologically sensitive areas needs to be properly addressed and presented to Council as part of the development application and finalised as part of the Construction Certificate application.
- Essential guidelines for reference are the SEDA NSW Wind Energy Handbook 2002 and the former DIPNR EIA Guidelines for Wind Farms, June 2002.

## **6.4 Advertising and signage**

### ***Objectives***

The aims of advertising and signage requirements are to:

Control the size and number of advertising structures or signs displayed on premises to improve the streetscape and amenity of the locality.

Provide information and guidance to building owners and occupiers and Council to enable appropriate design and placement of advertising.

Ensure desired urban or rural character of surrounding land uses is not compromised.

Encourage innovation in the design and construction of signs, within the parameters of this plan.

Encourage a co-ordinated and cooperative approach to advertising signs.

Reduction in the number of signs.

Encourage the use of simple, clear and uncluttered signs.

Discourage the use of neon signs for heritage buildings.

Ensure that any sign fits the streetscape and architecture of the building or location in terms of colour, illumination, wording and visual interest.

Eliminate all signs above awning level except where the architecture of the building provides for such signs.

### ***Controls***

The following design practices and strategies are to be adhered to when making applications for advertising and signage proposals:

#### **6.4.1 Amenity**

Materials, colours and placement of signs to be compatible with the existing building and streetscape – where available and suitable use existing materials, colours and placements.

Advertisements above awning level are not permitted except where the design of the building incorporates an advertising panel.

Designers will need to compromise on matters of corporate design where it is unsuitable in a particularly sensitive area, ie Heritage Conservation Area. The compromise may include lighter/softer shades, reduced signs different manufacturing techniques or the like.

Retain any significant (including previous) signs that are fixed to and or part of the building and recognisable as part of an historic building.

#### **6.4.2 Design**

##### **a) Bulk, scale, shape and size**

Signs in commercial zones should aim to attract pedestrians (across the road or into an arcade) by the use of below awning level signs. In assessing a development application for an advertising sign, it is necessary that the proposal:

- conforms to the desired future character of the area and does not dominate the streetscape or view
- complements the character, architectural design and period of construction of the building and surrounding buildings. For example signs should either be placed on windows, near entrance doors to the retail facility on panels defined using the grid analysis or on an appropriate architectural element such as a podium, pier or pole
- signs shall not extend beyond the dimensions of the building (or features they are mounted on in terms of width or length, e.g. awning fascia)
- be simple, clear and efficient and to a professional standard to inspire confidence in the business or product advertised
- not be visually spoiled by the method of providing electrical services to the sign

##### **b) Number of signs**

Fewer signs are encouraged in the interests of reducing clutter, improving amenity and improving sign efficiency – as with too many signs the message is lost in the clutter.

##### **c) Colour, lettering and illumination for heritage buildings**

#### **Colour of signs**

Sign colour shall be compatible with and complementary to the colour of the period of the construction of the building or locality.

Subdued colours rather than vivid are preferred in the Heritage Conservation Area. Fluorescent and iridescent colours are not acceptable in the Heritage Conservation Area, and a white background is also not acceptable.

Corporate colours are acceptable only if the colours, number of signs and sizes are compatible and complementary to the architecture and streetscape.

Council encourages the use of traditional colours as produced by Pascol, Berger, Dulux, Haymes, Porters, Taubmans and Wattyl.

Colour schemes, particularly for intact buildings shall be continuous above and below the awning so as to enhance the appearance of the whole building.

### **Lettering**

The advertisement is to be designed to be uncluttered and clear with the wording being bold enough for easy reading and understanding.

Lettering style and size shall be compatible with and complementary to the architectural style of the building and streetscape, e.g. on historic buildings and streetscapes (pre-1950), signs must be professionally hand painted, not machine cut.

Buildings are encouraged to display street numbers in locations, size and colours, which complement the architecture and streetscape.

### **Illumination of signs**

Illumination of signs is not appropriate when businesses are not trading.

Illumination shall be continuous only. Flashing or chasing lights are not acceptable.

Neon signs are not appropriate on buildings identified as heritage significant in a Heritage Study or in a Heritage Conservation Area under the LEP, buildings predating neon signs (c1922) or on buildings within the heritage streetscape of the CBD.

Internal illumination is only permitted for under awning signs on modern buildings.

#### **d) Contemporary buildings and corporate signs**

Modern signs are appropriate for modern buildings, however the objectives outlined are applicable. Signs on modern buildings must consider their impact on adjacent properties and the streetscape.

#### **e) Traffic safety**

Advertisements shall be designed so that they will not:

- obscure or interfere with road traffic signs
- obscure or interfere with vehicle vision
- distract drivers at intersections, level crossings or bends
- vary or move the intensity of the illumination
- issue traffic instructions, e.g. use of the words halt, stop or imitate traffic signs
- project over the boundaries of a classified road
- a sign must not be nailed or similarly fixed to a tree or street light pole

### **6.4.3 Highway promotional signs**

All highway promotional sign proposals should refer to the NSW Roads and Traffic Authority Control of Advertising Signs Guideline, the Roads and Traffic Authority Policy 99/3 Management of Illuminated Street Name and Advertising Sign Proposals, and Figure 6.1 of the Roads and Traffic Authority Road Design Guide of clear zone requirements.

#### **a) Assessment criteria**

Each proposal shall undertake a design analysis for the specific locality that identifies:

- existing character of the locality
- key scenic qualities and features of the locality
- desired future character of the locality

#### **b) Locality criteria**

### **Rural areas**

Tourism promotional signs may be established in rural zones where advertising is permissible adjacent to a highway or regional road on the approach to a locality (eg. town, village). One such sign per approach is permitted to maintain uninterrupted views to the rural landscape, avoid clutter and repetition. On the departure side of the sign the advertisement may be of a general promotional nature subject to complying with other assessment requirements. The maximum sign area is 40m<sup>2</sup> per side.

### Urban areas

Third party advertisements (i.e. general and tourism promotional signs) may be established in an urban zone where advertising is permissible adjacent to a highway or regional road.

The signs should not:

- project over the carriageway
- be prejudicial to the safety of the public
- flash, move or cause glare
- be located in or adjacent to a residential zone

There is a limit of one third party advertisement per property.

The sign should be incorporated with any other business identification signs at the site.

Maximum site sign area is 40m<sup>2</sup> per side.

#### c) General design criteria

Third party advertisements are not to:

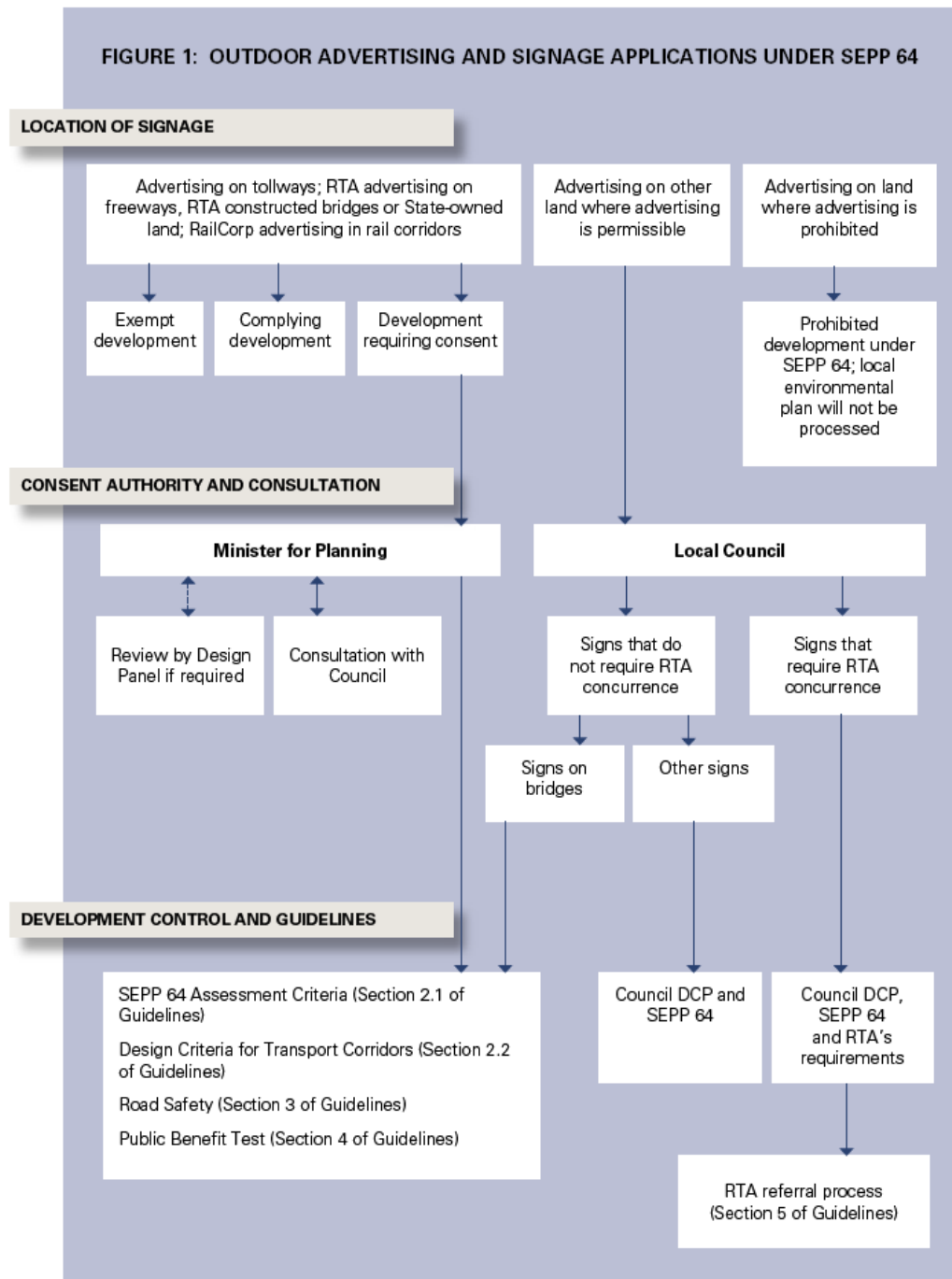
- impact on traffic safety
- adversely impact on the environmental character and quality of the classified road and views from classified roads
- interfere with traffic advisory and traffic control signs

### 6.4.4 Design Assessment Criteria – SEPP 64 Advertising and Signage

SEPP 64 sets out matters for consideration that must be addressed before a consent authority can approve a development application.

A flowchart for the application of SEPP 64 is included in **Figure 6-1**.

Figure 6-1: Outdoor advertising and signage applications under SEPP 64



SEPP 64 applies to all signage. It will have the effect of modifying and having paramountcy over Goulburn Mulwaree LEP, particularly so in the case of large advertisements.

### **Advertising Design Analysis**

Pursuant to clause 29 of the SEPP, this plan in Chapters 2 and 3.1, 3.2 and 3.3 has undertaken an analysis of the following:

- existing character of identified localities, including built forms and landscapes;
- the key positive features of the existing character of identified localities; and
- the desired future character of identified localities.
- the role of advertising is to be compatible with that identified character, existing and desired and those identified features.

### **Assessment Criteria**

#### **a) Character of the area**

Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

#### **b) Special areas**

Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

#### **c) Views and vistas**

Does the proposal obscure or compromise important views?

Does the proposal dominate the skyline and reduce the quality of vistas?

Does the proposal respect the viewing rights of other advertisers?

#### **d) Streetscape, setting or landscape**

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?

Does the proposal contribute to the visual interest of the streetscape, setting or landscape?

Does the proposal reduce clutter by rationalising and simplifying existing advertising?

Does the proposal screen unsightliness?

Does the proposal protrude above buildings, structures or tree canopies in the area or locality?

e) Site and building

Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?

Does the proposal respect important features of the site or building, or both?

Does the proposal show innovation and imagination in its relationship to the site or building, or both?

f) Associated devices and logos with advertisements and advertising structures

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

g) Illumination

Would illumination result in unacceptable glare?

Would illumination affect safety for pedestrians, vehicles or aircraft?

Would illumination detract from the amenity of any residence or other form of accommodation?

Can the intensity of the illumination be adjusted, if necessary?

Is the illumination subject to a curfew?

h) Safety

Would the proposal reduce the safety for any public road?

Would the proposal reduce the safety for pedestrians or bicyclists?

Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

## 6.5 Sex Services Premises

### ***Objectives***

The general objectives of this plan are to ensure that:

Sex services premises are discreet, sensitively located and are not prominent within the community.

Appropriate guidelines are established so that sex services premises are located at a reasonable distance from where people live and other sensitive land uses.

Appropriate guidelines are established which discourage a concentration of sex services premises in close proximity to one another.

Appropriate health and building standards are maintained.

### ***Definitions***

'Sex services premises' are defined under chapter 1.10.

The 'home occupation (sex services)' definition also makes reference to sex services premises.

### ***Controls***

#### 6.5.1 Development applications

The following details are required to be submitted with a completed development application form:

- sex services premises are prohibited in all zones except IN1 General Industrial and home occupation (sex services) are prohibited in all zones. Are sex services premises prohibited in the zone applicable to the proposed site? If so, proceed no further as the proposal is prohibited and must be refused. (Refer applicable LEP – Land Use Table).
- number of persons working on the premises
- hours of operation
- number of rooms in the premises to be used for prostitution
- name of the operator of the proposed sex services premises
- location plan (showing proximity to all places of worship, schools, community facilities, child care centres, hospitals, rail stations, bus stops, all properties used for

residential purposes, and any other place regularly frequented by children for recreational or cultural pursuits, within 250 metres of the site)

- site plan and floor plan (including the use of each room)
- all entrances to and exits from the site
- all windows of the proposed sex services premises and all windows on adjoining buildings
- location, number and layout of parking
- advertising sign (location, size, colour, illumination and content)
- details of the existing and proposed external lighting
- external colour scheme of the premises

When considering an application for a sex services premises, Council will carefully consider the following additional issues:

- the distance between the proposed sex services premises and places of worship, schools, community facilities, child care centres, hospitals, rail stations, bus stops, taxi stand, all properties used for residential purposes, and any place regularly frequented by children for recreational or cultural pursuits.
- whether the operation of the sex services premises could cause a disturbance in the neighbourhood when taking into account other sex services premises operating in the neighbourhood.
- whether sufficient car parking has been provided.
- whether suitable access has been provided to the sex services premises.
- whether the operation of the sex services premises could cause a disturbance in the neighbourhood because of its size, operating hours, and the number of employees and/or clients.
- whether the operation of the sex services premises could interfere with the amenity of the neighbourhood.
- types of advertising signs.
- whether the appearance of the sex services premises will be prominent in the neighbourhood.
- whether the sex services premises provides suitable access and facilities, including car parking, for disabled persons.
- whether adequate security measures are proposed to be implemented by sex services premises operators to ensure the safety of staff and clients and to prevent any disturbance to surrounding premises.

## **6.5.2 Advertising/notification**

Applications for Sex services premises are required to be notified and advertised (refer to Section 1.7) Before determining a development application for Sex services premises representations from the NSW Police Service and owners and occupiers of properties in the vicinity of the proposed development will be sought and taken into consideration.

## **6.5.3 Access and location requirements**

A sex services premises must not be located adjoining or within 100 metres walking distance of any residentially zoned site.

A sex services premises shall not be located adjoining or within 250 metres walking distance of any place of worship, school, community facility, child care centre, hospital, rail station, bus stop, taxi stand, or any place regularly frequented by children for recreational or cultural pursuits.

**Note:** If there are circumstances where the applicant considers that it is not relevant to comply with the above standard, applicants must provide a written submission detailing the reasons why this standard should be varied. The submission must also detail how the objectives of this plan will be satisfied.

The preferred location for a sex services premises is above ground floor level, however access may be provided from the street. If the sex services premises is at street level it should not be in a shopfront location or at the front of premises.

Access to sex services premises is to be discreet, particularly if provided from street level. Council will not approve sex services premises applications where access to the sex services premises is common to other commercial uses or to dwellings.

No patron access is to be provided from a laneway.

The operation of a sex services premises must not cause a disturbance in the neighbourhood taking into account adjacent land uses including any other sex services premises which may be operating in the neighbourhood.

A sex services premises must not be located within the vicinity of a licensed premises i.e. hotel, club, restaurant.

Sex services premises must not contain more than six separate rooms for the purpose of prostitution and associated activities, including office and reception room. Rooms having an area exceeding 18 square metres will be considered as two rooms for the purpose of this plan.

A sex services premises should not be located in proximity to another sex services premises so as to create concentration of this type of use in an area.

#### **6.5.4 Car parking**

Sex services premises must provide one car parking space per person working on the site at any time.

In addition to the above standards, applicants must provide written details and evidence of where patrons are likely to park.

**Note:** Applications that are likely to result in patron parking in residential streets will not be favoured by Council.

#### **6.5.5 Health and building requirements**

All sex services premises must comply with the necessary services and facilities required for Class 6 buildings under the Building Code of Australia.

All sex services premises must comply with the requirements of the *Public Health Act 1991* and the requirements of the NSW Health.

All bars and food preparation areas must comply with the requirements of the *Food Act 2003* and Council's Food Premises policy.

The use of the premises must not give rise to:

- A sound level at any point on the boundary of a site greater than the background levels specified in AS1055 – Acoustic Description and Measurement of Environmental Noise.
- An 'offensive noise' as defined in the *Protection of the Environment Operation Act 1997*.

The sex services premises must be ventilated in accordance with the requirements of Part F of the Building Code of Australia.

#### **6.5.6 Signage**

Only one discreet sign per premise, having a maximum size of 0.5 square metres.

Sign wording must be limited to the trade name of the business operated and the address of the premises.

The content, illumination, size, shape and location of the sign must not interfere with the amenity of the neighbourhood.

### **6.5.7 Standard conditions**

Where consent is granted, a specified sex services premises operator will be nominated on the consent. Should the operator change, Council must be notified prior to the new operator commencing. A condition will be imposed on all consents granted for sex services premises prohibiting the provision or consumption of liquor on the premises.

In the public interest, approval will be limited for a period of twelve (12) months after which Council will review effects of the use on the amenity of the area and the desirability of issuing a further limited approval and the length of time of any such approval.

Council may apply to the Land and Environmental Court under section 17 of the *Disorderly Houses Amendment Act 1995* for premises not to be used as a sex services premises. Council can also initiate proceedings under the *Environmental Planning and Assessment Act 1979* to ensure that sex services premises comply with the requirements of that Act.

## **6.6 Outdoor dining**

### ***Objectives***

Encourage outdoor dining in the City Centre and create opportunities for outdoor eating.

Balance the needs of pedestrians with outdoor diners without creating a safety hazard.

Establish the requirements for the operation of outdoor dining areas in public areas.

### ***Controls***

2 metre wide clear passage area to be maintained at all times.

Tables and chairs to be located with a designated area adjacent to the business premises responsible for their operation.

Outdoor dining area to operate in conjunction with an exiting business premises.

Maintenance of a public risk insurance policy (minimum sum insured against - \$10 million.

The consumption of alcohol is prohibited and licences under the Liquor Act will not be supported due to their incompatibility with the alcohol free area objectives.

Site to operate in accordance with the requirements of the Food Act 1989 and associated Regulation.

All tables and chairs to be kept clean and free of food scraps and litter.

Toilet and wash basin facilities within the existing premises to comply with the BCA.

Furniture to be sympathetic to the character of the surrounding buildings Details to be submitted for approval prior to purchase and placement within the public area.

Furniture to be suitable for outdoor use. Details to be submitted for approval prior to purchase and placement within the public area.

Furniture to be stored within the business premises when the outdoor dining area is not in operation.

Furniture to be maintained in a physically sound condition.

## 6.7 Telecommunications

### **Objectives**

The purpose of this plan is to:

Provide controls for the design and siting of telecommunication and radiocommunication facilities that require development consent;

Provide guidance to service providers about Council's requirements for site selection, design, lodging an application, and conducting community consultation.

### **Controls**

This clause applies to telecommunication and radiocommunications facilities, its supporting infrastructure and ancillary development under the *Telecommunications Act 1997*, *Telecommunications Code of Practice 1997*, *Radiocommunications Act 1992*, and *Telecommunications (Low-impact Facilities) Determination 1997*.

Development consent is required for facilities under the terms of the *Environmental Planning and Assessment Act 1979*. These facilities are referred to as 'non-low impact facilities'.

Goulburn Mulwaree Council does not however have regulatory control over 'low impact facilities'. These are facilities described in the *Commonwealth Telecommunications (Low Impact Facilities) Determination 1997* (LIF Determination) which exempts low impact facilities from State and Territory planning and environmental laws.

However, carriers must comply with the Australian Communication industry forum (ACIF) code with respect to notification and consultation for low – impact facilities.

This clause does not apply to a number of temporary facilities including but not limited to those for use by, or on behalf of, a defence organisation for defence purposes as described under the *Telecommunications Act 1997*. In addition, other facilities may also be exempt, in accordance with Division 4 of Part 1.4 of the *Radiocommunications Act 1992*.

The following relate to all facilities defined as Non-Low Impact facilities and which require a development application to be lodged with Council.

### **6.7.1 Design controls**

Council shall refer all applications involving towers and the like over 30 meters to the Department of Communications Information Technology and the Civil Aviation Safety Authority for comment.

Facilities including all associated infrastructure should be designed and installed having regard to the requirements of all relevant Australian Standards.

Facilities should be designed and installed in compliance with the requirements of the ACMA guide – Accessing and Installing Telecommunications Facilities – A Guide October 1999.

### **6.7.2 Visual amenity**

Service providers are to design antennas and supporting infrastructure in such a way as to minimise the visual impact from the public domain and adjacent areas.

Where possible the facility must be integrated with the design and appearance of the building or infrastructure on which it is located. Where this is not possible this must be justified in writing. The following design features must be taken into account: colour, texture, form, and bulk and scale.

Facilities and all associated infrastructure must:

- be well-designed
- be painted in colours selected to match the colour scheme of the building unless otherwise justified in writing to Council
- be integrated with the existing building structure unless otherwise justified in writing to Council
- have concealed cables where practical and appropriate

- be unobtrusive where possible
- be consistent with the character of the surrounding area

Facilities including associated infrastructure must be removed when no longer being used.

Facilities including associated infrastructure must be suitably proportioned in size in relation to the building to which they are attached or adjoin.

The site must be restored following construction of the facility and its associated infrastructure.

### **6.7.3 Co-location**

Co-location is the practice of locating a number of different telecommunication facilities, often owned by different service provider's, on one facility or structure.

Where possible and practicable, telecommunication lines should be located within any existing underground conduit or duct.

Antennae and similar structures should be attached to existing utility poles, towers, structures, buildings or other telecommunication facilities, so as to minimise visual impact.

Co-location may not always be a desirable option where:

- cumulative emissions are a consideration
- it may be visually unacceptable
- there are physical and technical limits to the amount of infrastructure that structures are able to support
- the required coverage cannot be achieved from the location

### **6.7.4 Siting**

The applicant is to demonstrate that, in selecting a site, it has adopted a precautionary approach in regards to minimising EMR exposure consistent with clause 5.1 of the ACIF Code.

Preferred land uses for location (as determined by Council) include: industrial areas and commercial centres.

Where possible, facilities are to be located away from the street frontage or any public or private property adjacent to the site to reduce visual impact and adequately setback from the perimeter wall or roof edge of buildings.

Facilities should be installed so that they do not encroach upon any easements, right-of-ways, vehicular access or parking spaces required for the property.

Noise caused by the facility must not result in the transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of habitable use.

### **6.7.5 Heritage and environment**

Facilities proposed for areas of environmental significance (as defined in the LIF Determination) require that:

- a development application to be lodged, demonstrating compliance with the *Goulburn Mulwaree LEP* and the provisions of this plan
- the applicant is to avoid or minimise the visual impact of any proposed facility on the heritage significance of adjacent/adjoining/surrounding heritage items and conservation areas;
- the applicant is to provide a heritage report/impact statement in accordance with the *Goulburn Mulwaree LEP*
- the applicant is to avoid or minimise the physical impact of any proposed facility on threatened entities listed under *Threatened Species Conservation Act 1995* and the *Commonwealth Environment Protection and Biodiversity Conservation Act*, including threatened fauna and flora species, their habitat and endangered ecological communities;
- if the service provider is required to notify the Environment Secretary of the Commonwealth Department of Environment and Heritage in accordance with clause 4.18(4) of the *Telecommunications Code of Practice 1997*, Council should be provided with a copy of this document along with any supporting studies accompanying this notification
- the applicant is to employ their utmost care to protect and conserve any possible archaeological relics, places and sites in the path of their activities

### **6.7.6 Facility physical design controls**

The facility and all related infrastructure must be of high quality design and construction.

Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under clause 5.2.3 of the ACIF Code.

The plan for the facility must include measures to restrict public access to the antenna(s). Approaches to the antenna(s) must contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner/manager.

Where relevant, applicant shall adhere to the minimum BCA requirements for facility structural and construction elements and the relevant exposure levels as directed by ACMA.

The applicant must provide Council with certification about the relevant building code standards with which the facility will comply.

### **6.7.7 Facility health controls**

The applicant is to demonstrate the precautions it has taken to minimise EMR exposures to the public.

The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACMA.

The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal.

Telecommunication and radio communication facilities are to be designed, installed and operated to comply with current standards relating to human exposure to electromagnetic energy appearing in any applicable code or standard made.

## **6.8 Large lot residential – Zone R5**

### ***Objectives***

Development is to reflect the objectives of this zone, as described in the land use tables of the LEP 2009.

Ensure the orderly and progressive development of identified rural land for large lot residential development within the identified clusters and preferred sequence.

Minimise the fragmentation of productive agricultural land and impacts to these lands by subdividing and developing for large lot residential within the identified clusters.

Ensure the provision of constructed and safe road access to each lot.

Ensure any environmentally sensitive location is preserved from destruction.

### ***Controls***

### 6.8.1 Special provisions

- LEP – clauses 4.2A and 7.3.
- Clause 4.2 of this plan.

### 6.8.2 General

Large lot residential subdivision pattern is to consider the following matters:

- any proposal must demonstrate that any environmentally sensitive land is protected.
- the site is of suitable size and proportions to minimise exposure and amenity impacts to neighbouring dwellings
- the site and each proposed lot and dwelling has suitable, convenient and safe vehicular access, or such access can be upgraded at no cost to Council
- the site has suitable land capability and suitability and is not productive agricultural land or part of a holding which is productive agricultural land
- the site is able to incorporate buffers internally within the site to adjoining rural properties which have the land capability and suitability for agricultural activities
- the proposed lots and dwellings would not detrimentally affect a listed heritage item or Indigenous cultural heritage
- the location of proposed dwellings would not require excessive cut and fill (i.e. the site has a slope of less than 20%) and is not on top of a ridgeline
- the location of proposed dwellings, including an Asset Protection Zone and other requirements to comply with the Planning for Bushfire protection Guidelines 2006, would not require excessive clearing of native vegetation
- the location of proposed dwellings would not compromise the 40 metre setback to creeks and waterways
- the proposed lots are able to provide suitable and sufficient area for on-site effluent treatment that would not detrimentally affect sensitive receiving environments, if the proposed are located in an unserviced cluster

### 6.8.3 Subdivision

#### a) Site area

Minimum lot size (Reference: Minimum lot size maps LEP 2009):

- generally – 2000m<sup>2</sup>
- Run-O-Waters locality – 2hectares.

Unserviced land may not be able to achieve the quoted minimum lot size.

Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessway, which includes any rights-of-carriageway/access, are to be excluded;

Allotments should be able to accommodate a building envelope of 150m<sup>2</sup> with the minimum dimensions of 10m by 15m, within a 6m front building setback and a 1m side and rear setback and clear of any easements.

b) Lot orientation

The following design techniques are to be adopted to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses:

- align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.
- allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.
- allotments on south side of street should be sufficient depth so buildings can be set well back to allow north facing rooms to look onto larger front yards.
- allotments on north-south streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.
- taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3pm.
- regular rectangular shaped allotments maximises siting opportunities and increases potential lot yield.
- on sloping sites, north-facing sites improve opportunities for solar access.

Lots shall face toward public open space areas, vegetation conservation areas and public roads to encourage passive surveillance from dwellings over these public spaces to assist with safety and security.

Where this cannot be achieved open style fencing is required to promote passive surveillance of public open space and public road area with some landscape screening to provide privacy.

c) Bicycle and pedestrian movements

Provision for bicycle and pedestrian movements are to be provided throughout the area.

Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking at clusters of community and commercial facilities (refer Council's Bicycle Strategy 2007).

To encourage cycling as an easy transport alternative, on-road and off-road cycle networks will be clearly highlighted with signposting and pavement logos. Engineering works, including signposting and line marking must comply with the appropriate engineering standards.

Footpaths are to be provided in accordance with Council's Standards for Engineering Works July 1996, and the hierarchy of roads (e.g. both sides for higher order roads, single side only on lower order roads).

#### **6.8.4 Residential development**

##### **a) Streetscape**

Dwellings are to face public spaces (roads and open space areas).

Dwellings are not to be hidden by high fences.

Garages are to be located behind the building facade so that they do not dominate the streetscape.

Fences shall be of a design that is sympathetic to the existing semi-rural character of the locality.

##### **b) Height**

Maximum recommended height is two storeys.

##### **c) Energy efficiency**

To maximise energy efficiency the internal and external living areas should be located to the north side of the dwelling. Further requirements are specified in **clause 4.1.3** of this plan.

##### **d) Privacy**

Private open spaces and living rooms of adjacent dwellings should be protected from direct overlooking, by:

- ☐ appropriate dwelling layout
- use of distance or slope
- screening devices like screen vegetation and courtyard walls

First floor decks, balconies and the like, are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space of adjoining properties

Windows of one dwelling should not be located opposite the windows of another dwelling unless direct views are restricted

Use of narrow, translucent or obscured windows is encouraged, which are offset.

Provide sufficient distance between dwellings.

e) Acoustic privacy

Noise generating area of a development (e.g. driveway, air conditioning units, swimming pool areas) should be adequately screened or located away from the bedroom areas to minimise impact on neighbours.

Bedroom windows to be a minimum 3m from shared streets, driveways and parking areas of other dwellings

Transmission of noise between adjoining properties should be minimised.

Locate active recreation areas (swimming pools, spas, tennis courts, BBQs), driveways, carports, garages and garbage collection areas, pumps and air conditioners, away from bedrooms of adjacent dwellings.

Dwellings adjoining and other noise generating land uses should be designed and sited to minimise noise impacts.

Locate bedrooms and other noise sensitive rooms away from the road.

f) Parking

Provision for at least one covered parking space (e.g. carport or garage) and one tandem vehicle space (e.g. driveway area in front of garage or carport).

g) Rainwater tanks

A rainwater tank is to be provided to supplement water supply and control stormwater runoff.

The tank shall have a minimum capacity of 10,000 litres.

The rainwater tank supply may be connected to the hot water service (at the applicants risk), laundry and toilet facilities with a top up connection into the tank.

h) Water sensitive urban design

House design should include water sensitive urban design features such as porous paving, infiltration devices and landscaping.

## 6.9 Relocatable homes

### **Objectives**

Ensure the appropriate placement of relocatable homes.

### **Controls**

a) General requirements

External finishes are required to be compatible or complementary to surrounding development and the established character of the area. All external surfaces are to be repainted in the case of relocated homes.

All sub-floor areas must be enclosed using masonry or other materials approved by Council.

Colorbond or painted finishes are preferred for buildings with a metal roof.

b) Relocatable dwellings

The building is to be clad with either hardiplank, hardiflex sheeting, aluminium cladding or timber cladding acceptable to Council.

Prior to the building being relocated all materials containing unstable asbestos are to be removed and disposed of in accordance with the requirements of the NSW Workcover Authority.

Flat fibre cement sheeting is to be removed and replaced with an approved external cladding.

Any damaged or rusted gutters or downpipes are to be replaced with new materials to match existing.

If more than 10% of roofing sheets, gutters, ridge caps or flashings are affected by rust then those sheets or materials must be replaced with new roofing materials to match existing.

All damaged sections of external wall cladding and roof sheeting with new material to match existing.

Any defective, deteriorated or otherwise damaged materials, structural components or cladding are to be replaced.

Where there is an existing concrete floor within the building the slab is to be demolished or structural engineer's details of the method of support are to be submitted.

Any damaged tiles to be replaced with new tiles of the same colour and design as the existing tiles.

All external items (architraves, fascias, barge boards etc) are to be replaced with new material where necessary due to damage incurred in transit, splitting, rot or other reason, to match existing.

Cement tiled roofs shall be replaced with new material being either clay tiles or Colorbond sheeting.

Clay tiled roofs shall be cleaned to the satisfaction of Council.

c) Acceptable design

The design of the building must be compatible with the existing character of the area and surrounding development and must have an aesthetically pleasing and professionally finished appearance. It may be necessary to add to the building or change the design of the proposed relocated dwelling. For example, a flat roof may have to be replaced with a pitched roof or a veranda/awning may be attached to enhance or add character to the relocated dwelling so that it is compatible with the existing streetscape or the character of an area.

The following minimum requirements are to be met:

- the minimum internal floor area is to be not less than 60 square metres
- the building is to be a minimum width of 6 metres

d) Existing water supply or drainage systems

In the case of relocatable dwellings, existing water supply pipes, house drainage pipes and fittings may be reused provided that:

- the system complies with Council engineering standards

- a pressure test is carried out by a licensed plumber and any defective pipes and fittings are repaired or replaced prior to connection to the water supply or sewerage system

e) Siting

The dwelling is to be sited in accordance with Councils setback requirements for residential development. Applicants are required to contact Council Officers to determine the building line and setback requirements for each property.

f) Bond/bank guarantee

The exterior of the building is to be completely restored with all damaged and defective material being repaired or replaced, in accordance with approved building plans, including the painting of the exterior of the building being given to Council to a standard satisfactory to the Council. The applicant is to lodge a bank guarantee or bond of \$10,000 prior to the issue of the Construction Certificate to ensure that work is completed within the prescribed period of time.

## 6.10 Development in the Enterprise Corridor –Zone B6

Notes: 1. Floor Space Ratio (FSR) controls on bulk and scale are found in the LEP 2009, clause 4.4 and 4.5 and the floor space ratio maps.

2. Also Reference chapters 4 and 7 of this Plan.

### **Objectives**

To encourage development which:

- can operate in a functional and safe manner
- is visually attractive in form, design, scale and landscaping
- assists with positive economic, social and environmental outcomes
- minimises conflict with nearby land uses
- buildings face public spaces for passive surveillance
- on site vehicle parking is provided to minimise congestion within the streets
- roof harvesting/rainwater tanks are provided to supplement water supply and control stormwater runoff

## **Controls**

### **a) Streetscape**

Buildings are to face public spaces (roads and open space areas).

Buildings are not to be hidden by high fences.

Front security fencing is to be integrated with landscaping areas and not visually detract from the streetscape.

Open storage areas are to be located behind the front building line and appropriately screened.

### **b) Height**

Maximum recommended height of 8 metres. It is acknowledged that for the functional operation of industrial processes and complexes, parts of the development may exceed 8m in height.

Entrances/front office areas are to be of a single storey scale at the site frontage.

### **c) Building setback**

Minimum requirements:

- Frontage – 6 metres
- Secondary road frontage – 4 metres
- Side and rear – setback distances are proportionally related to required building materials to satisfy wall fire ratings (refer to Building Code of Australia for details).
- Special rear landscape setback applies to Common Street (Refer to 8.2.4(g)).

No parking will be permitted within setback areas.

### **d) External building materials**

External walls shall be profiled colour treated cladding or masonry materials, or a combination of both.

Include a variety of external finishes (colour and type of material used) and visual relief elements in large wall surfaces/elevations.

Colours and profiles of side or rear elevations visible from residential or public areas should be selected to minimise their visual impact.

Reflective finishes and colours are to be avoided.

e) Advertising signs

Signs should be integrated advertising panels into wall surfaces and/or elevations.

**Single occupant industrial sites:**

- one free standing advertising structure within the front setback area
- one advertising sign placed on the facade of the building, but not higher than the building roofline

**Multiple unit industrial sites:**

- one index board constructed within the front setback area, detailing the unit number, tenant and product of each occupant of the site
- one advertising sign placed on the facade of each unit, but not be higher than the building roofline

f) Parking

Refer to **clause 3.4** of this plan.

g) Rainwater tanks

A rainwater tank is to be provided to supplement water supply and control stormwater runoff.

The rainwater tank supply may be connected to the hot water service (at the applicants risk), laundry and toilet facilities with a top up connection into the tank. Rainwater tank supply may also be used for landscape irrigation.

h) Chemical substances

Chemicals to be stored in accordance with WorkCover requirements and appropriate Australian Standards.

Transportation of chemicals in accordance with WorkCover requirements and appropriate Australian Standards.

Preliminary hazard analysis is required for hazardous industry or activity (refer to *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*).

i) Waste disposal

On site provision for waste storage with appropriate screening from a public place.

Trade waste approval may be required for the proposed industrial activity.

j) Subdivision

**Streetscape**

Buildings are to face public spaces (roads and open space areas).

Buildings are not to be hidden by high fences.

Garages are to be located behind the building facade so that they do not dominate the streetscape.

Fences shall be of a design that is sympathetic to the existing character of the locality.

**Acoustic privacy**

Noise generating area of a development (e.g. driveway, air conditioning units, swimming pool areas) should be adequately screened or located away from noise sensitive areas to minimise impact on neighbours.

Transmission of noise between adjoining properties should be minimised.

**Water sensitive urban design**

Subdivision design should include water sensitive urban design features such as porous paving, infiltration devices and landscaping.

## 6.11 Extractive industries

**Objectives**

Consider the social, economic and environmental issues in the assessment and management of extractive industries.

Encourage community participation in all phases of extractive industry development.

Provide sound technical parameters to facilitate the orderly development of extractive resources within environmentally sensitive areas.

**Controls**

a) Community consultation

Applicants are encouraged to interact with local residents and local community groups during the full lifecycle of the development and in particular the following phases:

- project planning and pre-lodgement
- development assessment
- operation and management
- rehabilitation
- post extraction land uses

Proponents should ensure that community views, values and concerns are identified, classified, assessed and evaluated, responded to, and effectively monitored and managed. This may form the foundation of a social impact assessment and annual management plan.

Proponents are encouraged to engage in local community groups to assist in the planning, operation and management of the mining project.

Proponents may be required to establish a Management Committee including at least three permanent residents not associated with the operation.

This Management Committee may provide input into the proponent company's environmental management system and details of which may be recorded in the annual Environmental Management Plan.

#### b) Setbacks

Extraction operations should be setback no less than:

- 10 metres from adjoining property boundaries;
- 30 metres from a public road
- 40 metres from any boundary to a National Park or State Forest or unalienated Crown Lands
- 40 metres from any site or relic of heritage, archaeological, geological, cultural significance
- 150 metres from the Wollondilly, Shoalhaven and Mulwaree Rivers
- 150 metres from major water storage areas
- 250 metres from a well
- 100 metres from intermittent watercourse
- 40 metres from the top bank of a watercourse
- 100 metres from a community facility
- 1,000 metres from a residence not associated with extractive operations

The above setbacks may vary depending upon the nature and location of extractive industries.

Extraction operations should be setback from electricity transmission lines in accordance with the requirements of the controlling electricity authority/transmission corporation. Alternatively, proponents may submit details of re-routing transmission lines including the concurrence to do so from the relevant transmission corporation.

Development shall comply with the requirements of *State Environment Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

## 6.12 Dual Occupancy

### **Objective**

Clarify the permissibility of “dual occupancy” in Rural Zones.

### **Controls**

Person may, with the consent of Council erect one additional dwelling in Rural Zone RU5 Village being ‘dual occupancy’ if arrangements have been made for the provision of a potable water supply and the disposal of sewerage and stormwater from each dwelling.

Note: Dual Occupancy is prohibited in Zones RU1 – Primary Production, RU2 – Rural Landscape, and RU6 – Transition. However “secondary dwelling” is permitted with consent in these zones.

## 6.13 Stables in Residential and Recreation Zones

### **Objective**

Detail the requirements for stable location and design in areas where permissible which is generally as an ancillary development to racecourses and showgrounds. (“Recreation facility (Major)”).

### **Controls**

#### a) Siting

To protect residential amenity, residential accommodation shall not be located within 9 metres of an existing stable or proposed stable on the same site or an adjoining site.

Likewise stables must be located 9 metres or more from:

- Residential accommodation on the same site as the stables; and

- Residential accommodation on an adjoining site.

If there is no dwelling on the adjoining site the stables must be located 9 metres from the standard building envelope on this site.

b) Number

Every horse is to be provided with a stable and have access to a securely fenced and shaded day yard or paddock.

The number of stables must meet or exceed the NSW Racing requirements for a trainers licence i.e

Licence Type	Number
Metropolitan trainer	10 Horses (Minimum)
Provincial trainer	3 Horses (Minimum)
Provincial owner/trainer	1 Horse (Minimum)

The following design requirements are applicable:

1. Stable design must be in accordance with NSW Agriculture (1996) Animal Welfare Code of Practice – The Care and Management of Horses in Riding Centres and Boarding Stables (Refer Appendix 2).
2. In accordance with the *Local Government Act (Orders) Regulation 1999* the:
  - Stable floor must be paved with concrete or mineral asphalt or other equally impervious material
  - Stable floors must be properly graded to drain
  - Horse yards must be enclosed to prevent the escape of horses.
3. The design of the stable should blend aesthetically with any residential accommodation on the site.
4. A section 68 *Local Government Act 1993* approval is required or the operation of any trade waste facilities associated with the stables and for the discharge of liquid waste to the sewerage system (refer Section 4 and Appendix 3).
5. No sleeping quarters are to be permitted with the stables.

6. Roofwater from the stables is to be collected and reused on site in landscaping and watering horses.
7. To supplement water supply and control stormwater runoff residential accommodation should be provided with a rainwater tank to the following requirements:
  - The tank shall have a minimum capacity of 10,000 litres.
  - The rainwater tank supply shall be connected to the hot water service, laundry and toilet facilities with a top up connection into the tank.

## 6.14 Manfred Park Block – Goulburn

### **Objective**

To provide a framework for site planning.

To detail development constraints.

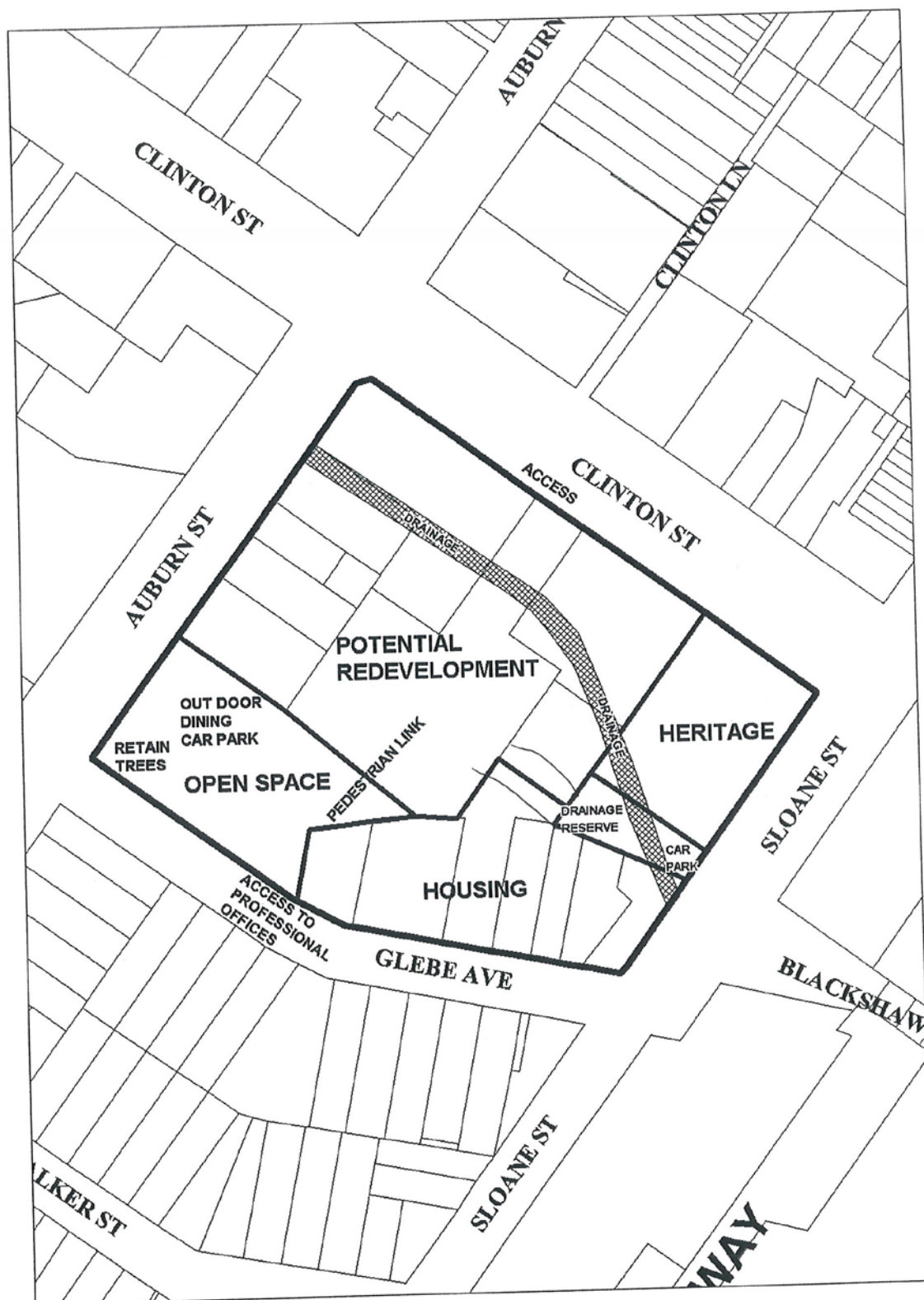
### **Controls**

Development outcomes:

- Strategic location
  - Redevelopment of Manfred Park is undertaken in conjunction with adjoining land.
  - Landuse to reflect site / area's strategic location.
- Stormwater drainage
  - The stormwater function through the area is to be maintained. Current capacity of drainage channel is 2% AEP (Annual Event Probability).
  - The Neutral or Beneficial Effect on Water Quality Test is to be satisfied.
  - Reference: Stormwater Investigation, Bill Guy and Partners September 2005.
- Flood liability
  - Overland stormwater flows in an Extreme Flood Event are to be maintained. Auburn Street road reserve may require additional works to protect site against an extreme storm event.
- Existing uses
  - Proposed landuse complements existing uses.
- Landscaping
  - The detention facility is to be appropriately landscaped to reflect its urban context.

- Existing trees are to be retained as part of any redevelopment proposal.
- Potential contamination
  - Part of the site was formerly used as a timber yard and therefore potential contamination may exist. Fill and differential settlement issues will require further investigation.
  - A preliminary assessment will be necessary to determine if any detailed investigation and remediation for the site is necessary.
- Infrastructure and Access
  - No major water or sewerage works are expected as a result of the redevelopment of this site.
  - Access to the site is to be provided from the Clinton Street entrance.
- Provide for on-site parking sufficient for the intended use for:
  - On site loading / unloading
  - Appropriate access design on the existing road network, including the capacity for all vehicles using and servicing the redevelopment area to enter and leave in a forward direction.
- Provision for a walkway through the open space area to allow connectivity between the redeveloped area and existing residential dwellings suited to conversion to professional offices use.
- Overhead power lines
  - The location of existing high voltage powerlines will require consideration.
- Urban Design Outcomes
  - Housing stock is to be retained with additions to be sympathetic and at the rear of existing buildings.
  - Retention of the wool store (especially verandah façade)
  - New buildings to have a modern urban design statement as per the provision of this plan.

Figure 6-2: Development Objectives



## 7 Engineering requirements

Engineering requirements under part 7 of this plan apply to all development, including subdivision, where permissible within the Goulburn Mulwaree local government area.

### 7.1 Utility services

#### **Objectives**

To provide satisfactory utility services to the development site.

#### **Controls**

Applicants are to provide connections to the following services where available to the site – water, sewerage, gas, telephone and electricity, on site.

Applicants are advised to liaise with the AGL (gas), Telstra (telephone), Country Energy (electricity) and Council (water and sewer) or other accredited provider as to the availability of these services, prior to submission of development applications.

Sewerage and water supply design to be in accordance with the Standards for Engineering Works, July 1996. Rainwater tanks are to be provided in accordance with Council Policy.

Council is not averse to applicants supplying their own power supply, provided that Country Energy approve the alternate power source.

Council may require as a condition of its consent, prior to release of Certificates or plans, that satisfactory arrangements be made for the provision of a reticulated electricity supply, telephone services and a reticulated natural gas supply.

### 7.2 Roads

#### 7.2.1 Urban

##### a) Roads

#### **Objectives**

All roads are to be designed and constructed in accordance with Council's Standards for Engineering Works July 2009.

## **Controls**

Council's Standards for Engineering Works July 2009 shall apply to new subdivisions and dual occupancy and multi unit development.

Residential development shall be designed to:

- Council's Standards for Access Driveways and Parking Areas 2001
- ensure satisfactory and safe operation within the adjacent road system
- take into account water sensitive road design practices
- have regard to contours and avoid large cuts and fills, steep slopes, prominent hilltops and creeks
- avoid long dead ends and cul-de-sac heads on the down slope end of roads
- ensure that drainage lines are not impeded
- stabilise, replant and/or top dress exposed batters and table drains and improve slope stability on all earthworks
- when using rear public and private laneways for vehicle access in dual occupancy and multi unit development the engineering design shall:
  - make provision for bitumen sealed laneway construction, the provision of passing bays, drainage, sediment control etc from the development site to the closest public road. In the event that the above requirements cannot be achieved, for whatever reason the laneway is not to be used and access is to be provided from the public road frontage.

All proposed road, splay and road widening shall be dedicated to Council, free of cost as public roads.

Where the design of the access road involves realignment, provided the Council agrees to acquire any adjoining land, which may be necessary to effect such realignment, the applicant shall bear full cost of such acquisition.

The use of decorative paving such as brick, interlocking pavers or coloured concrete is encouraged as these materials can enhance the appearance of the street and signify to motorists its residential function and corresponding appropriate driver behaviour.

Where cul-de-sacs are included in road design, when all other options are considered, alternative cul-de-sac heads that may be considered are square offset, T-Heads and Y-Heads. Include appropriate traffic calming devices on the collector roads.

Roads should be placed between houses and open space areas/vegetation conservation areas to provide a buffer separation for fire management and vegetation preservation along with passive surveillance benefits.

## **7.2.2 Rural**

### **Objectives**

All proposals are to be designed and constructed to comply with, as a minimum, the provision of Ausroads standards for rural roads, drainage, erosion and sediment control and other special facilities covered in the standard.

### **Controls**

Proposed road reserve width of 20 metres.

Subdivision:

### **General road provisions**

Proposals, including new roads and Crown roads to be transferred as public roads to Council, must front and connect to a bitumen sealed two lane road designed and constructed in accordance with Council's Standards for Engineering Works, July 2009.

Access via a right of carriage way shall be limited to one lot and constructed to an all weather pavement standard.

### **Standards for Rural Roads serving up to two properties / dwellings:**

#### **Applicability for Development Applications:**

Currently for development that generates traffic up to 50 vehicles per day, Council's road standard is a 6m formation, 4m sealed, with 60km/h design speed.

For a very small rural development (involving two properties / dwellings); and for internal rights-of-way on rural properties the following road minimum standard will apply:

- Road type – generally all-weather, which maybe unsealed or gravel
- Road width – 4 metres wide with 1 metre wide shoulders on each side. Shoulders can be unformed
- Guide posts installed to Australian Standards
- Road construction
  - Roadbase a minimum of 150mm this, with 20-50mm gravel size
  - Crowned or single graded cross section to shed water
- Drainage
  - Concrete culverts with headwalls will be installed at watercourse crossing. The culvert size to be determined by design or a minimum of 450mm
- If a public road, then public road fencing to both sides

- All work to be performed to workperson like quality
- Engineering drawings are not required

**Construction of inspections and certificates:**

For public roads only, Council will inspect the work as follows:

- On complete subgrade
- On final proof roll

Compaction test results achieving 95% standard compaction are required.

**Maintenance Responsibility**

Since the roads are not constructed to normal engineering standard, Council will not maintain these roads. This is the case whether the road is constructed as a result of a Development Consent condition, or it is pre-existing.

**Haulage Route standards:**

In terms of the upgrading of haulage routes, Council typically requires the following:

- 7m wide carriageways in rural areas.
- 1m wide shoulder with 500mm seal.
- 8m wide culverts and bridges (i.e. from barrier to barrier).
- Replacement of road surface with asphaltic concrete in village areas.
- Possible intersection upgrades.

Note: It should be noted that the consent of Council as the roads authority is required for making of an application to carry out road improvements.

## **7.3 Drainage and Soil and Water management**

### **7.3.1 Drainage (Urban)**

***Objective***

Prevent erosion and local flooding.

Ensure adequate drainage facilities are provided within the site to collect and carry stormwater to external systems.

Provide water quality management systems which ensure that disturbance to natural stream systems is minimised and stormwater discharge to service and underground receiving waters, both during construction and in developed catchments, does not degrade the quality of water in the Wollondilly River and Mulwaree Ponds.

Retain where possible roof water on-site.

### **Controls**

Adequate measures designed in accordance with Council's Standards for Engineering Works, July 1996, must be made during construction to ensure the land is stabilised and erosion is controlled, until the site is satisfactorily landscaped.

A plan identifying the location of stabilisation methods such as stacked hay bales and sedimentation fences or geotech fabric may be required by Council prior to the release of any plans.

Applicant shall have regard to the Stormwater Management Plan, April 2000. A copy is available for perusal at Council.

Relevant matters to be considered are:

- urban run-off
- interlot drainage
- design criteria
- erosion sedimentation
- floodways and retention basins
- stormwater runoff from roofs and paved areas is to be collected on-site and retained where appropriate or disposed of to the street drainage system, drainage easement, natural drainage course or infiltration trenches to the satisfaction of Council.

### **7.3.2 Water Sensitive Urban Design (Urban)**

Principles of water sensitive urban design to be incorporated into subdivision design.

Development must comply with the neutral or beneficial effect on water quality test (*Drinking Water Catchments Regional Environmental Plan No. 1*)

Drainage lines are to focus on the "natural" or existing drainage lines and integrated into the open space network.

Drainage design is to minimise run off into vegetation conservation areas to assist with ongoing preservation.

Drainage corridors are to be dedicated as drainage reserves at the developers cost and free of charge to Council. Drainage reserves are classified as “operational” land under the *Local Government Act 1993*.

Detentions basins are required upstream of development (eg. Marys Mount Road) to regulate and control the runoff back to rates equal with “natural” runoff. Detention basins may also be required to regulate and control runoff to rates equal with “natural” runoff.

Detention ponds and other stormwater treatment devices are to be “offline” and “at source” to ensure stormwater runoff is treated prior to entering these areas.

Use of rainwater tanks will assist with minimising runoff associated with minor rainfall events.

Stormwater drainage systems are to be designed in accordance with Council’s Engineering Standards for Engineering Works 1996.

The piped drainage system to be designed for a 1 in 5 year storm event. Higher order storms events to be based on overland flow systems along “natural” drainage lines.

### **7.3.3 Soil and water management**

#### ***Objective***

To minimise soil erosion and water pollution by minimising land disturbance and requiring control measures on-site.

To ensure the potential impacts of development on the water quality of the catchment can be quantified and evaluated in the context of Ecologically Sustainable Development.

#### ***Controls***

Development proposals where the area of disturbance is less than 2500m<sup>2</sup> require an Erosion and Sediment Control Plan (ESCP) (written document and site diagrams) that indicates measures to minimise erosion and sedimentation.

Development proposals where the area of disturbance is 2500m<sup>2</sup> or greater should be accompanied by a Soil and Water Management Plan (SWMP) (written document and site diagrams), prepared by a suitably qualified person(s), that clearly identifies the constraints of soil erosion, sediment pollution and stormwater pollution.

The SWMP should contain appropriate Best Management Practices that recognise site constraints and support ESD principles. The plan should include:

- soil conservation and pollution/nutrient control measures to be installed prior to clearing and earthworks and maintained until landscaping measures are complete
- protection measures for site access and exits
- catchment drainage characteristics of existing and proposed drainage patterns
- protection of existing overland flow paths, watercourses, stormwater kerb inlets and drains.
- upslope clean surface runoff diversions around the disturbed areas
- staggered site works to minimise disturbance
- rehabilitation and stabilisation of the disturbed areas
- measures to minimise the impacts of agricultural practices (such as the use of fertilisers, cultivation practices, tree clearing and pasture management)

The SWMP should detail means to achieve no net increase in pollution of downstream waters through the use of Best Management Practices.

The Plan should balance the management of runoff between farm dam storage and the needs of the downstream environment.

Development of slopes greater than 20% should be avoided. Lands with slopes greater than 20% and having soil landscapes with a moderate to high soil erosion hazard are considered as sensitive areas. Development should minimise disturbance to these areas by minimising areas of cut and fill to depths of 1m. Development proposals within these areas should be accompanied by:

- an evaluation of the site stability (i.e. a geotechnical report)
- a schedule of earthworks
- details of appropriate construction techniques

Plant species which are non-invasive to bushland should be used in landscaping and soil and water management works.

All development proposals on potentially agricultural land should be accompanied by an assessment of the agricultural capability of soils on the property and the effect of the development on the agricultural capability of these soils on the property and the effect of the development on the agricultural capability of these soils.

## **7.4 Site Specific Provisions**

### **7.4.1 Common Street – Goulburn City**

- a) Road requirements

#### **Common Street**

Common Street North is to have a 10m wide carriageway pavement.

Common Street South is to have a 13m wide carriageway pavement

### **Enterprise development roads**

Proposed roads widths are to be 22m with a 13m pavement plus kerb and gutter.

### **Sydney Road**

Sydney Road is a Classified Road.

Direct access from Sydney Road or a new road access off Sydney Road requires RTA approval, with the exception of existing development.

### **General road provisions**

All roads are to be designed and constructed in accordance with Goulburn City Council's Standards for Engineering Works July 1996.

Development shall be designed to:

- Goulburn City Council's Standards for Access Driveways and Parking Areas 2001
- ensure satisfactory and safe operation with the adjacent road system
- take into account water sensitive road design practices
- have regard to contours and avoid large cuts and fills, steep slopes, prominent hilltops and creeks
- avoid long dead ends and cul-de-sac heads on the down slope end of roads
- not dam gullies, creeks or drainage lines
- stabilise, replant and/or top dress exposed batters and table drains and improve slope stability on all earthworks

All proposed road, splay and road widening shall be dedicated to Council, free of cost as public roads.

Where the design of the access road involves realignment, provided the Council agrees to acquire any adjoining land, which may be necessary to affect such realignment, the applicant shall bear full cost of such acquisition.

The use of decorative paving such as brick, interlocking pavers or coloured concrete is encouraged as these materials can enhance the appearance of the street and signify to motorists it's residential function and corresponding appropriate driver behaviour.

Where cul-de-sacs are included in road design, when all other options are considered, alternative cul-de-sac heads that may be considered are square offset, T-Heads and Y-Heads.

Include appropriate traffic calming devices on the collector roads.

Roads should be placed between houses and open space areas/vegetation conservations areas to provide a buffer separation for fire management and vegetation preservation along with passive surveillance benefits.

b) Drainage and water sensitive urban design

The principles of Water Sensitive Urban Design are to be incorporated into subdivision design.

Development must comply with the neutral or beneficial effect on water quality test (refer *Drinking Water Catchments Regional Environmental Plan No. 1*)

Drainage lines are to focus on the natural drainage lines and integrated into the open space network.

Drainage design is to minimise run off into vegetation conservation areas to assist with ongoing preservation.

Drainage corridors are to be dedicated as drainage reserves at the developers cost, free of charge to Council. Drainage reserves are classified as “operational” land under the *Local Government Act 1993*.

Detentions basins may be required to regulate and control the runoff to rates equal with “natural” runoff.

Detention ponds and other stormwater treatment devices are to be “offline” and “at source” to ensure stormwater runoff is treated prior to entering these areas.

Use of rainwater tanks is mandatory to assist with water supply and stormwater infrastructure requirements.

Stormwater drainage systems are to be designed in accordance with Council's Engineering Standards for Engineering Works 1996.

The piped drainage system to be designed for storm events with the following ARI's:

- Commercial/industrial 10 years
- Residential and rural residential 5 years.

Higher order storms events to be based on overland flow systems along “natural” drainage lines.

**Note:** Development within this plan is to be constructed in accordance with the principles of Water Sensitive Urban Design and specifically in accordance with the report commissioned by Council: Water Sensitive Urban Design Common Street Business Park, Goulburn by Storm Consulting Pty Ltd December 2003.

**Figure 7-1: Common Street trunk drainage corridor**



## 7.4.2 Clyde Street – Goulburn City

### a) Road requirements

Provision for a Ring Road, which will distribute traffic more evenly and provide greater access to Clinton Street. This will reduce traffic pressure on existing residential areas to the east of the study site and allow for easy access to the town centre for new residents.

New road to be sufficient to accommodate linkage to Clyde Street for a potential school bus service.

Consideration is to be given to the Department of Environment and Climate Change Environmental Criteria for Road Traffic Noise May 1999.

### General Road Provisions

All roads are to be designed and constructed in accordance with Goulburn City Council's Standards for Engineering Works July 1996.

Residential development shall be designed to:

- Goulburn City Council's Standards for Access Driveways and Parking Areas 2001
- ensure satisfactory and safe operation with the adjacent road system
- take into account water sensitive road design practices
- have regard to contours and avoid large cuts and fills, steep slopes, prominent hilltops and creeks
- avoid long dead ends and cul-de-sac heads on the down slope end of roads
- not dam gullies, creeks or drainage lines
- stabilise, replant and/or top dress exposed batters and table drains and improve slope stability on all earthworks

All proposed road, splay and road widening shall be dedicated to Council, free of cost as public roads.

Where the design of the access road involves realignment, provided the Council egress to acquire any adjoining land, which may be necessary to affect such realignment, the applicant shall bear full cost of such acquisition.

The use of decorative paving such as brick, interlocking pavers or coloured concrete is encouraged as these materials can enhance the appearance of the street and signify to motorists it's residential function and corresponding appropriate driver behaviour. (This is of particular importance for the proposed T-intersection at the junction of Clyde Street and the proposed Ring Road, and at the potential Clyde Street/Turner Street junction).

Where cul-de-sacs are included in road design, when all other options are considered, alternative cul-de-sac heads that may be considered are square offset, T-Heads and Y-Heads.

Include appropriate traffic calming devices on the collector roads.

Roads should be placed between houses and open space areas/vegetation conservations areas to provide a buffer separation for fire management and vegetation preservation along with passive surveillance benefits.

b) Drainage and water sensitive urban design

Principles of water sensitive urban design are to be incorporated into subdivision design.

Development must comply with the neutral or beneficial effect on water quality test (refer *Drinking Water Catchments Regional Environmental Plan No. 1*).

Drainage lines are to focus on the “natural” or existing drainage lines and integrated into the open space network (refer to **Figure 7-3**).

Drainage corridors are to be dedicated as drainage reserves at the developers cost and free of charge to Council. Drainage reserves are classified as “operational” land under the *Local Government Act 1993*.

A Detention basin may be required to regulate and control runoff to rates equal with “natural” runoff.

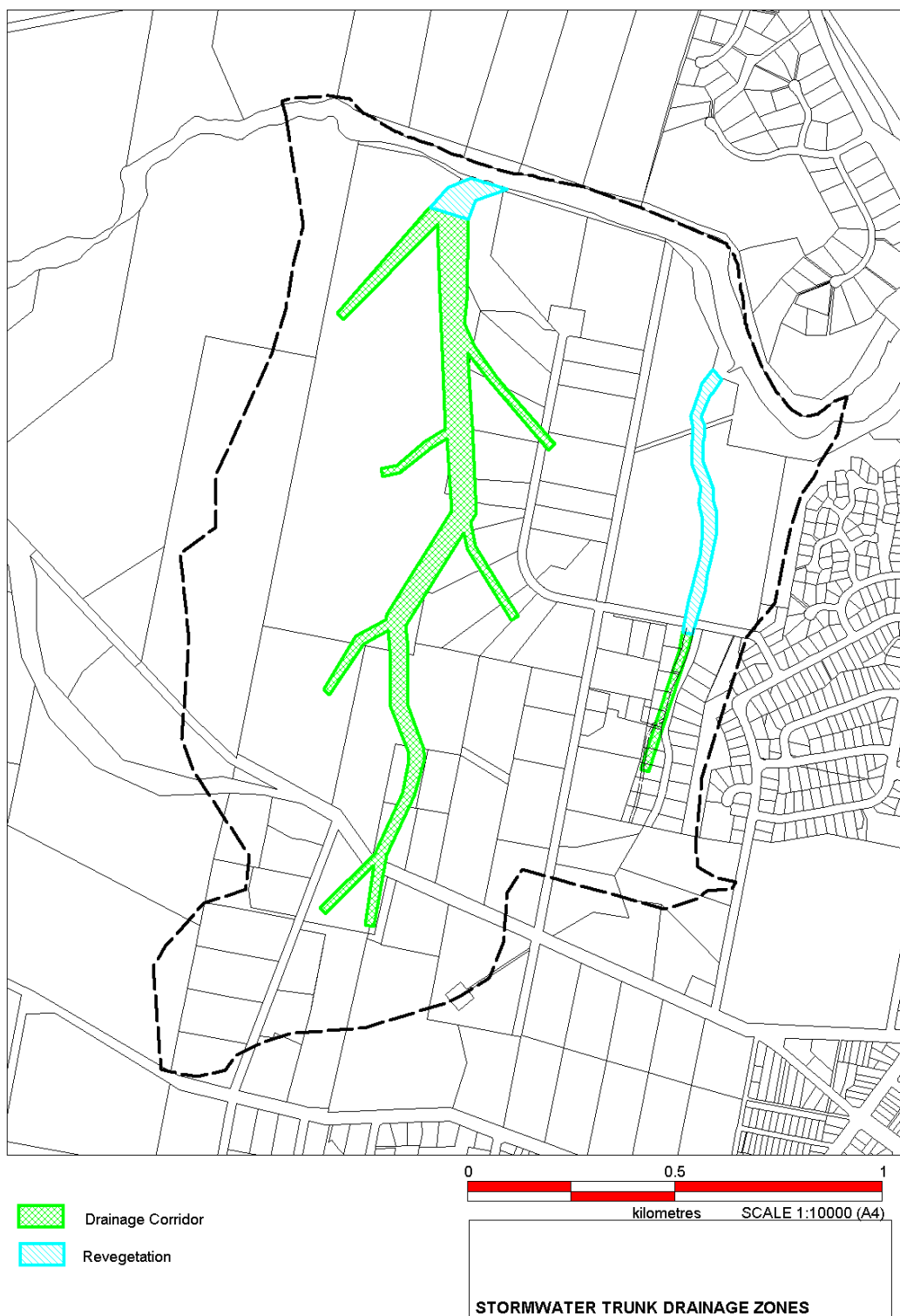
Detention ponds and other stormwater treatment devices are to be “offline” and “at source” to ensure stormwater runoff is treated prior to entering these areas.

Use of rainwater tanks will assist with minimising runoff associated with minor rainfall events.

Stormwater drainage systems are to be designed in accordance with Council's Engineering Standards for Engineering Works 1996.

**Note:** Development within this plan is to be constructed in accordance with the principles of Water Sensitive Urban Design and specifically in accordance with the report, “Water Sensitive Urban Design for Clyde Street Precinct, Goulburn”, Storm Consulting Pty Ltd (Storm), August 2004.

**Figure 7-2: Trunk drainage zones**



## 7.5 Easements

### a) Easements

Easements shall be required pursuant to section 88B of the *Conveyancing Act 1919*, as follows:

- sewerage and water supply easements shall be created over all existing and proposed sewer and water lines
- where applicable, easements for batter and support shall be created over lots in accordance with approved engineering plans
- all existing and proposed rights of carriageway shall be legalised
- easements for electricity purposes, if required, shall be created over existing and proposed electricity lines
- drainage reserves (or easements in exceptional circumstances) shall be created over proposed stormwater drainage lines (including floodways), in accordance with the Council's standards
- easements and reserves shall be dedicated to Council free of cost and appropriately indicated on the plan of subdivision

The final plan of survey and other associated instruments plus six copies, suitable for registration with the Department of Lands, shall be submitted to Council for endorsement prior to the development commencing operation.

## 7.6 Staging of development in urban release areas

The Section applies to development within the Common Street, Clyde Street, Long Street (Charles Valley) and Ducks Lane urban release areas.

- a) Council will allow staged development in the subject urban release areas only if Council is satisfied that:
  - i. adequate arrangements have been made by any developer with Council for the provision of infrastructure and services of sewerage, water, road, landscape and stormwater drainage; and
  - ii. the developer will pay for all infrastructure costs generated by their development.
- b) The areas identified in the table to this sub-clause must make provision for the specific infrastructure identified in the table in addition to other general matters specified under (a).

Area	Infrastructure
Clyde Street, Goulburn	Construction of a road connection between Clinton Street, opposite Rossiville Road, and Clyde Street generally parallel to River Street.
Common Street, North Goulburn	Construction of a roundabout at Sydney Road and Common Street. Landscape buffer along Long Street to: <ul style="list-style-type: none"> <li>▪ Separate residential and industrial uses,</li> <li>▪ Provide as landscape and wildlife connection,</li> <li>▪ Assist with stormwater management.</li> </ul>
Long Street (Charles Valley), Goulburn	Provision of essential services of sewerage, water supply and stormwater drainage. Upgrade of Long Street.
Ducks Lane, South Goulburn	Provision of a landscape buffer along the western boundary to separate any industrial activity from the adjoining "Run-O-Waters" rural residential area. Upgrade of Ducks Lane.

## 8 Site specific provisions

### 8.1 Marys Mount

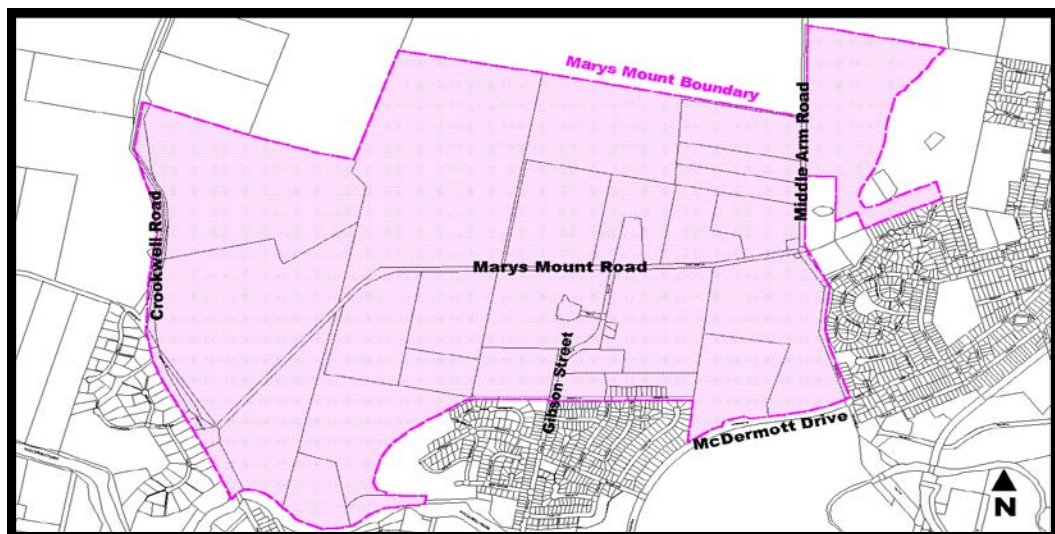
#### Objectives

- To provide an indicative plan for the future residential subdivision and development of the area based on the development constraints and infrastructure design.
- To identify and protect natural and heritage assets in the Marys Mount development area.

#### 8.1.1 Land to which this clause applies

This Section applies to the land shown on the Map in **Figure 8-1**.

**Figure 8-1: Marys Mount Development Area**



#### 8.1.2 Constraints

Opportunities and constraints to development have been identified to guide future residential development and for any future planning proposals.

The initial planning process included the identification of the main constraints to development within the area, which includes:

- a) Water and sewer infrastructure requirements (and estimated costs)

- b) Road requirements
- c) Drainage lines
- d) Flooding
- e) Land capabilities
- f) Land ownership
- g) Remnant vegetation
- h) Historic features
- i) Potentially contaminated land

These constraints were mapped on cadastre and an aerial photograph, which identified land free of constraints (i.e. developable land).

The developable land was then refined with collector roads and open space areas identified. Demand for shops, schools and other community facilities were then considered based on potential population numbers.

The main constraints to development are mapped and shown in **Figure 8-2**.

#### **8.1.2.1 European Heritage**

In the LEP 2009, Schedule 5 the following heritage items have been identified:

- 133 Marys Mount Road; and
- 38 Marys Mount Road.

All development proposals involving these sites are subject to clause 5.10 of LEP 2009.

It will also be necessary to impose design guidelines for future residential development in the vicinity of these items to ensure that the new development does not compromise the elements of heritage significance.

The Ledgerville property also has some local heritage value and a similar approach is to be taken.

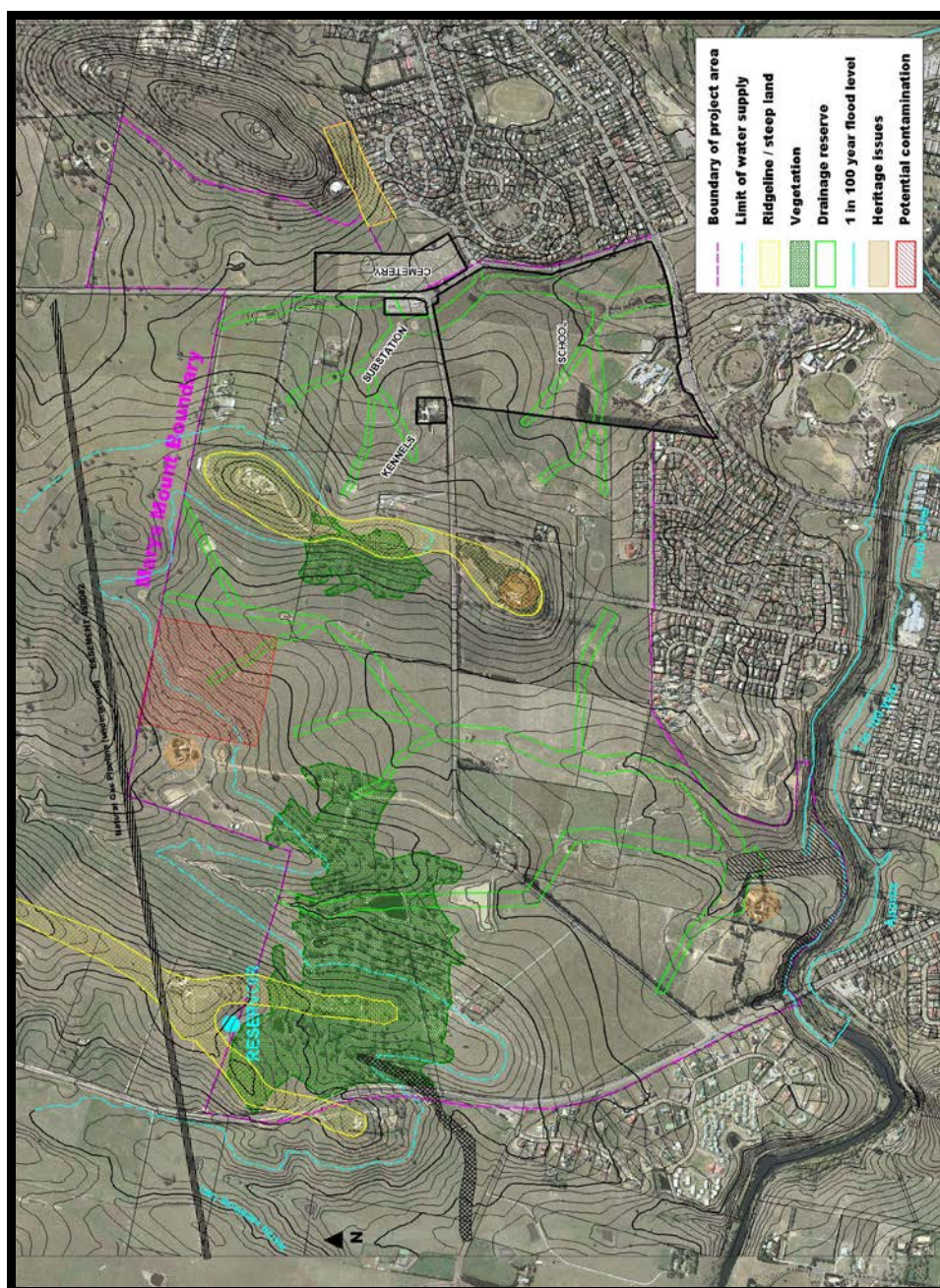
#### **8.1.2.2 Aboriginal Heritage**

According to the studies completed for Goulburn on Aboriginal archaeology and site location, no aboriginal sites have been identified in the Marys Mount area. However, there may be potential for some sites near the Wollondilly River.

### 8.1.2.3 Contamination

Pastoral grazing has been the main agricultural use in the area and no sites have been identified as being potentially contaminated. However, the orchard area around “Tenneriffe” may have involved the use of chemical sprays. An assessment in accordance with *State Environmental Planning Policy No.55 – Remediation of Land* will be necessary prior to any rezoning/subdivision proposal for the site.

**Figure 8.2: Environmental constraints**



### 8.1.3 Development Potential

Land that is suitable for development has been identified by removing land subject to the constraints identified. The area of land available for development is approximately 234 hectares based on an average residential lot size of approximately 1,000 m<sup>2</sup>.

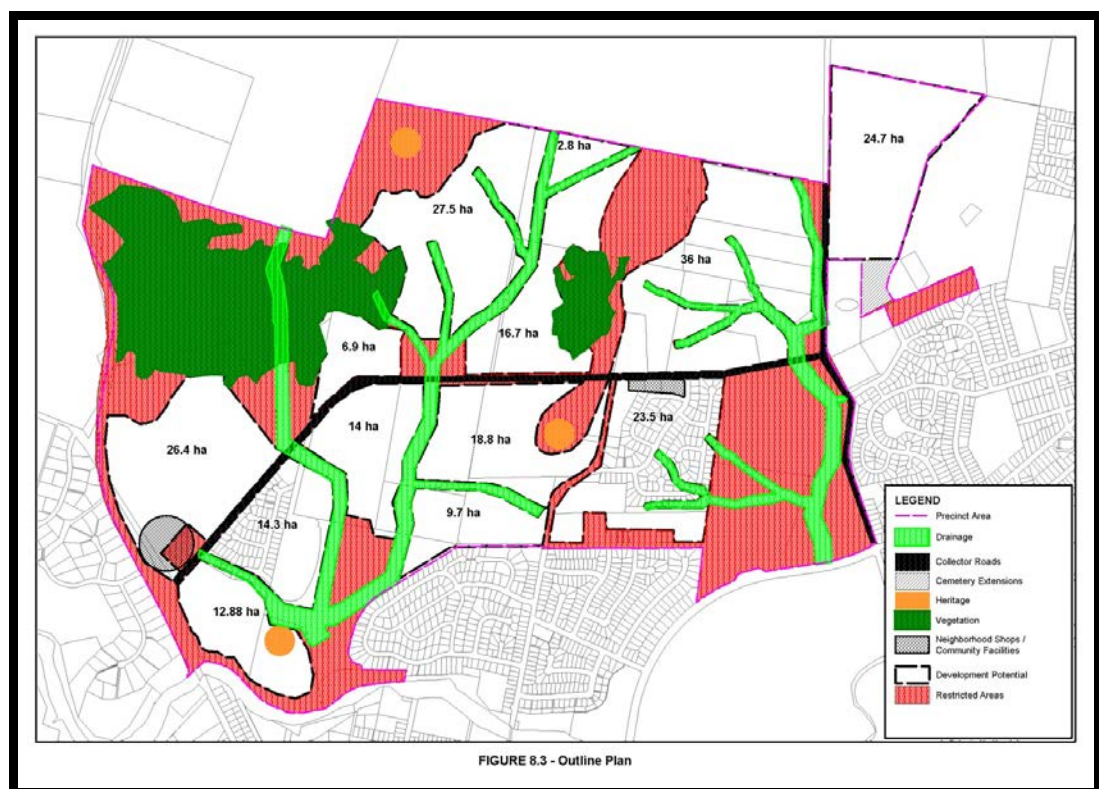
With an occupancy rate of 2 persons per household (from Goulburn Mulwaree Strategy 2020) and assuming each lot will be used for a single dwelling there is the potential for an ultimate population of 4,000 people.

The development potential is displayed in **Figure 8-3** (below).

POTENTIAL RESIDENTIAL LOTS: 2,000

POTENTIAL POPULATION: 4,000

**Figure 8.3: Development potential**



## **8.1.4 Subdivision Requirements**

### **8.1.4.1 Site Area**

- a) Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessway, which includes any rights-of-carriageway/access, are to be excluded.
- b) Allotments should be able to accommodate a building envelope of 150m<sup>2</sup> with the minimum dimensions of 10 metres by 15 metres, within a 6 metre front building setback and a 1m side and rear setback and clear of any easements.
- c) Minimum lot size is 700m<sup>2</sup>.
- d) Minimum lot size does not apply to the subdivision of individual lots in a strata or community title scheme or individual lots that are to be used for attached dwellings, multi dwelling housing or semi detached dwellings.

### **8.1.4.2 Lot Orientation**

#### **a) Solar Access**

The following design techniques are to be adopted to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses.

- i. Align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.
- ii. Allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.
- iii. Allotments on the south side of a street should have a sufficient depth so that buildings can be set well back to allow north facing rooms to look onto larger front yards.
- iv. Allotments on south-north streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.
- v. Taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3pm.

- vi. Regular rectangular shaped allotments maximises site opportunities and increases potential lot yield
  - vii. On sloping sites, north-facing sites improve the opportunities for solar access.
- b) Passive Surveillance
- i. Lots shall face toward public open space areas, vegetation conservation areas and public roads. Where this cannot be achieved open style fencing is required to promote passive surveillance of public open space and public road area with some landscape screening to provide privacy.
  - ii. Visually contain the carriageway to promote steady, predictable traffic speeds by:
    - o Encouraging hedging or front fences;
    - o Using upright kerbs;
    - o Provide on-street parking;
    - o Providing wide verges;
    - o Planting street trees at regular spacing within the carriageway or verge;
    - o Only use narrow streets, when lot frontages are wide (at least 15 metres).

#### **8.1.4.3 Bicycle and Pedestrian Movements**

- a) Provision for bicycle and pedestrian movements are to be provided throughout the area.
- b) Provide footpaths on both sides of the street. They must be provided in accordance with Council's Standards for Engineering works.
- c) Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking and clusters of community and commercial facilities (Refer to Council's Bicycle Strategy 2008-2018).
- d) On -road and off-road cycle networks will be clearly highlighted with signposting and pavement logos.

#### **8.1.4.4 Streetscape**

- a) A 5 metre landscape buffer area is to be provided along each side of Marys Mount Road. Dedication of this land to Council will attract offsets as provided for in the Section 94 Plan. This area will be planted with suitable native tree species

to promote reestablishment of threatened or endangered species. A list of preferred planting species tree species is included in **Appendix B**.

- b) Existing trees are to be retained where possible and appropriate.
- c) Existing trees should be located near boundaries of proposed allotments to avoid conflict with proposed building envelopes (refer to Council Policy- Bushfires and Vegetation Controls).
- d) Streetscape planting themes are to be developed based on native tree species suitable for the locality in an urban context.
- e) Use robust tree guards to protect immature trees.
- f) Dwellings situated on major roads may require some separation from the carriageway to protect their amenity. Dwellings, rather than rear fences, should face all types of roads to increase their visual appeal. Separation may be provided by a slip road that provides access along Marys Mount Road.
- g) As an alternative, increased separation may also be provided along Mary's Mount Road by providing an increased landscaped buffer of up to 10 metres (Refer to **Section 8.1.5.2 Collector Roads**).
- h) Extensive landscaping to arterial and collector roads in order to soften their appearance and create a more attractive environment for users.
- i) Landscaping of arterial with slip roads should include major trees within a central median, in a landscaped strip between the main carriageway and slip road carriageway, and in the verge.

#### **8.1.4.5 Open Space**

- a) Open space should be dispersed throughout the locality to ensure equity of access for residents.
- b) Areas identified as being a drainage line shall be set aside as a drainage reserve and the open space network shall be focused on these drainage lines.
- c) Drainage lines are to be re-established as 'natural' watercourses largely through revegetation with native species.
- d) Environmental Management plans for natural areas are to be prepared particularly for the watercourses and areas of remnant vegetation.
- e) Council's Leisure- Recreation and /social Planning Study identifies that there is sufficient active recreational reserves and sports grounds provided elsewhere in the City.
- f) Goulburn Mulwaree Contributions Plan details community facilities and open space requirements.

#### 8.1.4.6 Sites of Visual Importance

Subdivision design must address sites of visual importance and demonstrate how they will be protected or enhanced. The sites that have been identified, include:

- a) Monastery Hill;
- b) Ridgelines;
- c) Vegetated hilltops.

#### 8.1.4.7 Water Sensitive Urban Design

- a) Development must comply with the neutral or beneficial effect on water quality test (NorBE) (Refer to *State Environmental Planning Policy Sydney Drinking Water Catchment 2011*).
- b) Drainage lines are to focus on the 'natural' or existing lines and integrated into the open space network.
- c) Drainage design is to minimise run off into vegetation conservation areas to assist with ongoing preservation.
- d) Drainage corridors are to be dedicated as drainage reserves at the developers cost and free of charge to Council. Drainage reserves are classified as 'operational' land under the *Local Government Act 1993*.
- e) Detention basins are required upstream of Marys Mount Road to regulate and control the runoff back to rates equal with 'natural' runoff. Detention basins may also be required to regulate and control runoff to rates equal to with 'natural' runoff.
- f) Detention ponds and other stormwater treatment devices are to be 'offline' and 'at source'.
- g) Stormwater drainage systems are to be designed in accordance with Council's Engineering Standards for Engineering Works 1996.
- h) The piped drainage system to be designed for a 1 in 5 year storm event. Higher order storm events to be based on overland flow systems along 'natural' drainage lines.

#### 8.1.5 General Road Provisions

All access and road layouts will generally conform to the Indicative Road Layout Plan **Figure 8-4**, Transport Movement Hierarchy **Figure 8-5** and:

- a) Give consideration to NSW Road Noise Policy (July 2011);
- b) Give consideration to Council's Standards for Access Driveways and Parking Areas (2001);

- c) Be designed and constructed in accordance with Council's Standards for Engineering Works (July 2009);
- d) Should border all open space areas to provide a buffer separation;
- e) All proposed road, splay and road widening shall be dedicated to Council, free of cost as public roads;
- f) Where the design of the access road involves realignment, provided the Council agrees to acquire adjoining land, which may be necessary to affect such realignment, the applicant shall bear full cost of such acquisition; and
- g) Take into account Water Sensitive Road Design Practices (Refer to **Chapter 8.1.4.7**).
- h) All roads will provide upright kerbs to prevent informal use of verges for car parking.

#### **8.1.5.1 Arterial Roads**

- a) With the exception of existing dwellings, direct access off Crookwell Road is prohibited and is to be controlled by an appropriate mechanism (e.g. restriction as to user on property title).

#### **8.1.5.2 Collector Roads**

- a) Collector roads will provide reference to the Indicative Road Layout Plan (**Figure 8-4**)
- b) Collector roads need to be designed to enable easy-way finding. They must demonstrate connectivity by generally being more direct than access roads.
- c) Collector roads are to have a minimum road reserve width of 30 metres and a minimum pavement width of 10 metres (Refer to **Table 8.1 – Road Hierarchy**).
- d) Entry statements (such as signage marking the 'gateway' to an estate) should be avoided or temporary (e.g. for the sales period only) as it effectively isolates the development.
- e) Collector roads must be designed to enable uses by buses and bus stops and should be located where there is likely to be passive surveillance at most times of the day and night (e.g. outside dwellings rather than in open space).
- f) Must provide street trees in line with Council's Standards for Engineering Works (July 2009).
- g) Street parking must be provided in the carriageway and in line with Council's Standards for Access Driveways and Parking Areas (2001).
- h) A minimum of 5 metres of land should be provided to Marys Mount Road to achieve an overall road reserve width of 30 metres. This provides the necessary

width required to provide for the carriageway, footpaths, bicycle path and landscaping.

- i) Direct access to Marys Mount Road from private property is prohibited.
- j) Marys Mount Road is part of the stock route network connecting Chinaman's Lane/Crookwell Road to Middle Arm Road. This can be provided as part of the landscaped roadside verge area.

### **8.1.5.3 Access Roads**

- a) Access roads should prioritise pedestrians and cyclists- they should provide a pleasant environment that encourages walking and social interaction.
- b) Houses on access road corners should address both street frontages.
- c) Avoid cul-de-sacs wherever possible. If they are used:
  - o Limit their length so the end point is visible from the access point;
  - o Provide access to 10 house at the most
  - o Avoid cul-de-sac at activity centres (i.e. near shops) & where they would limit direct access to transport.
- d) Level 1 Access Roads are roads servicing more than 15 lots and that have direct access to a collector road are to have a minimum road reserve width of 20 metres and a pavement width of 9 metres, unless the road has:
  - o Trees in the verge, a pavement width of 9.6m are required;
  - o With trees in the carriageway + verge, a pavement width of 9.6m is required;
  - o With parking bays, a pavement width of 10.4m is required;
  - o With trees in the carriageway and swales, a pavement width of 9.6m is required.
- e) Level 2 Access roads are roads servicing more than 15 lots are to have a minimum road reserve width of 18 metres and a pavement width of 9 metres, unless the road has:
  - o Trees in the verge, a pavement width of 9.6m are required;
  - o With trees in the carriageway + verge, a pavement width of 9.6m is required;
  - o With parking bays, a pavement width of 10.4m is required;
  - o With trees in the carriageway and swales, a pavement width of 9.6m is required.
- f) Level 3 Access Roads are roads servicing less than 15 lots are to have a minimum road reserve width of 15 metres and a pavement width of 6 metres.

#### **8.1.5.4 Intersections**

- a) Design intersections to reflect street hierarchy.
- b) On collector and access roads use four-way intersections where possible.
- c) Avoid roundabouts wherever possible by:
  - o ensuring the design indicates the presence of the intersection on all approaches; and
  - o using short block lengths (<70metres) on access roads.

#### **8.1.5.5 Road Hierarchy**

- a) **Figure 8-4 & 8-5** illustrate the arterial roads, cycle-ways, existing and future collector roads.
- b) All developments in the precinct are required to contribute towards the upgrading of collector and arterial roads.

**Table 8-1 – Road Hierarchy**

Street Type	Road Reserve Width (M)	Carriageway Width (M)	Appropriate Use	Reference
Arterial Road	N/A	N/A	Arterial roads are generally used to link and pass through a town or suburban regional/sub regional centres.	Crookwell Road
Collector Road - with landscaped buffer	30	10	Collector Roads link neighbourhoods together. They usually carry bus routes within as well as between neighbourhoods.	1
Level 1 Access Road - with trees in verge - with trees in the carriageway + verge - with parking bays - with trees in the carriageway + swales	20	9 9.6 9.6 10.4 9.6	Level 1 Access Roads are roads servicing more than 15 lots and that have direct access to a collector road. They the predominant street type within a neighbourhood. They provide access to the dwellings, parks and neighbourhood edges.	2
Level 2 Access Road - with trees in verge - with trees in the carriageway + verge - with parking bays - with trees in the carriageway + swales	18	9 9.6 9.6 10.4 9.6	Level 2 Access roads are roads servicing more than 15 lots that do not have direct access to a collector road. They the predominant street type within a neighbourhood. They provide access to the dwellings, parks and neighbourhood edges.	3
Level 3 Access Road	15	6	Level 3 Access Roads have limited use. Use only where: - traffic volumes are low - there is low parking demand and - where the lot width is 15m or more.	4

**EXAMPLE ROAD HIERARCHY**

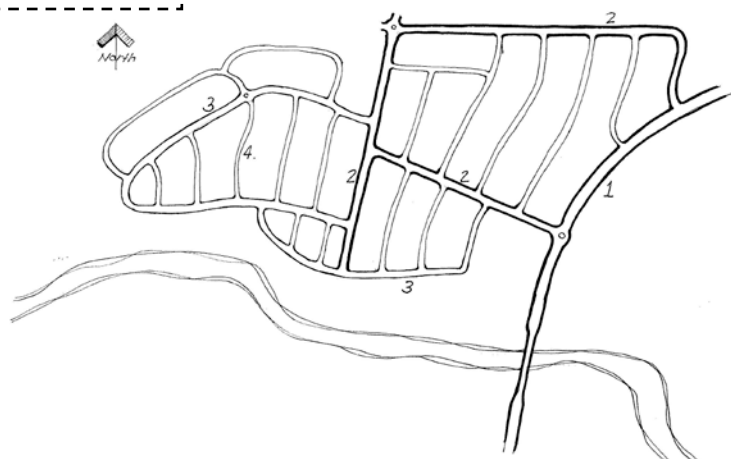


Figure 8-4: Indicative Road Layout Plan

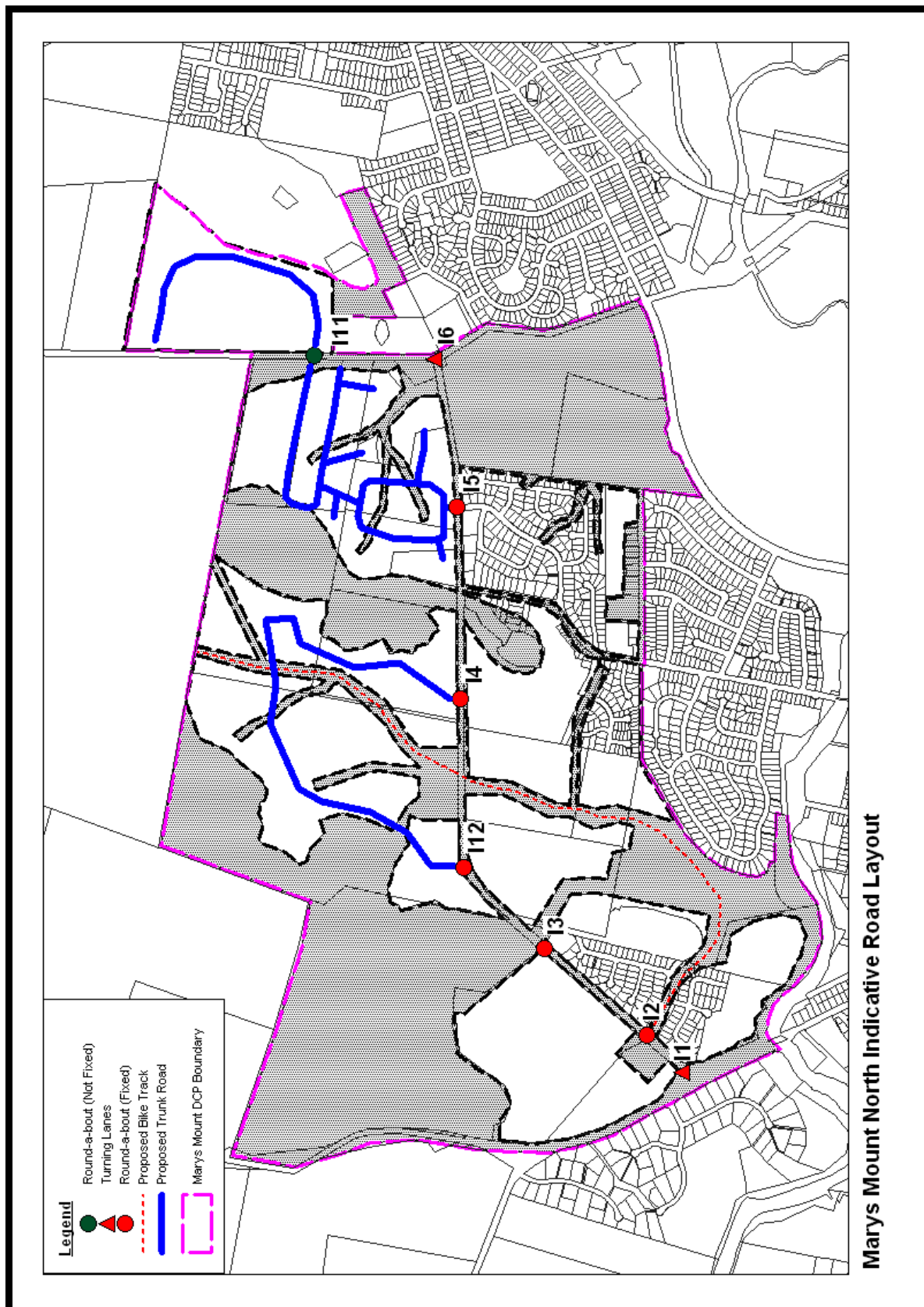
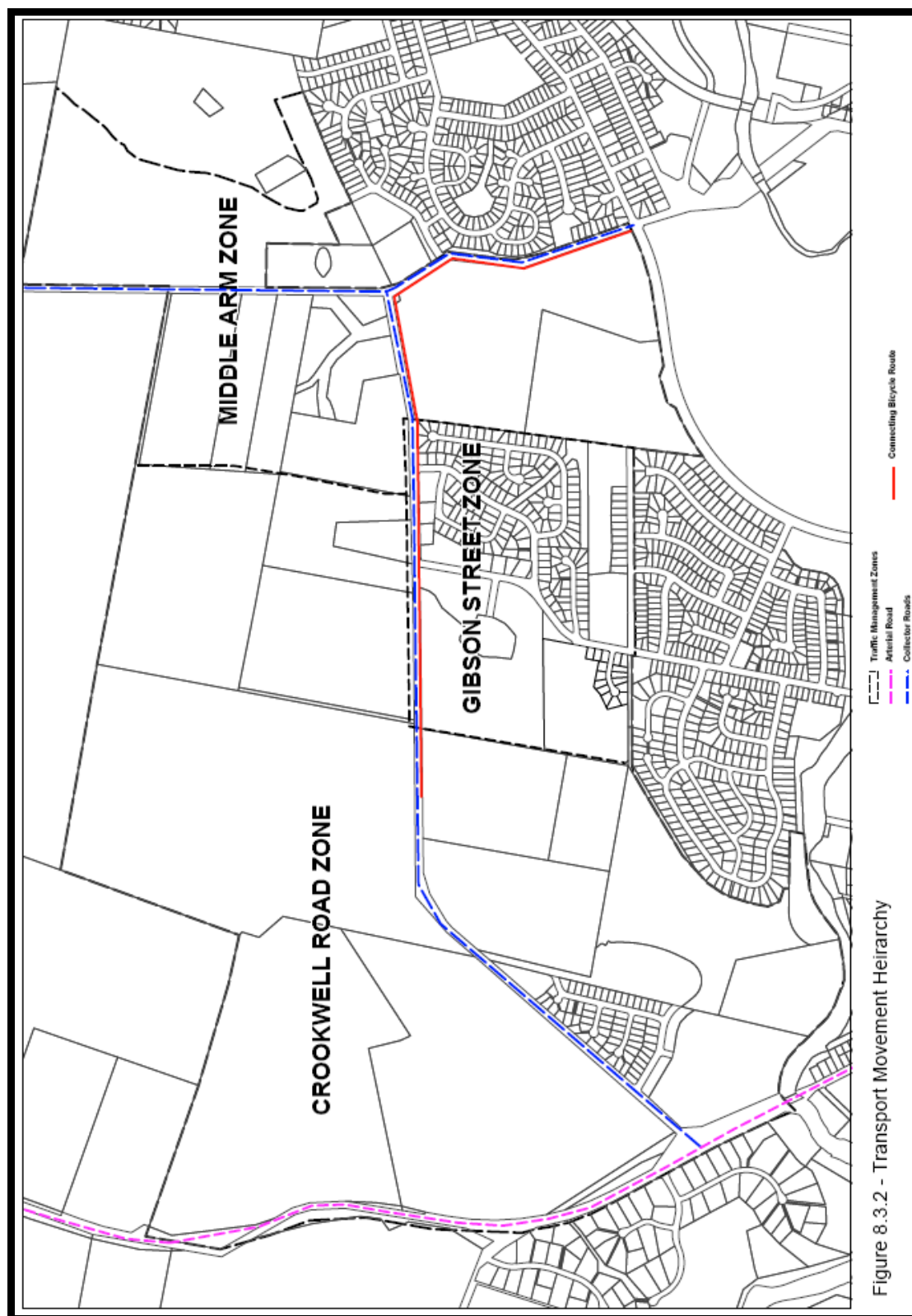


Figure 8-5: Transport Movement Hierarchy



## **8.1.6 Residential Development Controls**

### **Objectives**

To encourage residential development in which:

- There is a diversity of housing stock and type to meet diverse housing needs
- Dwellings to face public spaces for passive surveillance
- Living areas are oriented to the north for energy efficiency benefits
- Dwelling design and siting respects the privacy of neighbours
- On site vehicle parking is provided to minimise congestion within the streets
- Garages and fences do not dominate the streetscape
- There is easy access to community facilities
- Rainwater tanks are provided to supplement water supply and control stormwater runoff

### **8.1.6.1 Detached Dwellings**

#### **Controls**

- a) Streetscape
  - i. Dwellings are to face public spaces (roads and open space areas)
  - ii. Limit the height of front fences and hedges to 1.2 metres to enable surveillance of the street and to contribute to the streets amenity.
  - iii. Garages are to be located behind the building façade so that they do not dominate the streetscape.
  - iv. Rear private open space areas are to be accessible by vehicles.
- b) Height
  - i. Maximum recommended height is 2 storeys.
- c) Energy Efficiency
  - i. Internal and external living areas should be located to the north side of the dwelling.
  - ii. A BASIX Certificate shall support all approvals for a dwelling.

d) Visual Privacy

- i. Private open spaces and living rooms of adjacent dwellings should be protected by:
  - o appropriate dwelling layout
  - o use of distance or slope
  - o screening devices like fences, window screens, screen vegetation and courtyard walls
- ii. First floor decks, balconies and the like are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.
- iii. Windows of one dwelling should not be located opposite the windows of another dwelling unless direct views are restricted.
- iv. Use of narrow, translucent or obscured windows is encouraged

e) Acoustic Privacy

- i. Noise generating areas of a development (such as a driveway, air conditioning unit or swimming pool areas) should be adequately screened or located away from bedroom areas to minimise impact on neighbours.
- ii. Bedrooms of one dwelling shall not share walls with living rooms or garages of adjacent dwellings.
- iii. Bedroom windows to be a minimum 3 metres from shared streets, driveways and parking areas of other dwellings
- iv. Transmission of noise between adjoining properties should be minimised.
- v. Location of active recreation areas (swimming pools, spas, tennis courts, BBQs), driveways, carports, garages and garbage collection areas, pumps and air conditioners should be away from bedrooms of adjacent dwellings.
- vi. Dwellings adjoining Marys Mount Road and other noise generating land uses should be designed and sited to minimise noise impacts.
- vii. Location of bedrooms and other noise sensitive rooms should be away from the road.

f) Parking

- i. Provision for at least one covered parking space and one tandem vehicle space.
- g) Water
  - i. Rainwater tanks of a minimum capacity of 10,000 litres shall be connected to the hot water service, laundry and toilet facilities with a top up connection into the tank.
  - ii. House design should include water sensitive urban design features such as porous paving, infiltration devices and appropriate landscaping.

#### **8.1.6.2 Dual Occupancy and multi-residential accommodation**

- a) Detached Dwelling Provisions also apply to Dual Occupancy and Multi-unit residential accommodation.
- b) Dual occupancy and multi unit residential accommodation development and density requirements in the subject R2 low density residential zone are detailed in Chapter 4.

#### **8.1.7 Other Development Controls**

- a) Community Facilities
  - i. Community facilities should be clustered, which will assist in promoting multi-use trips, reducing traffic impacts and improving accessibility.
  - ii. Community facilities should be located at the periphery of residential neighbourhoods to avoid traffic impact intruding into residential areas.
- b) Schools
  - i. No additional school facilities have been identified for the area to serve the estimated population.
- c) Open Space
  - i. Refer to section 8.1.4 Subdivision.
- d) Retail Premises & Neighbourhood Shops
  - i. Land at corner of Crookwell Road and Marys Mount Road has been zoned 'B1 Neighbourhood Centre'. A wider range of retail uses are permissible in this zone.

- ii. Within the 'R2 Low Density Residential' zone retail premises (except Neighbourhood Shops) are prohibited uses.
- iii. Two appropriate sites for neighbourhood shop development are identified in Figure 8.3- Development Potential.
- iv. Total floor area of neighbourhood shops is not to exceed 1,000m<sup>2</sup> of which a small supermarket shall be no more than 800m<sup>2</sup>.
- v. Additional neighbourhood shops within the residential zones will only be considered where supported by an economic supply and demand analysis. A proposal should demonstrate consistency with the *Draft Centres Design Guidelines (Department of Planning 2011)* and any relevant strategy of Council.

## 8.1.8 Urban Release Areas

### 8.1.8.1 Staging Plan

- a) **Figure 8-3** shows the sequence of staged residential land release areas.
- b) Stage 1, is the first residential land release area is on the corner of Marys Mount and Middle Arm Roads while the second stage is on the Eastern side of Middle Arm Road.
- c) Once stage 1 has been assessed and released, stage 2 will then go through the same process before released.
- d) Neither stage will be released until Council has made an assessment of:
  - i. the stock of vacant, serviced and undeveloped or underdeveloped land and the potential housing opportunities available within the low density residential zone R2 and;
  - ii. the rate of supply, the degree of choice and the current and projected rate of take-up and the current and housing types within the R2 Residential zone and;
  - iii. Council is satisfied that there is insufficient land available within the R2 Residential zone to cater for projected household growth and having regard to the need to ensure the efficient functioning of the housing market or;
  - iv. the land available within the R2 residential zone is inadequate to satisfy housing preferences or requirements of all segments of the housing market, and;
  - v. adequate arrangements have been made with Council for the provision of infrastructure and services to the land including essential services of:

- the disposal and management of sewerage;
- reticulated water supply;
- the upgrading of Marys Mount Road;
- landscaping provisions; and
- stormwater drainage infrastructure, to support an orderly residential land release of stage 1 than stage 2.

#### 8.1.8.2 Overall landscape strategy

- a) Figure 8.3 shows the areas that need protection and enhancement for the Marys Mount precinct. They include:
  - i. ridgelines and steep land;
  - ii. remnant vegetation areas;
  - iii. riparian area;
  - iv. drainage reserve areas;
  - v. neighbourhood riverside park; and
  - vi. cycle ways
- b) Chapter 3.3 of this plan sets out detailed landscaping requirements
- c) Stage one residential release area is affected by extensive drainage reserves and Stage Two residential release area is affected by steep land.
- d) All developments in the precinct are required to contribute towards the enhancement of drainage reserve areas, cycle-ways and the neighbourhood riverside park.

#### 8.1.8.3 Passive and Active Recreation Areas

- a) Figure 8.3.2 shows the recreation network consisting of:
  - i. drainage reserves to be used as passive and active recreation areas;
  - ii. cemetery reserve
  - iii. passive remnant vegetation areas to be protected and enhanced; and
  - iv. the precincts active neighbourhood riverside park site.
- b) Stage 1 of the residential release area is directly affected by extensive drainage reserves and stage 2 by the cemetery reserve. Drainage reserves are subject to the provisions of **Chapter 7.3** of this plan.
- c) The part of stage 2 (**figure 8-3**) that is the cemetery reserve extension should be excluded from potential residential development. Dedication of such land by

future applications would be treated as a 'material public benefit' for the purpose of Goulburn Mulwaree s94 Development Contributions Plan 2009.

#### **8.1.8.4 Stormwater and Water Quality Management**

- a) Stormwater and water quality management controls are detailed in **chapter 7.3** of this plan.
- b) Stage 1 of the residential release area is subject to extensive drainage lines which are to be constructed and designed in accordance with water sensitive urban design principles (**Chapter 7.3.2**) and soil and water management requirements (**Chapter 7.3.3**).

#### **8.1.8.5 Urban Design Controls**

- a) Urban design control principles are detailed in **Chapter 4** of this plan.

#### **8.1.8.6 Higher Density Living**

- a) Density controls are detailed under **Chapter 4.1** of this plan.
- b) Medium density development is permissible throughout the residential R1 and R2 zones.
- c) Stages 1 and 2 will allow multi unit residential accommodation (except residential flat buildings) throughout the areas at a ratio of 350m<sup>2</sup> per dwelling unit.

#### **8.1.8.7 Public Facilities and Services**

- a) Figure 8.3 identifies the following public facilities and services in the Marys Mount Precinct:
  - i. cemetery reserve and proposed extension
  - ii. electricity substation
  - iii. high school site;
  - iv. neighbourhood riverside park site;
  - v. required drainage reserves; and
  - vi. traffic management zones.

- b) Residential release area stage 1 is affected by an electricity substation and proposed drainage reserves while stage 2 is affected by existing cemetery reserve and proposed extension and steep land.
- c) Goulburn Mulwaree Section 94 Development Contributions Plan 2009 Chapter 6- 'Marys Mount' details required development contributions towards 'neighbourhood riverside park', 'rustic cycle parks', and 'road upgrading and traffic management' for both release areas.

Figure 8-6 – Staging Plan

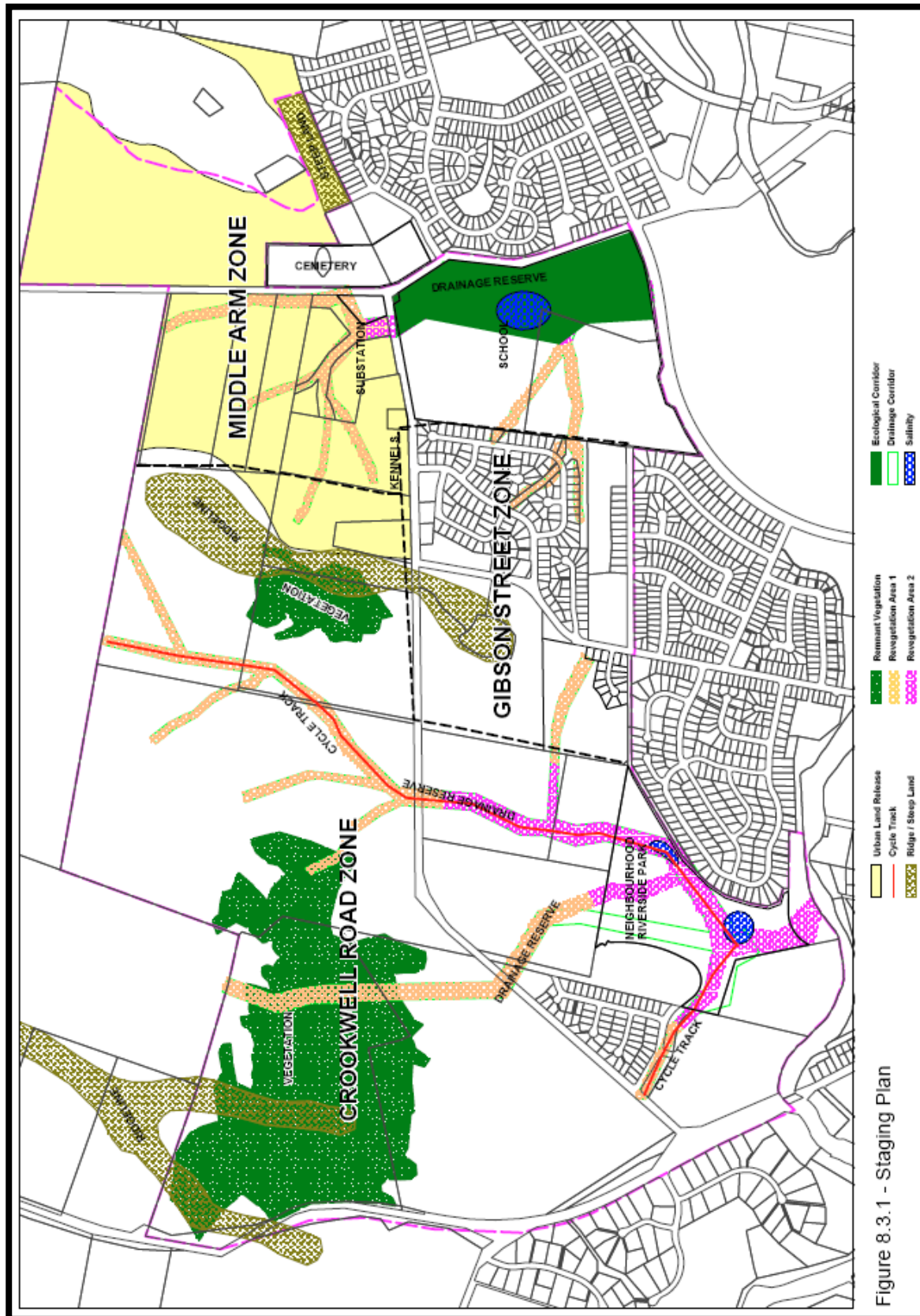


Figure 8.3.1 - Staging Plan

## 8.2 Common Street

**Note: Floor Space Ratio (FSR) controls on bulk and scale are found in the LEP 2009, clauses 4.4 and 4.5 and the floor space ratio maps for zone B6.**

### **Objectives**

The overall objectives of this plan are:

- to identify the development constraints to urban development of land in the Study area
- to provide an indicative plan for the future land use, subdivision and development of the area
- to identify and protect natural and heritage assets in the study area

### 8.2.1 Land to which this clause applies

This Plan applies to the land shown on the map at **Figure 8-4**. This land is bounded by:

Harris Street, Gorman Road, Waste Management Centre, Chiswick Street, Hetherington Street, Arthur Street, Eaton Street, Sydney-Melbourne Rail Line, Long Street (north).

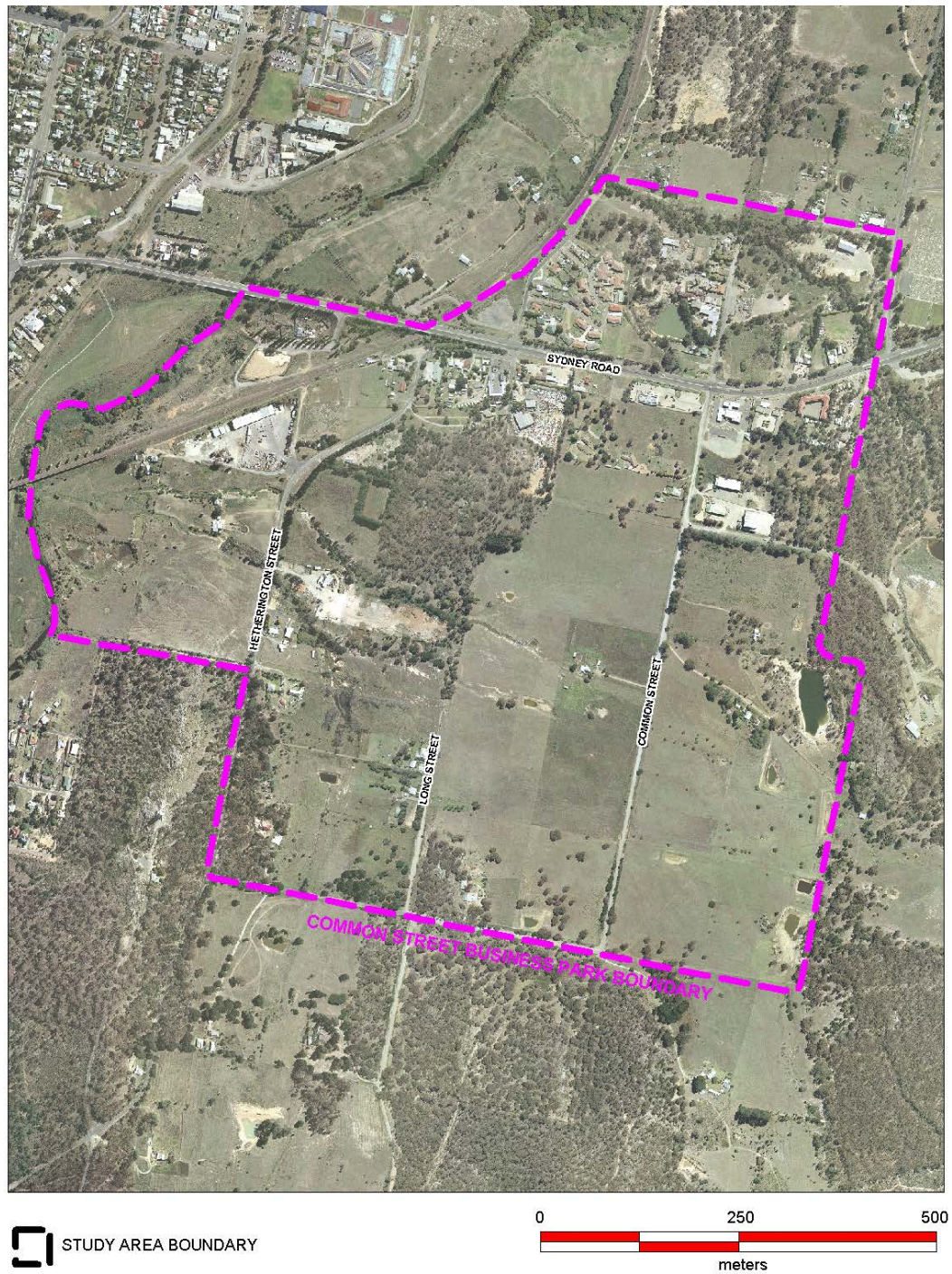
### 8.2.2 Constraints

Investigations have been undertaken into the potential for industrial development in the land subject to this plan. The reasons for these investigations were to identify opportunities and constraints to development to guide future development and to be used for any rezoning of land in the area.

The initial planning process included the identification of main constraints to development within the area, which includes:

- Water and sewer infrastructure requirements (and estimated costs)
- Road requirements
- Drainage lines
- Flooding
- Land capabilities
- Land ownership
- Remnant vegetation
- Ridgelines, steep land and visually prominent sites
- Historic features
- Bushfire hazard

Figure 8-1: Land to which this plan applies



The constraints were mapped on cadastre and an aerial photograph, which identified land free of constraints (i.e. developable land).

The developable land was then refined with collector roads and open space areas identified.

The main constraints to development are mapped and shown in **Figure 8-5**.

The land subject to constraints is not suitable for urban development and this needs to be reflected in any development applications.

#### **8.2.2.1 European heritage**

In Schedule 5 to the *LEP 2009* the following heritage items have been identified:

- 2-12 Common Street
- 14 Common Street
- 110 Long Street

All development proposals are consequently subject to the provisions of clause 5.10 of the *LEP*.

While not identified as a heritage item the oldest dwelling in Goulburn is located on the western side of Long Street (central). Any redevelopment of this building or site must be sympathetic to the heritage values of the building.

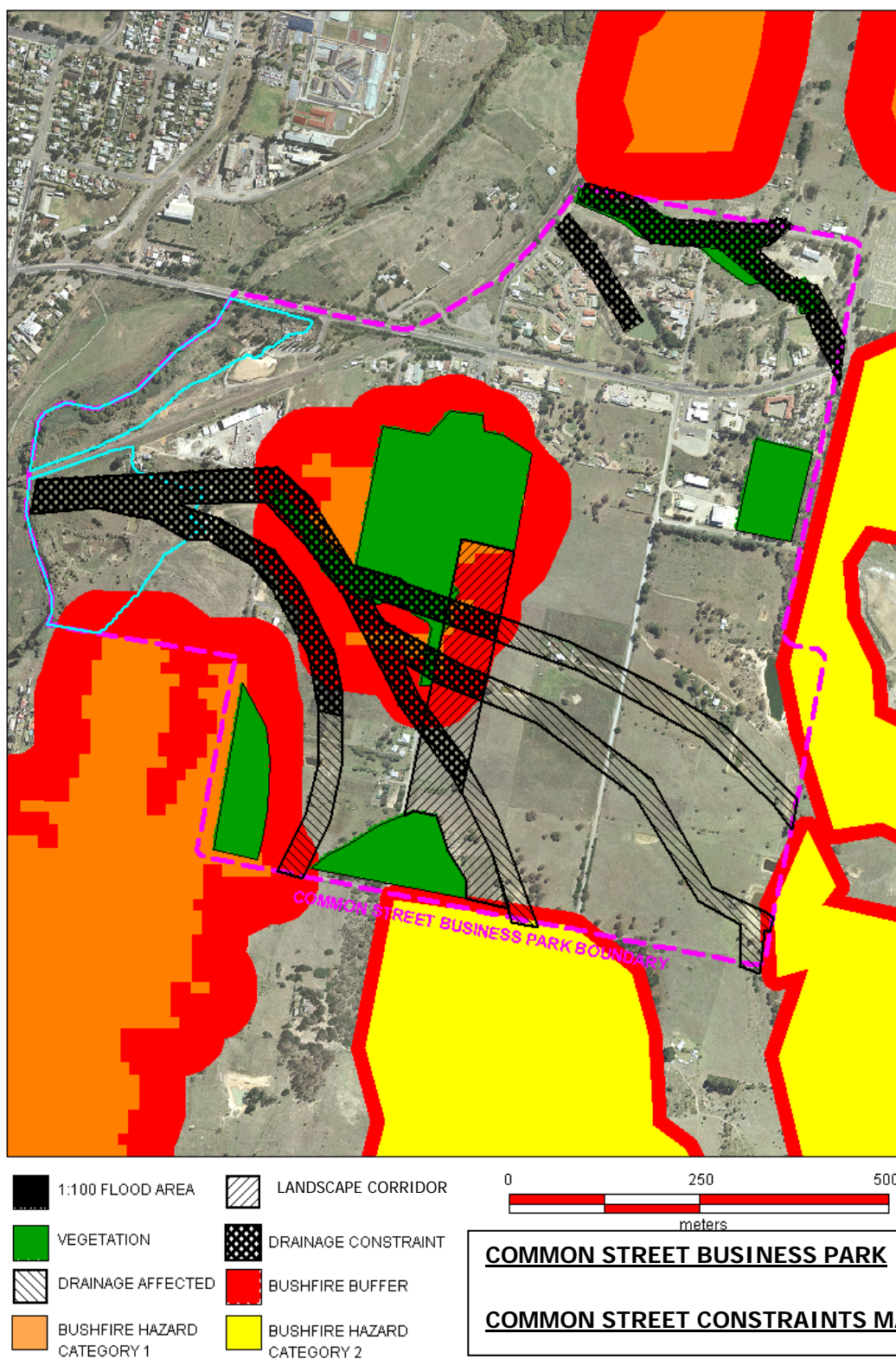
In addition, the Railway viaduct is of historic interest and the former Railway Gatehouse is a National Trust recorded building.

#### **8.2.2.2 Aboriginal Sites**

According to Council studies completed for Goulburn on Aboriginal archaeology and site location, there are no Aboriginal sites identified in the Common Street area.

A site inspection with a representative of the Pejar Aboriginal Land Council has established that likely sites for artefacts are those that are relatively undisturbed such as watercourses, natural vegetation areas and landmarks sites (e.g. rock outcrops, hilltops). These areas have been generally recognised as being constrained for any development and are to be left undisturbed or restored to “natural” conditions (e.g. revegetation).

Figure 8-2: Environmental constraints



Council has adopted an interim policy on Aboriginal Archaeological Survey. Under this policy sites of potential artefacts have been identified. For development proposals in any of the areas identified an assessment will be required in accordance with the policy. The areas identified for Common Street are sites along the watercourses downstream of Long Street and the Mulwaree Ponds floodplain area.

#### **8.2.2.3 Potentially Contaminated Sites**

Grazing has been the main agricultural use in the Common Street area and no sites have been identified as being potentially contaminated.

Existing service station, former fuel depots, brickworks/landfill and car wrecking yard are sites, which may involve activities that could lead to contamination. Redevelopment at these sites will need to address this issue initially by undertaking a preliminary hazard analysis and possible testing.

#### **8.2.2.4 Bushfire Hazards**

There are two bushfire categories affecting the study area each with different buffer distances to the hazard source:

- Category 1 – 100m vegetation buffer.
- Category 2 – 30m vegetation buffer.

These categories govern the type and extent of construction in these areas. For further details refer to the Rural Fire Service *Planning for Bushfire Protection Guidelines 2006*.

### **8.2.3 Developable Land**

Land that is suitable for development has been identified by removing land subject to the constraints identified. The area of land available for development totals approximately 120 hectares (refer to **Figure 8-6**).

The zone proposed for the land available for development is B6 Enterprise Corridor.

Refer to the *LEP 2009*, Land Use table for B6 Zone for permissible uses.

## 8.2.4 Subdivision

**Note:** Reference chapters 7.4.2 and 7.6 of this Plan.

### **Objectives**

To encourage subdivision layouts that:

- minimise environmental impact by ensuring subdivision into lots only occurs on land free of development constraints
- are based on a hierarchy of roads for the efficient movement of vehicle traffic and prevent infiltration of industrial traffic into residential areas
- focus open space on the drainage constraints and network
- incorporate water sensitive urban design principles into subdivision design
- ensure lots have a sufficient area to allow for the siting of buildings, landscaping vehicle access and parking
- have lots and buildings facing public areas (including open space areas) for passive surveillance
- provide for protection/enhancement of visually prominent sites/locations
- protect riparian areas and native vegetation areas

### **Controls**

#### 8.2.4.1 Subdivision lot size

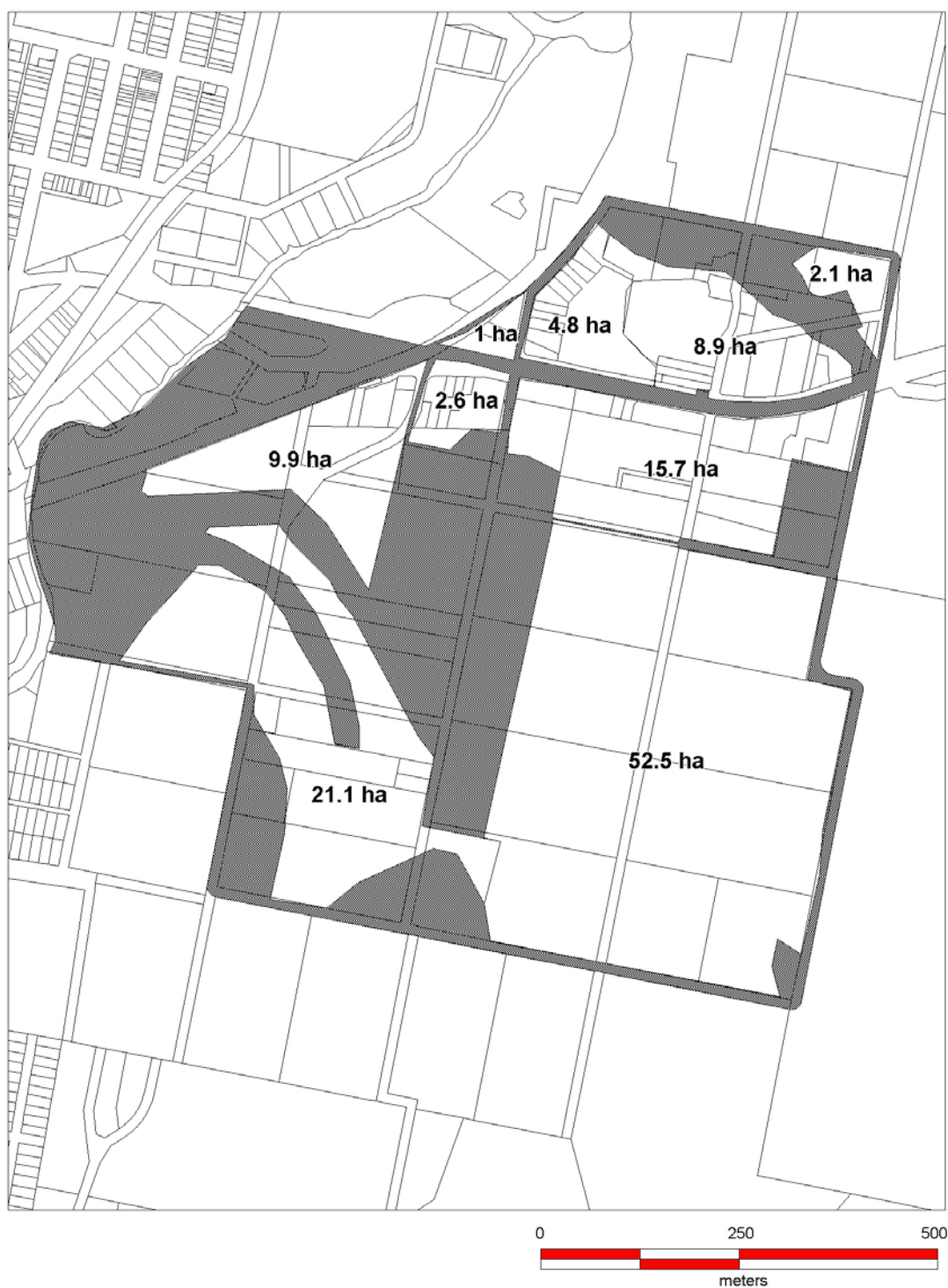
No minimum lot size specified

Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessway, which includes any rights-of-carriageway/access, are to be excluded. For industrial type lots the access handle should have a minimum width of 15 metres.

The ratio of enterprise type lots sizes and frontages are detailed in the following table:

Lot Size	Minimum Frontage
1 ha	60m
6,000m <sup>2</sup>	50m
2,000m <sup>2</sup>	20m
1,000m <sup>2</sup>	20m

**Figure 8-3: Developable land**



Lots for residential use should be a minimum of 700m<sup>2</sup> and able to accommodate a building envelope of 150m<sup>2</sup> with the minimum dimensions of 10m by 15m, within a 6m front building setback and a 1m side and rear setback and clear of any easements.

#### **8.2.4.2 Lot orientation**

##### **Solar Access**

The following design techniques are to be adopted for residential and rural residential type lots to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses.

Align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.

Allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.

Allotments on south side of street should be sufficient depth so buildings can be set well back to allow north facing rooms to look onto larger front yards.

Allotments on north-south streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.

Taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3 pm.

Regular rectangular shaped allotments maximises siting opportunities and increases potential lot yield.

On sloping sites, north-facing sites improve opportunities for solar access.

##### **Passive surveillance**

Lots (residential and light industrial/warehouse) shall face toward public open space areas and public roads to encourage passive surveillance from buildings/dwellings over these public spaces to assist with safety and security.

#### **8.2.4.3 Bicycle and pedestrian movements**

Bicycle and pedestrian movements to be addressed in accordance with Council's' Bicycle Strategy 2007.

Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking at clusters of community and commercial facilities.

To encourage cycling as an easy transport alternative, on-road and off-road cycle networks will be clearly highlighted with signposting and pavement logos. Engineering works, including signposting and line marking must comply with the appropriate engineering standards.

#### **8.2.4.4 Streetscape**

Existing trees are to be retained where possible and appropriate.

Existing trees should be located near boundaries of proposed allotments to avoid conflict with proposed building envelopes (refer Council Policy – Bushfires and Vegetation Controls)

Streetscape planting themes are to be developed based on native tree species suitable for the locality and in an urban or semi-rural context.

#### **8.2.4.5 Open space**

Areas identified as being a drainage line shall be set aside as a drainage reserve (refer to **Figure 8-5**) other than the drainage line upstream of Common Street, which will be combined into a single channel.

The open space network is to be focused on these drainage lines and the landscape corridor.

Drainage lines are to be re-established as “natural” watercourses largely through revegetation with native species. These will assist in recreating the natural landscape and providing opportunities to link remnant bushland areas.

Detention basins to have a dual function – stormwater control and bushland revegetation areas.

Environmental management plans for the natural areas are to be prepared particularly for the watercourses and areas of remnant vegetation.

#### **8.2.4.6 Sites of visual importance**

Areas of visual importance have a building form of significant architectural and design merit or a prominent landscape feature. The following sites/areas have identified:

- Bushland gateway entry to the City along Sydney Road opposite the General Cemetery
- Ridgelines.
- Treed hilltops or ridgelines

Subdivision design must address areas of visual importance and demonstrate how they will be protected or enhanced.

Sites of visual importance have been identified as “environment protection” and constrained for development.

#### **8.2.4.7 Enterprise Corridor Development**

Refer to chapter 6.10 of this plan.

##### **Enterprise Corridor – Outline Plan**

Combining the constraints (figure 8.5) and developable land (figure 8.6) mapping with the development objective of the enterprise corridor zone gives an indication of what the area may look like into the future. Figure 8.6.1 – Outline Plan provides a diagrammatic representation of this situation.

The enterprise corridor zone allows a mixed use of land uses including business and office premises, warehouse or distribution centre, light industrial, retail premises (except retailing of food and clothing – so as to maintain the economic strength of the main business centres) and residential accommodation (except boarding house, group home and residential flat building).

The outline plan also indicates preferred location for the nominated land uses of:

- Business/Retail;
- Residential accommodation; and
- Light industrial/warehouse.

##### **Landscape Corridor / Drainage Reserve**

For the light industrial development of the Common Street area it is essential that a buffer separation, by way of a landscape corridor is provided to separate existing residential development from future light industrial/warehouse development. The landscape corridor / Drainage Reserve is required to protect the amenity of residential properties, existing and proposed and to limit intrusion of residential activities into the operation of the light industrial/warehouse precinct.

The landscape corridor / drainage reserve has been sited along the eastern side of Long Street (central) because it is:

- At the junction of drainage lines/overland flow paths.
- At the head of the identified watercourses.
- At the periphery of the light industrial/warehouse precinct.
- A potential vegetated corridor link between stands of remnant vegetation, and
- Not restricted by the existing pattern of residential development on the western side of the street.
- A nominated drainage reserve area under previous planning controls, titled Common Street Business Park, trunk drainage corridor.

The landscape corridor / drainage reserve will be required to be set-aside at the development application stage. The nominated area shall be free of buildings and used essentially for trunk drainage corridors, wetlands and / or on-site detention and reuse schemes as well as landscape corridors.

This corridor has been zoned Rural RU6 Transition and will link the environmental zones to the north and south.

The required width of the landscape corridor / drainage reserve has been estimated at approximately 100m. Final width will be dependant on design and the area needed to accommodate naturalised drainage systems (trunk drainage corridors), wetlands and / or on site detention and reuse schemes and landscape corridor widths.

The naturalised drainage systems required varies in width from 31 – 46 metres (upper catchment) and 44 – 66 meters (lower catchment) (Trunk Drainage Management Plan, Storm Consulting).

Where conventional “pit and pipe drainage” systems are accepted in lieu of naturalised drainage corridors the loss of natural drainage area shall be incorporated into the nominated landscape corridor / drainage reserve area.

Designs shall incorporate water sensitive urban design principles and reference “Water Sensitive Urban Design for Common Street Business Park Goulburn,” Storm Consulting Pty Ltd, March 2004.

#### **8.2.4.8 Zoning Plans and lot size maps**

Common Street outline plan (figure 8.6.1) is affected by the following zoned areas for the purposes of the Goulburn Mulwaree Local Environmental Plan:

- B6 – Enterprise Corridor;
  - E2 – Environmental Conservation;
  - E3 – Environmental Management;
  - RE1 – Public Recreation;
  - RU2 – Rural Landscape;
  - RU6 – Transition;
  - SP2 – Infrastructure (Cemetery and Waste Management Facility).
- Minimum lot sizes within the affected area vary from:
    - Not applicable;
    - 2 hectares; and
    - 100 hectares.
  - Reference: Goulburn Mulwaree Local Environmental Plan 2009, land zoning maps, sheets LZN 005 and 008 and lot size maps, sheets LSZ 005 and 008.

Figure 8.6.1: Common Street Outline Plan

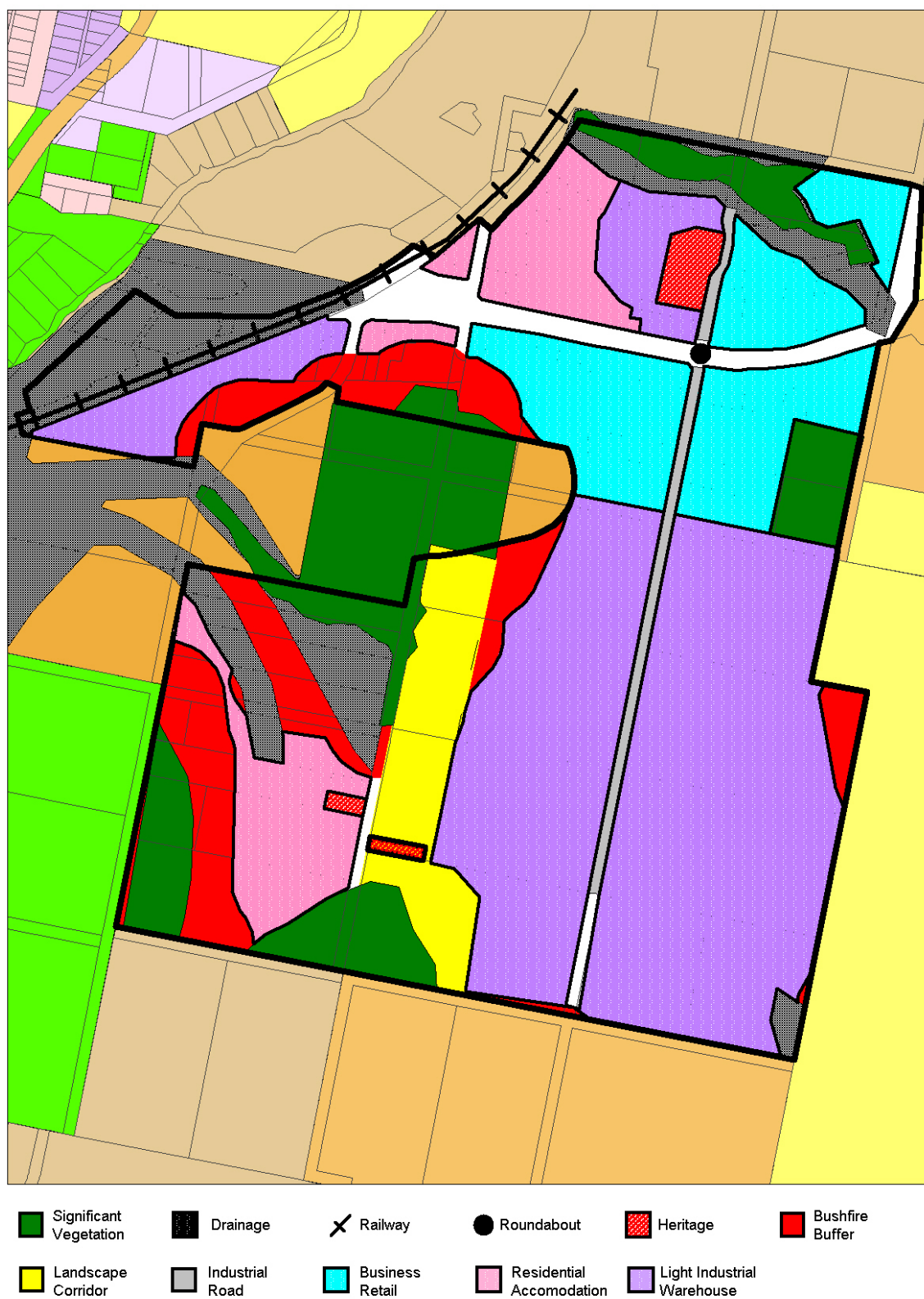


FIGURE 8.6.1 - Outline Plan

## 8.3 Clyde Street

### **Objectives**

To identify the development constraints to larger size residential development of land.

To provide an indicative plan for future residential subdivision and development.

To estimate the future population and any community services that may be required.

To identify and protect natural and heritage assets.

### 8.3.1 Land to which this clause applies

This Plan applies to the land shown on the map at **Figure 8-7**, an area of approximately 213 hectares. This land is bounded by:

- Wollondilly River to the north
- the catchment boundary to the south (i.e. contour line running to the south west between Clinton Street and Addison Street)
- the catchment boundary to the east and west

### 8.3.2 Constraints

Investigations have been undertaken into the potential for residential development in the land subject to this plan. The reasons for these investigations were to identify opportunities and constraints to development to guide future residential development and to be used for any rezoning of land in the area.

The initial planning process included the identification of main constraints to development within the area, which includes:

- water and sewer infrastructure requirements (and estimated costs)
- road requirements
- drainage lines
- flooding
- land capabilities
- land ownership
- existing development, including house locations
- remnant vegetation
- historic features
- potentially contaminated land

The constraints were mapped on cadastre and an aerial photograph, which identified land free of constraints i.e. developable land. The developable land was then refined with the provision of a Ring Road and stormwater management areas identified. Demand for shops, schools and other community facilities were then considered based on potential population numbers.

The main constraints to development are mapped and shown in **Figure 8-8**. The land subject to constraints is not suitable for urban development and this will need to be reflected in any development applications.

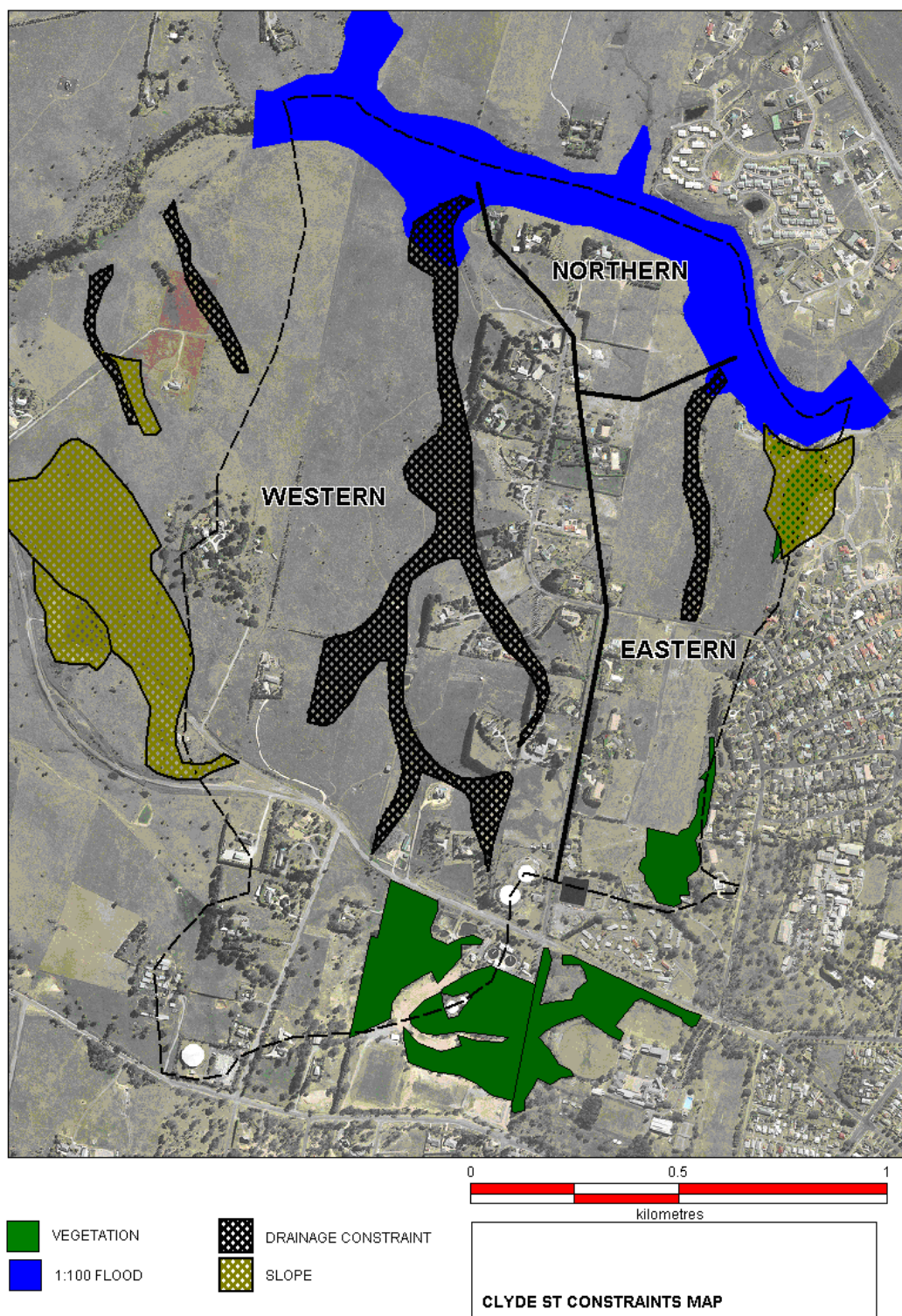
Figure 8-4: Clyde Street development area



 STUDY AREA BOUNDARY

**FIGURE 1**  
**CLYDE STREET**  
**DCP & CONTRIBUTIONS PLAN**  
**LAND TO WHICH PLAN APPLIES**

Figure 8-5: Constraints



### **8.3.2.1 European heritage**

In the *LEP 2009*, Schedule 5 the following heritage items have been identified:

- 199 River Street
- 24 Gilmore Street

All development proposals are subject to clause 5.10 of the *LEP*.

It will be necessary to impose design guidelines for future residential development in the vicinity of these items to ensure that the new development does not compromise the elements of heritage significance.

### **8.3.2.2 Aboriginal sites**

The Goulburn Mulwaree Council Aboriginal Archaeological Survey Policy identifies specific criteria as being an indicative of a site/area in which Aboriginal artefacts are likely to occur. Several of these criteria are located within the Clyde Street development area, namely, land that is in proximity to a watercourse, identified by a “blue line” on the 1:25,000 topographic map; land in close proximity to the Wollondilly River; lower slopes of undulating hills; ridgelines and hilltops.

According to the studies completed for Goulburn on Aboriginal archaeology and site location, there are no specific Aboriginal sites have been identified in the Clyde Street area.

In accordance with the Aboriginal Archaeological Survey Policy, where a particular site within the Clyde Street development area is deemed to meet one or more of these criteria the following procedure must be followed.

A preliminary assessment to determine the likelihood of artefacts at the site. This assessment to include:

- review of the site history
- identification of the level of disturbance
- literature review and consultation with the National Parks and Wildlife Service on information they hold
- site inspection by a person skilled in identifying Aboriginal artefacts
- any consultation with the local Aboriginal community
- a statement as to the likelihood of artefacts being found and the need, if any, for a more detailed Archaeological survey

An Archaeological Survey undertaken by an appropriately accredited person/organisation in accordance with relevant guidelines on the preparation of such documentation.

### **8.3.2.3 Potentially contaminated sites**

Grazing has been the main agricultural use in the area and no sites have been identified as being potentially contaminated.

### **8.3.3 Development potential**

Land that is suitable for development has been identified by removing land subject to the constraints identified. The total area covers 213ha and the area of land available for development totals approximately 169ha. The distribution of these lots is shown in **Figure 8-9**. The minimum lot size to be created within the developable land areas is 2000m<sup>2</sup>. This would yield approximately 845 lots if all land could be developed to the 2000m<sup>2</sup> minimum. Factoring in land constraints, location of existing houses and road requirements, the yield is estimated to be 500 (including existing houses). The overall density of development expected within this locality following further development is one dwelling per 3300m<sup>2</sup>. In reality the land constraints in the area will result in a variety of lot sizes.

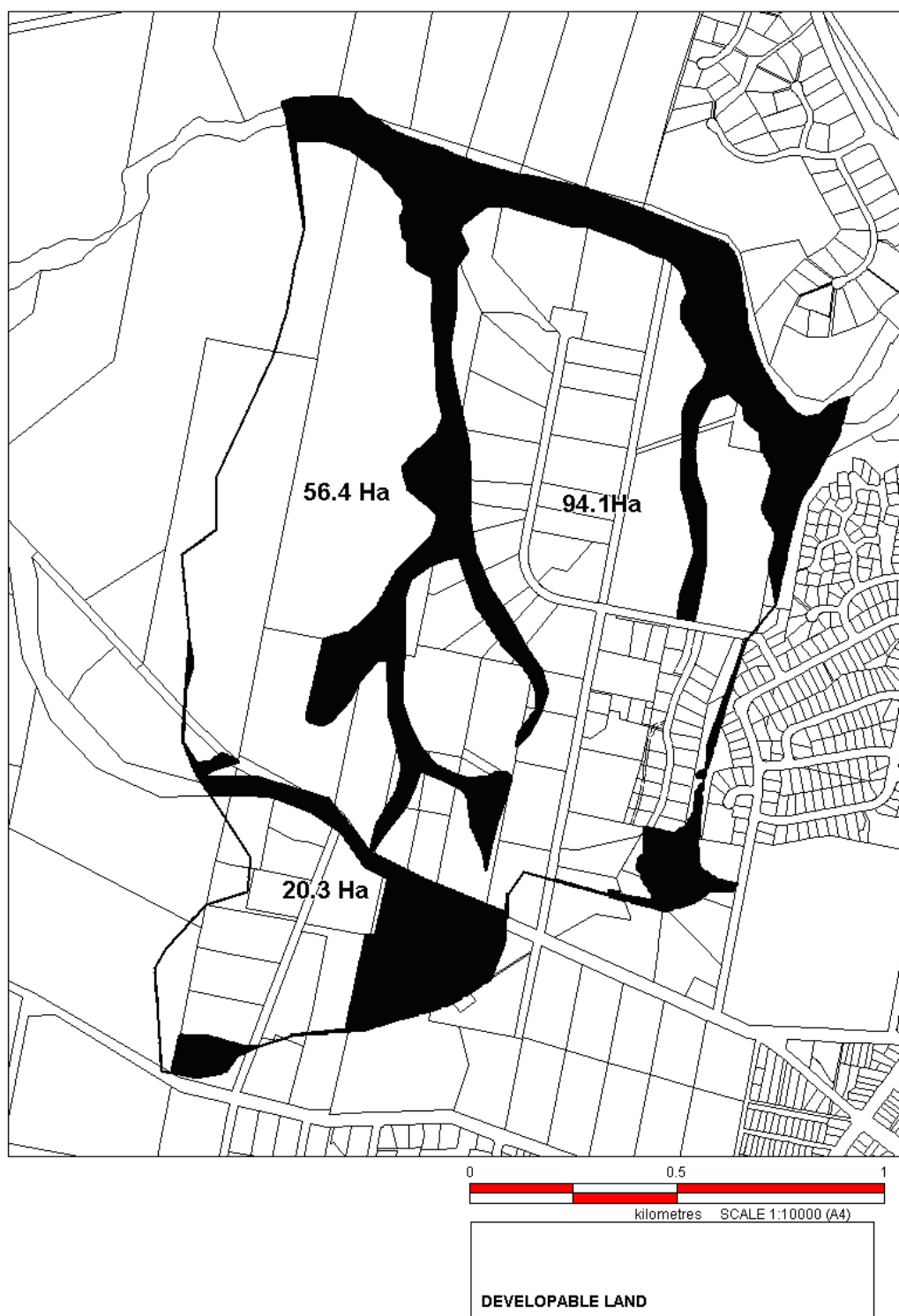
The number of lots for the area has been calculated based on the anticipation that owners of parcels of land greater than an area of 5 hectares will account for the majority of new lots created. It is also anticipated that approximately half of owners of parcels of land of between 1 and 5 hectares in area will subdivide their land to create an additional lot. It is important that an estimate is made on the number of new lots created, rather than calculating that all developable land will become lots of 2000m<sup>2</sup>. This is because infrastructure must be designed to meet the needs of the expected population. If infrastructure is designed that overcompensates for the actual population, the cost of providing the infrastructure would effectively stifle any further development in this locality.

With occupancy rate of 2 persons per household (from Goulburn Mulwaree Strategy 2020) and assuming each lot will be used for a single dwelling there is the potential for an ultimate population of 1,000 people.

POTENTIAL RESIDENTIAL LOTS: 500 lots (including existing lots)

POTENTIAL POPULATION: 1000 people

**Figure 8-6: Development potential**



### 8.3.4 Subdivision

**Note:** Reference chapters 7.4.3 and 7.6 of this Plan.

#### **Objectives**

To encourage subdivision layouts that:

- allow integration of neighbourhoods between “natural” boundaries or barriers and connections between the neighbourhoods
- minimise environmental impact by ensuring subdivision into residential lots only occurs on land free of development constraints
- are based on a hierarchy of roads for the efficient movement of vehicle traffic. Roads will be connective and efficient, giving motorists multiple travel paths. Long cul-de-sacs are unsuitable for efficiency and safety reasons
- focus open space on the drainage constraints and network
- incorporate water sensitive urban design principles into subdivision design
- encourage northern orientation of dwellings for energy efficiency benefits and passive solar access
- ensure residential lots have a sufficient area to allow for the siting of a dwelling and ancillary buildings (including private open space, vehicle access and parking)
- residential lots face public areas (including open space areas) for passive surveillance
- provide for protection/enhancement of visually prominent sites/locations
- protect riparian areas and native vegetation areas
- consider existing residential development

#### **Controls**

#### 8.3.4.1 Subdivision lot size

Minimum lot size is 2000m<sup>2</sup>. However this minimum will need to take into account the suitability of the site and the infrastructure provided (refer to clause 7.3 of the *LEP 2009*).

Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessway, which includes any rights-of-carriageway/access, are to be excluded.

Allotments should be able to accommodate a building envelope of 150m<sup>2</sup> with the minimum dimensions of 10m by 15m, within a 6m front building setback and a 1m side and rear setback and clear of any easements.

### **8.3.4.2 Lot orientation**

#### **Solar access**

The following design techniques are to be adopted to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses.

Align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.

Allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.

Allotments on south side of street should be sufficient depth so buildings can be set well back to allow north facing rooms to look onto larger front yards.

Allotments on north-south streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.

Taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3 pm.

Regular rectangular shaped allotments maximises siting opportunities and increases potential lot yield.

On sloping sites, north-facing sites improve opportunities for solar access.

#### **Passive surveillance**

Lots shall face toward public open space areas, vegetation conservation areas and public roads to encourage passive surveillance from dwellings over these public spaces to assist with safety and security.

Where this cannot be achieved open style fencing is required to promote passive surveillance of public open space and public road area with some landscape screening to provide privacy.

#### **8.3.4.3 Bicycle and pedestrian movements**

Bicycle and pedestrian movements to be addressed in accordance with Council's Bicycle Strategy 2007.

Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking at clusters of community and commercial facilities.

To encourage cycling as an easy transport alternative, on-road and off-road cycle networks will be clearly highlighted with signposting and pavement logos. Engineering works, including signposting and line marking must comply with the appropriate engineering standards.

#### **8.3.4.4 Streetscape**

Existing trees are to be retained where possible and appropriate.

Existing trees should be located near boundaries of proposed allotments to avoid conflict with proposed building envelopes (refer Council Policy – Bushfires and Vegetation Controls)

Streetscape planting themes are to be developed based on native tree species suitable for the locality and in an urban context.

Boundary fencing shall be rural timber style fencing i.e. post and rail with mesh. This is to maintain semi-rural amenity of this locality.

#### **8.3.4.5 Open space**

Areas identified as being as a drainage line shall be set aside as a drainage reserve.

The open space network is to be focused on these drainage lines.

Drainage lines are to be re-established as “natural” watercourses largely through revegetation with native species. These will meet the passive outdoor recreation needs.

Environmental management plans for the natural areas are to be prepared particularly for the watercourses and areas of remnant vegetation.

#### **8.3.4.6 Sites of visual importance**

Areas of visual importance have a building form of significant architectural and design merit or a prominent landscape feature. For this area the following sites/areas have identified:

- gateway entries to neighbourhood entrances within the plan area
- ridgelines
- treed hilltops or ridgelines
- subdivision design must address areas of visual importance and demonstrate how they will be protected or enhanced

#### **8.3.5 Residential development**

##### ***Objectives***

To encourage residential development in which:

- there is a diversity of housing stock and type to meet diverse housing needs
- dwellings to face public spaces for passive surveillance
- living areas are orientated to the north for energy efficiency benefits
- dwelling design and siting respects the privacy of neighbours
- on site vehicle parking is provided to minimise congestion within the streets
- garages and fences do not dominate the streetscape
- there is easy access to community facilities
- Rainwater tanks are provided to supplement water supply and control stormwater runoff.

##### ***Controls***

##### **8.3.5.1 Detached dwellings**

###### **Streetscape**

Dwellings are to face public spaces (roads and open space areas).

Dwellings are not to be hidden by high fences.

Garages are to be located behind the building facade so that they do not dominate the streetscape.

Fences shall be of a design that is sympathetic to the existing semi-rural character of this locality.

## **Height**

Maximum recommended height is two storeys.

## **Energy efficiency**

To maximise energy efficiency the internal and external living areas should be located to the north side of the dwelling. Further requirements are specified in **chapter 4** of this plan.

## **Privacy**

Private open spaces and living rooms of adjacent dwellings should be protected from direct overlooking, by:

- appropriate dwelling layout
- use of distance or slope
- screening devices like screen vegetation and courtyard walls

First floor decks, balconies and the like, are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space of adjoining properties.

Windows of one dwelling should not be located opposite the windows of another dwelling unless direct views are restricted:

- off-set windows
- use of narrow, translucent or obscured windows
- provide sufficient distance between dwellings

## **Acoustic privacy**

Noise generating area of a development (e.g. driveway, air conditioning units, swimming pool areas) should be adequately screened or located away from the bedroom areas to minimise impact on neighbours.

Bedroom windows to be a minimum 3m from shared streets, driveways and parking areas of other dwellings.

Transmission of noise between adjoining properties should be minimised.

Locate active recreation areas (swimming pools, spas, tennis courts, BBQs), driveways, carports, garages and garbage collection areas, pumps and air conditioners, away from bedrooms of adjacent dwellings.

Dwellings adjoining and other noise generating land uses should be designed and sited to minimise noise impacts.

Locate bedrooms and other noise sensitive rooms away from the road.

### **Parking**

Provision for a least one covered parking space (e.g. carport or garage) and one tandem vehicle space (e.g. driveway area in front of garage or carport).

### **Rainwater tanks**

A rainwater tank is to be provided to supplement water supply and control stormwater runoff.

The tank shall have a minimum capacity of 10,000 litres.

The rainwater tank supply shall be connected to the hot water service, laundry and toilet facilities with a top up connection into the tank.

### **Water sensitive urban design**

House design should include water sensitive urban design features such as porous paving, infiltration devices and landscaping.

### **Dual Occupancy and Multi Unit Residential accommodation**

Development and density requirements in the subject R5 Large Lot Residential zone are contained in chapter 4 and also chapter 6 for development in Zone R5, Large Lot Residential

## **8.3.6 Other development**

### **8.3.6.1 Community and commercial facilities**

No sites have been identified specifically within this plan to be used for community or commercial facilities. Provision of community facilities will be the responsibility of individual landholders who may wish to operate or partner community or commercial facilities. Development other than residential development is largely prohibited in the Large Lot Residential zone (refer to the LEP 2009 Land Use table for Zone R5).

### **8.3.6.2 Schools**

No additional school facilities have been identified for the area to serve the estimated population.

### 8.3.6.3 Open space

Council's Leisure – Recreation and Social Planning Study identifies that there is sufficient active recreational reserves and sports grounds provided elsewhere in the City, which are adequate to cater for any organised sporting needs from the area. However, identified detention basins can have a dual function to any unidentified active sporting recreation needs if required.

The balance of the open space can be satisfied via the passive open space created along the drainage lines along with any neighbourhood park requirements. These areas can also provide for informal active recreation areas.

### 8.3.7 Zoning plans and lot size map

Clyde Street development potential plan (figure 8.9) is affected by the following zoned areas for the purposes of the Goulburn Mulwaree Local Environmental Plan:

- R5 – Large Lot Residential;
- RE1 – Public Recreation;
- RE2 – Private Recreation; and
- RU6 – Transition.

Minimum lot sizes within the affected area vary from:

- Not applicable;
  - 2000m<sup>2</sup>; and
  - 100 hectares.
- Reference: Goulburn Mulwaree Local Environmental Plan 2009, land zoning maps, sheets LZN 002 and 005 and lot size maps, sheets LSZ 002 and 005.

## 8.4 Marulan

### Part A – Marulan Local Business Centre – George Street Marulan

#### *Aim & objectives*

#### *Aim*

Develop a plan for Marulan's Local Business Centre that facilitates future management by balancing development and conservation in a sustainable way.

### **Objectives**

1. Create a plan that allows for the fulfilment of the aspirations of the Marulan community for their Local Business Centre;
2. Maintain, protect and enhance the Local Business Centre's existing visual, built and environmental heritage and landscape character;
3. Develop standards and recommendations to maintain and improve the image, attractiveness and functionality of the Local Business Centre in accordance with its existing character;
4. Provide an appealing and sustainable living and working environment for existing residents;
5. Attract new residents, business and tourism to Marulan;
6. Describe Council's requirements in the form of performance criteria to achieve the objectives above;
7. Plan for economic development and growth initiatives in accordance with the Goulburn Mulwaree Economic Development Plan 2008.

#### **8.4.1 Land to which this clause applies**

This plan applies to land shown on the map at Figure 8.10 - George Street Marulan, Local Business Centre.

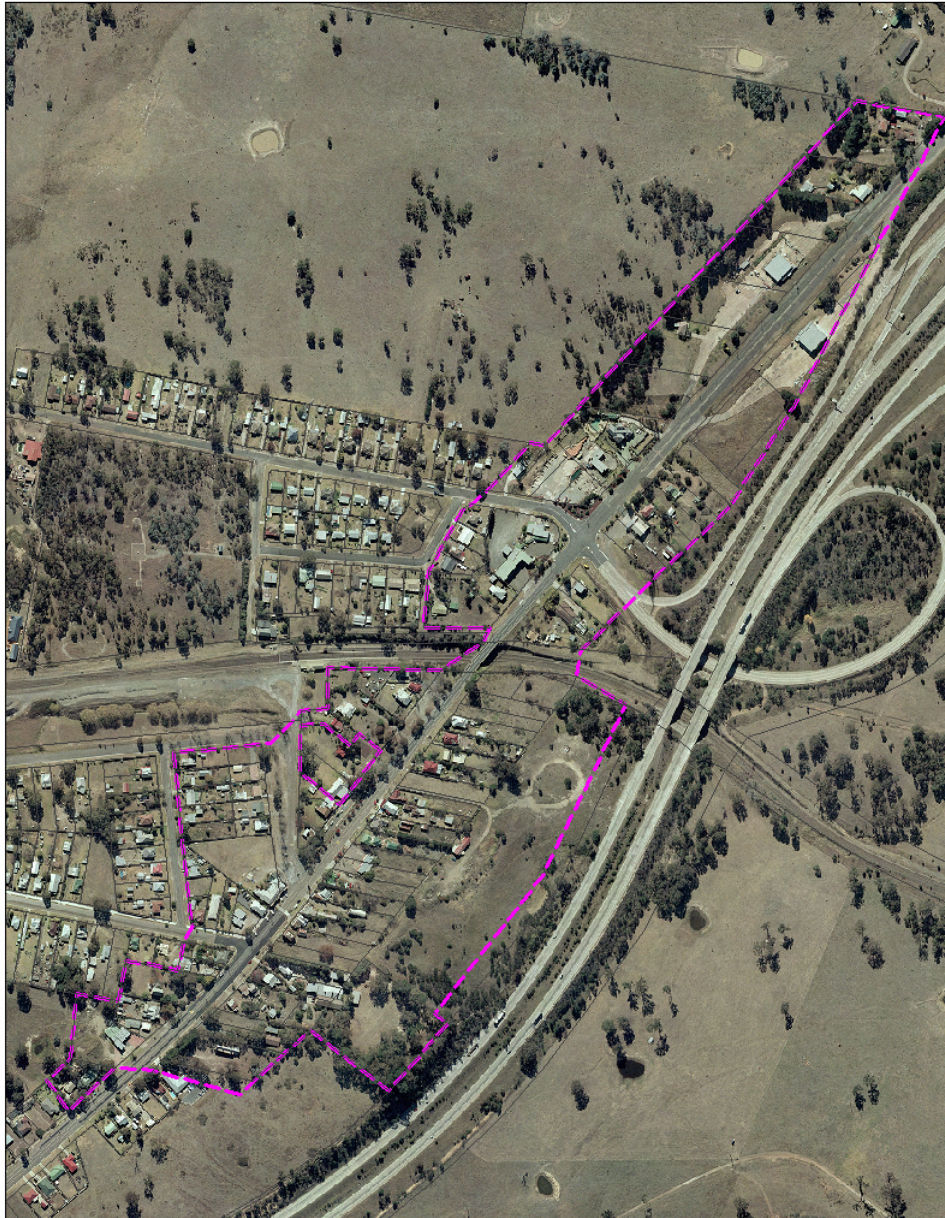


FIG 8.10 - GEORGE STREET MARULAN LOCAL BUSINESS CENTRE

## 8.4.2 Performance Criteria

### (a) Visual Character of Marulan

Old Marulan was surveyed in 1834 by Surveyor Hoddle. Old Marulan was located at the junction of the Bungonia Road and the Hume Highway. When a location for the new Railway Station was chosen it was 2.5 km north of the old village. The railway station was built in 1867 adjacent to the Terminus Hotel that was built in 1866. Old Marulan declined

and the town became one in 1878 on the site of the current Marulan. Old Marulan is now only an archaeological site.

In the 1890's the main part of town had ten stores, Police Station, Post Office, an Oddfellows Hall (also used as the Court House), School of Arts, a number of Churches and numerous residences. Many of these buildings can still be seen.

For fifty years Marulan was a highway town until it faded in importance following the construction of the freeway by-pass in 1985. Marulan Local Business Centre's role as a refreshment stop has been usurped by the vast roadhouses that have been built alongside the highway including the one at the south of the town. Marulan proper has reverted to a sleepier but more pleasant village.

Marulan's character in 2008 is a mixture of fine but often run down historic buildings and more recent buildings of various qualities. George Street has a number of now derelict service stations that do nothing to enhance the image of the town. A number of businesses are lifting the aesthetic quality of the precinct.

The length of George Street located in the Village Business Centre Zone can be divided into four character sections. Heading north;

- The southern section to the intersection with Goulburn Street has spaced out buildings of various uses and is primarily residential but also includes two churches on large blocks, a disused service station, the school and the former Baldock's General Store buildings. Baldock's store buildings are a fascinating time capsule from the past and are an important component of Marulan's character;
- Next the centre of town has something of a "gap toothed grin" in that quality items are interspersed with vacant, run down or poor quality items. This section contains the Terminus Hotel that dates from 1866 but now has a somewhat awkward Spanish Mission façade, the wonderful but underutilised Royal Hotel, the Post Office and Police Station and a number of small businesses and residences;
- The section of George Street to the north of the rail bridge to Brayton Road can't readily be perceived from the centre of town. This is because of the physical separation caused by the rail line and the way the land falls away from the rail bridge. This section is dominated by the former service station on the corner but also includes a number of residences. This is the image that visitors from the north see when approaching Marulan. All items north of the rail line are assessed as being non-contributory to Marulan's heritage;

- The area north of Brayton Road is open and in parts rather messy. It is dominated by the former RTA truck weigh stations and includes a number of residences and the nursery/landscape supply business.

Marulan is set amongst a landscape of mature specimen's of the Endangered Ecological Community – Yellow Box/ Blakely's Red Gum Woodland. The trees link to remnant vegetation in the surrounding farm land to provide fauna habitat. The mature gum trees, regardless of their environmental value give the town a leafy outlook and aspect.

The area also has mature examples of exotic tree and shrub species that are significant to the towns character e.g. Oak, Date Palm, Cypress etc. More recently part of George Street has been planted with Chinese Pistachio; the trees are well suited to the street.

(b) Retention of Visual Character

The two significant elements that create visual character are the landscape and the built environments; gardens, parks, road reserves, public spaces and built structures contribute to the Local Business Centre's visual character;

(c) Levels of Heritage Significance

(i) Items of Environmental Heritage.

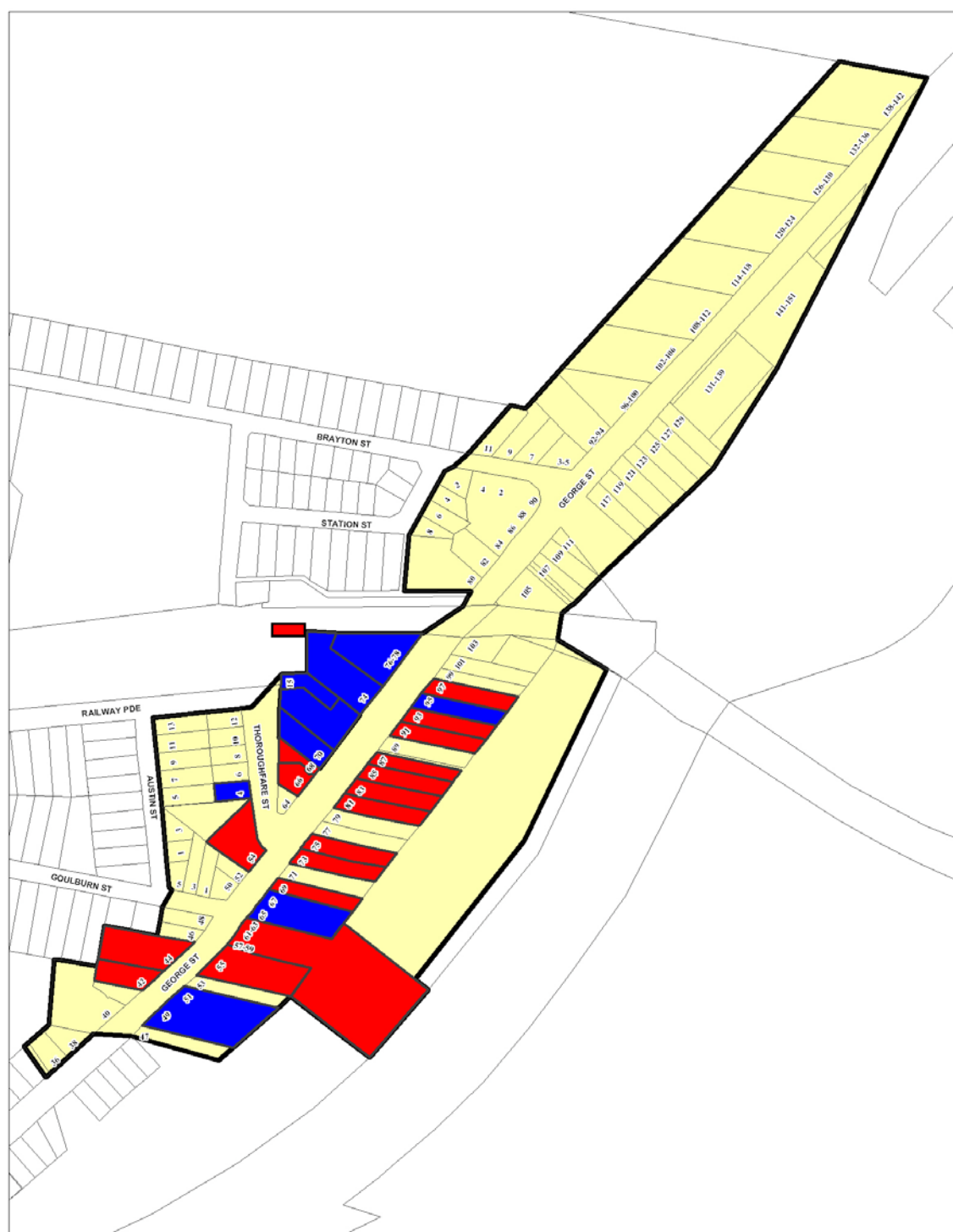
These items are of key importance to the areas character e.g. buildings works, relics, places, landscapes, gardens, trees or vegetation of historic, scientific, cultural, social, natural or aesthetic significance as listed in schedule 5 of Goulburn Mulwaree Local Environmental Plan and shown on figure 8.11;

(ii) Contributory items.

These items are of moderate significance and contribute to the predominant character and visual attractiveness of the schedule 5 items (Environmental Heritage items above) as shown in figure 8.11.

(iii) Non contributory items

These items are buildings or places that have either a neutral or detrimental contribution to the areas character. Such items are also shown on figure 8.11.



**LEGEND**

<span style="color: red;">■</span>	ENVIRONMENTAL HERITAGE
<span style="color: blue;">■</span>	CONTRIBUTORY
<span style="color: yellow;">■</span>	NON-CONTRIBUTORY

**FIG 8.11 - HERITAGE AND CONTRIBUTORY ITEMS**

### **8.4.3 Performance objectives for Environmental Heritage, Contributory Heritage and Non-Contributory buildings and places**

The following performance objectives must be achieved by each development proposal in the area covered by this plan.

- (a) For environmental heritage items
  - (i) Retain as much as possible of the existing building fabric particularly those aspects that contribute towards the items visual/heritage significance. This process should be informed by an assessment of the heritage significance of the item;
  - (ii) Where possible remove unsympathetic building elements and additions;
  - (iii) Reconstruct original detail based on research and avoid mimicry e.g. mock details;
  - (iv) Paint buildings and structures in colour schemes based on schemes of the relevant period and retain natural surface finishes;
  - (v) Avoid modification to door and window openings, spacings and proportions;
  - (vi) Prohibit cladding of traditional building facades with modern materials and do not allow rendering or painting of external brick work or stone wall elements;
  - (vii) Ensure building additions are sympathetic to the item and its setting in terms of setback, scale, building design and form, materials, proportion and spacing of openings, shopfront/awning treatment etc and achieve a subtle contrast between old and new. The original item should be able to be distinguished from the new work;
  - (viii) Ensure that development of items adjoining items of heritage significance is sympathetic in siting, design, scale and materials and where relevant maintain the group significance of a cluster of items;
  - (ix) Site and design public on street infrastructure so as to maintain the significance of adjacent heritage items;
  - (x) Where subdivision occurs around heritage items ensure that an appropriate curtilage area is identified, retained and protected including gardens and landscape elements;
  - (xi) Identify vistas both to and from heritage items and ensure that development does not encroach upon or diminish these vistas.
- (b) For contributory items
  - (i) Retain the qualities and details that form the stylistic character of the item and organise alterations and additions so as not to compromise that character;
  - (ii) Discourage the introduction of building elements that are unsympathetic to the style of the building or adjacent heritage items;

- (c) Non contributory items
  - (i) Restrain the visual prominence of non contributory items by the use of subtle colour schemes, materials and finishes. Ensure that franchise type businesses respect the character of the area in the detailing of their buildings, signage and landscape treatments;
  - (ii) New and redeveloped non contributory items shall respect the scale, form and pattern of other development in the locality;
- (d) New buildings on vacant properties or sites to be wholly redeveloped
  - (i) Avoid large scale monolithic buildings and achieve small scale and discreet built forms by the use of sympathetic detailing;
  - (ii) Respect the visual prominence and scale of existing items of heritage, contributory items and the streetscape generally by means of selective planning for setback, height, architectural design, materials and colour schemes;
  - (iii) Retain sunlight penetration to footpaths and other public spaces;
  - (iv) Avoid mock heritage building styles and fenestration (fenestration refers to windows and other openings).
  - (v) Enhance the landscape with thematic use of plant species and styles i.e. identify common local plant varieties used and styles of planting e.g. hedges etc.

#### **8.4.4 Principal development controls – Residential Development in the Business B2 Local Centre Zone**

Objectives and controls are detailed in chapter 4.1, Residential development, residential development in business zones and miscellaneous development in residential zones:

- (a) Residential accommodation density - detailed under (i) Floor space ratio – residential development in business zones;
- (b) Number of storeys - expressed as Building Height (10m maximum) in the Height of Building Map (see LEP 2009);
- (c) Setbacks - there are no nominated numerical setbacks, however the general principles of this subsection still apply;
- (d) Subdivision - there are no nominated numerical lot sizes however, the general provisions still apply.

#### **8.4.5 Non-residential development in the Business, B2 Local Centre Zone**

Objectives and controls are detailed in chapter 4.2, Non-residential Development except for:

- (a) Industries are prohibited in the subject Local Business Centre Zone B2.

- (b) Height which is governed by the Height of Building Map (see LEP 2009) and has been set at 10 metres maximum;
- (c) Gross Floor Area (GFA). GFA is determined by the Floor Space Ratio Map (see LEP 2009) and has been set at 1.2 : 1.

#### 8.4.6 General Development Controls

- Street Frontage

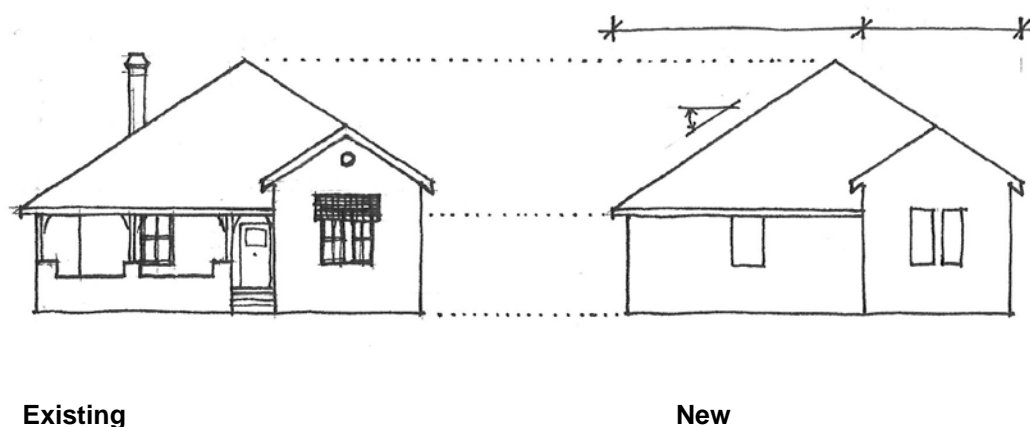
The predominant character of smaller scale historic buildings is that the frontage is narrower than the depth. Modern housing and businesses etc tend to have a wider street frontages and this will detract from the existing character of the Local Business Centre zone, particularly in George Street.

To maintain the character of the village the front façade of buildings is to be narrower in width than it is deep or long.



**Example of modest two storey dwelling where the second storey is contained in the roof area, this reduces the bulk and scale and therefore the impact of the building.**

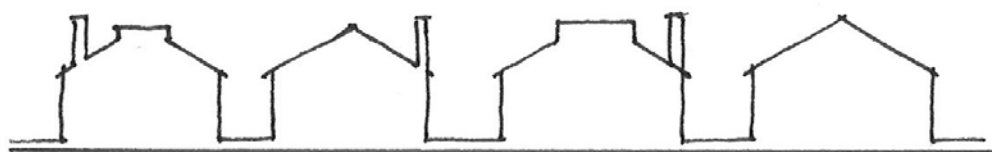
To reduce impact the bulk of larger buildings should be located set back from the front of the site. Designs for new buildings must respect the scale, height and massing of adjacent buildings. Refer to Figure 8.12.



**Respect adjacent scale, heights and massing;**

**Maintain roof form and rhythm;**

**Locate the bulk of new buildings to the rear.**



**Figure 8.12 Building Design**

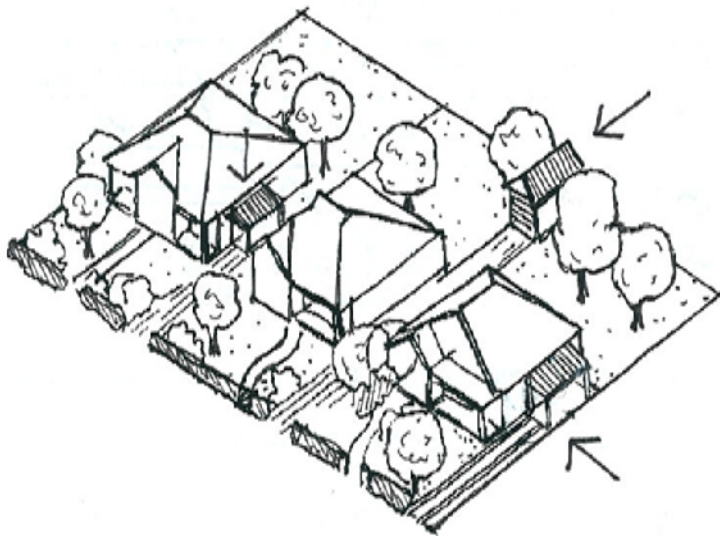
- **Roof Pitch**

Historically roofs were pitched at 27.5 to 33 degrees. This is a steeper pitch than is used on modern buildings that tend to be pitched at around 22 degrees.

The roof pitch of new buildings or additions shall be similar to that of adjacent buildings e.g. above 27.5 degrees.

- **Garages and Outbuildings**

The existing character of historic garages and outbuildings is that they are generally separate buildings set to the rear of the main building. It is preferred that garages not be incorporated into the main building in new work. Where garages are proposed they shall be located fronting the side or rear of the allotment as per figure 8.13. Outbuildings shall also be located to the side or rear of the main building.



**Figure 8.13: Siting of Carports and Garages**

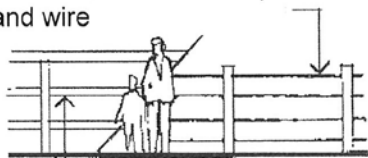
- Fencing

Fencing, walling and gates should compliment and enhance the existing streetscape and the locality where they are erected in the village. This is particularly so where they can be view from a public place. Materials used should reflect materials used historically. If timber, brick or stone was predominantly used then these materials should be used in new work.

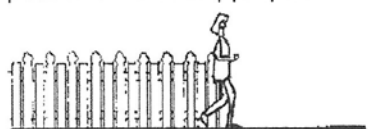
The following materials have typically been used in Marulan and should be used in new work. Particular attentions should be paid to the type of building and type of fencing selected. In general simpler buildings used simpler fencing styles and materials.

**Figure 8.14: Fence Diagrams**

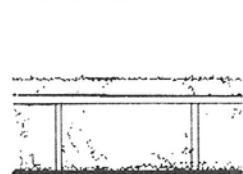
Paddock boundary fencing  
to be traditional timber post  
and wire



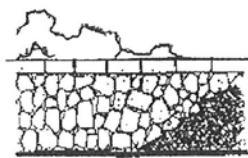
American "Ranch" style timber  
post and rail not appropriate



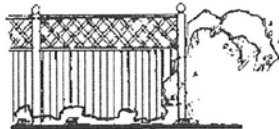
Timber Picket



Timber post and  
rail with hedging



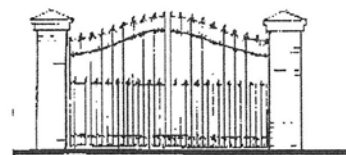
Stone walling



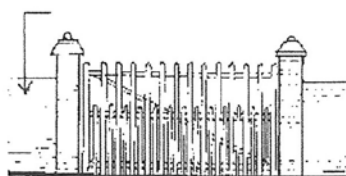
Timber screen  
and planting



Hedge



Ornate iron gate and  
stone gate posts



Timber gate and brick  
gate posts and fence  
walls

#### ▪ Landscape Character

Public and private landscapes contribute significantly to the character of the Local Business Centre. New development should be designed to minimise its impact on significant landscape elements. Avoid development in the vicinity of major plantings.

Prior to beginning design of a new development a site analysis is required. Significant vegetation including native vegetation and exotic trees and shrubs should be included in the site analysis. See Appendix G for information on preparing a Site Analysis.

If development proposes the removal of significant vegetation an assessment by a suitably qualified Arborist or Horticultural professional will be required. If vegetation is rated of moderate or high significance then a statement will be required in the application that discusses what alternatives have been considered and if removal is proposed justifying why removal is the selected outcome.

Where possible extend existing landscape themes e.g. planting, fence styles etc into new work. See Appendix G for information on preparing a Landscape Plan.

#### 8.4.7 Zoning Plans and lot size maps

George Street, Marulan (figure 8.11) is affected by the following zoned areas for the purposes of the Goulburn Mulwaree Local Environmental Plan 2009:

- B2 – Local Centre; and
- RE1 – Public Recreation.

Minimum lot size is not applicable within the affected area.

Reference: Goulburn Mulwaree land zoning map, sheet LZN 016.

#### 8.4.8 George Street, Marulan Landscape Concept Plan

Council has prepared a George Street, Marulan Landscape Concept Plan. The actions proposed in the plan and endorsed by Council are;

Priority	Item
1	Street tree planting- 25 advanced trees & road treatment south end George street
2	Southern entry feature
3	In front of Post Office and adjacent areas
4	Pedestrian crossing
5	Northern entry feature

The Council adopted the recommendation;

“That the amount included in the adopted 2008/9 Management Plan for “George Street Marulan – Streetscape beautification be used to:

- a. undertake landscape works to the northern end of the “Post Office median strip” area specifically the replacement of the scoria garden and replanting;
- b. undertake replanting of the garden adjacent to the pedestrian crossing in George Street.

Funding for additional actions included in the table above will be considered in future Council Management Plan budgets.

### **Acknowledgement.**

Acknowledgement is made of material used from Wingecarribee Shire Council Development Control Plan No. 54 - Exeter including text and sketches.

### **Part B – Marulan Urban Release Area – Wilson Drive, Marulan.**

#### **8.4.9 Urban Release Area (Goulburn Mulwaree LEP 2009 – Part 6)**

##### **(a) Staging Plan**

Figure 8.14.1 shows the staged residential land release area for the Marulan precinct. Approximately half of the southerly zoned R1, general residential area off Wilson Drive is proposed to be staged released.

This area will not be released until Council has made an assessment off:

- (i) the stock of vacant, serviced, undeveloped or underdeveloped residential land and the potential housing opportunities available within the general Marulan R1 residential zone; and
- (ii) the rate of supply, the degree of choice and the current and projected rate of take-up and demand for residential land and housing types within the Marulan R1 Residential zone; and
- (iii) Council is satisfied that:
  - there is insufficient land available within the R1 residential zone to cater for projected household growth having regard to the need to ensure the efficient functioning of the housing market or
  - the land available within the R1 residential zone is inadequate to satisfy housing preferences or requirements of all segments of the housing market; and
  - adequate arrangements via a planning agreement have been made with Council for the provision of infrastructure and services to the land including essential services of:
    - the disposal and management of sewage;
    - reticulated water supply;
    - stormwater drainage management; and
    - the modification of the 'at grade' intersection at George Street – Portland Avenue and the Hume Highway intersection to left turning traffic only.



Figure 8.14.1 - Staging Plan

(b) Transport movement hierarchy

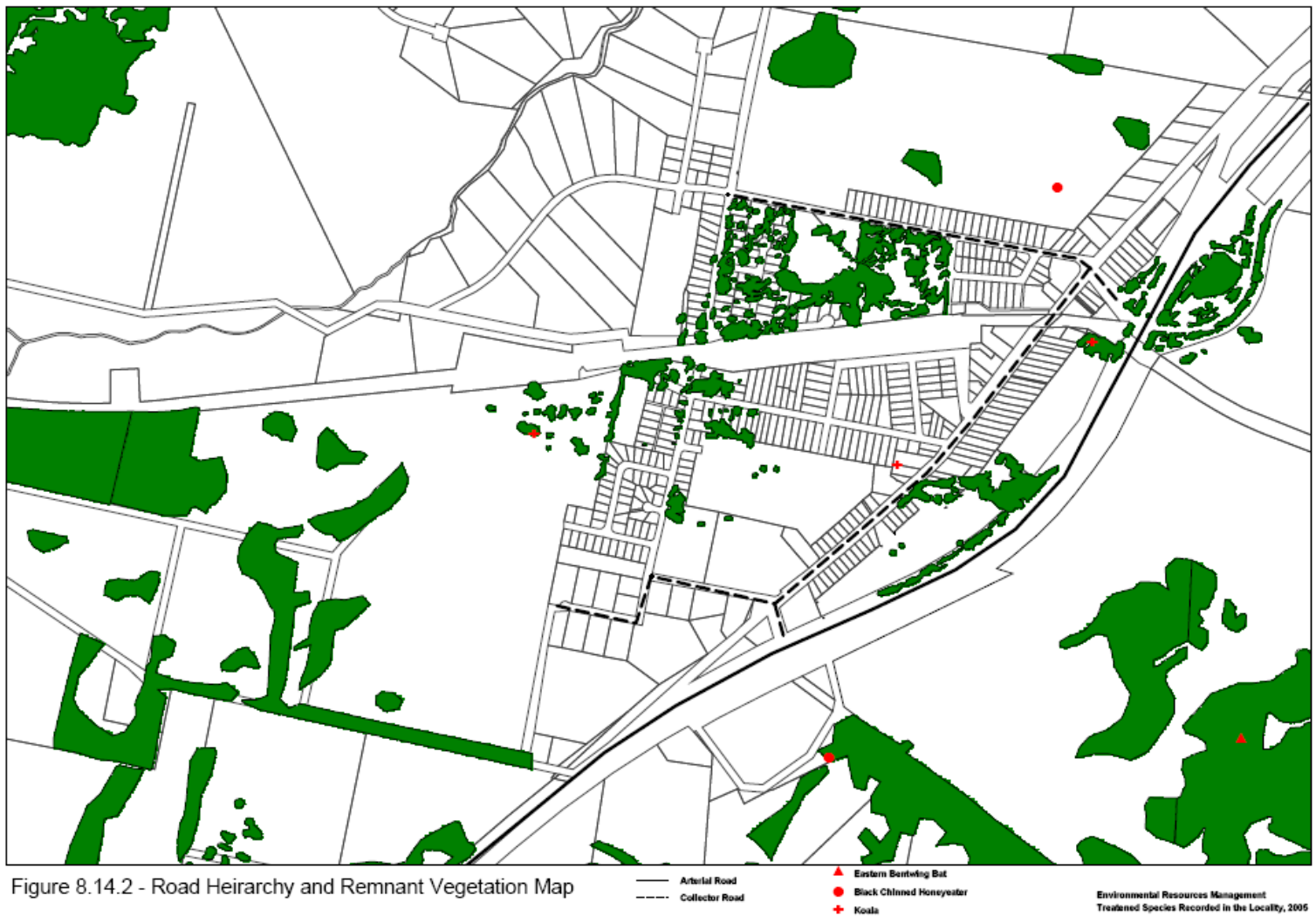
Marulan is serviced by a major arterial road (Hume Highway) and a number of Collector Roads:

- Brayton Road, connecting the Hume Highway to the northern end of Portland Avenue;
- George Street, connecting Brayton Road to the southern end of Portland Avenue;
- Portland Avenue south, and George Street intersection connecting the Hume Highway to Wilson Drive; and
- Wilson Drive connecting Portland Avenue to the Urban Release Area.

Staged release area is required to contribute towards the upgrading of collector roads Wilson Drive, Portland Avenue and George Street.

Figure 8.14.2 shows the road hierarchy.

Chapters 7.2 and 7.3 of this plan sets out detailed requirements for access roads, general road provisions, drainage and water sensitive urban design principles.



(c) Overall landscape strategy

The overall landscape strategy for the urban release area is to protect, enhance and retain:

- remnant vegetation shown on figure 8.14.2; and
- important vegetated areas within land zoned RU2 Rural Landscape and RU6 Transition.

Chapter 3.3 of this plan sets out detailed landscaping requirements for future development applications.

(d) Passive and active recreation areas

Further to the landscape strategy recreation areas in the Wilson Drive urban release area include:

Passive:

- Area of land zoned RU2 adjacent to the Main Southern Railway; and
- Bio - retention swales and basins and proposed artificial wetlands to be developed as part of the stormwater management plan; and

Active:

- Bio - retention basin proposed in the south-eastern corner could also be utilised for playing fields; and
- the main active playing fields are located adjacent to the north-eastern corner and zoned RE1 – Public Recreation and are known as the Portland Avenue sporting fields.

(e) Stormwater and water quality management

Stormwater and water quality management controls are detailed in chapter 7.3 – Drainage and soil and water management.

Patterson, Britton and Partners, December 2005 have developed an “indicative stormwater management plan and a water sensitive urban design (WSUD)” strategy for the Wilson Drive urban release area. Both documents’ principles are recommended for inclusion in development applications.

Principles:

“The WSUD strategy includes measures such as:

*For residential areas,*

- rainwater tanks for reuse of roof runoff in washing machines;
- use of recycled water (treated effluent) for toilet flushing and irrigation;
- water saving devices on all residential development;
- gross pollutant traps; and
- bio-retention / detention basins / swales along the edges of parkland corridors / and artificial wetlands to remove pollutants and to reduce peak flow rates. In some instances, detention storage to attenuate peak flow rates can either be separate or incorporated into the bio-retention basins or artificial wetlands.

*For industrial areas,*

- use of recycled water and rainwater for non potable uses;
- installation of water saving devices;
- gross pollutant traps;
- bio-retention / detention basins / swales along the edges of hard stand areas to remove pollutants and to reduce peak flow rates. In some instances, detention storage to attenuate peak flow rates can either be separate or incorporated into the bio-retention basins; and
- permeable pavers for car parking areas, although, permeable pavers would not be used on high traffic hard stand areas (eg. delivery access ways) because of the greater load of vehicles using these areas.”

For ground water management

- limit additional impervious areas on the site; and
- encourage water infiltration at the base of bio-retention basins and swales.

For river protection

The site is at the top of two drainage catchments and as such:

- significant existing vegetation is to be retained through the middle of the site as part of the drainage corridor; and
- the perimeter of the drainage corridor is to incorporate further run off water quality treatment measures like retention swales / basins and artificial wetlands.

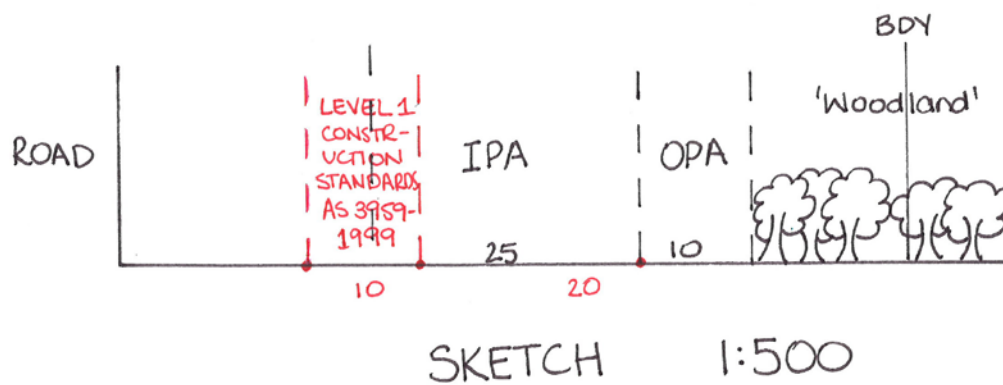
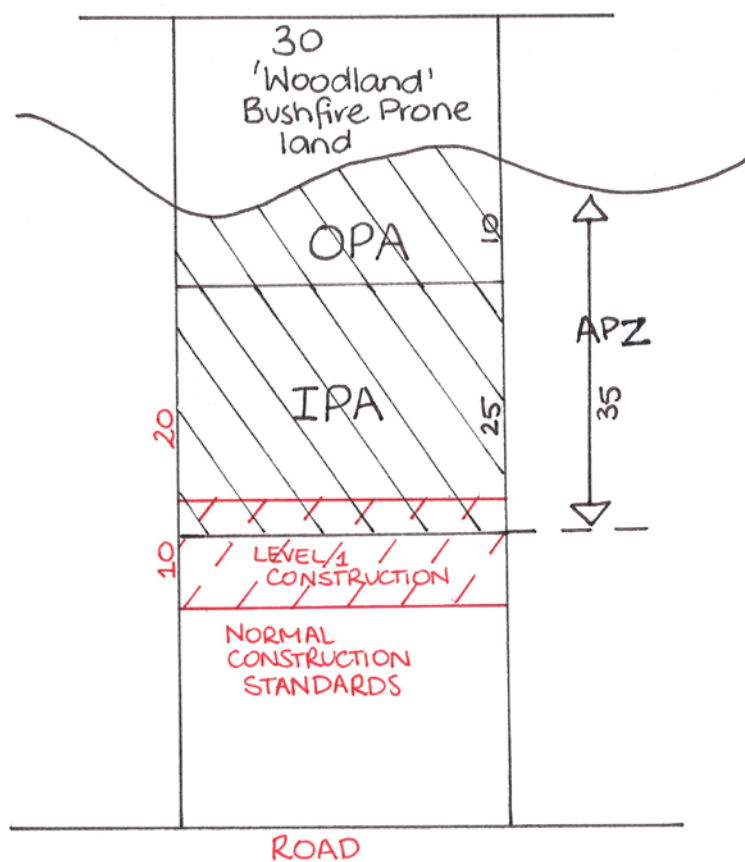
(f) Natural and Environmental hazards

Figure 8.14.3 depicts identified environmental hazards and indicative solutions that need to be addressed and satisfied in future development applications for the Wilson Drive residential and industrial zoned areas.

These include:

- Flooding hazard
- Patterson, Britton and Partners, December 2005 have approximated the 100 year ARI flood extent and the PMF flood extent. Both these events have been plotted onto figure 8.14.3. The accompanying report concludes that the catchment flood flows are relatively minor and should be incorporated into the piped trunk drainage system and overland flow areas in roadways and drainage reserves for up to the 100 year ARI flood extent in accordance with industry best management practice.
- Bushfire prone land
- Environmental Resources Management (ERM), November 2005 have identified bushfire prone land for the Wilson Drive Marulan site. This map has been incorporated into figure 8.14.3. The ERM report concludes that development within the identified bushfire prone land will require:

- a preliminary assessed APZ (asset protection zone) of 35m, which incorporates and OPA (outer protection area) of 10m and an IPA (inner protection area) of 25m. This will need to be reassessed at DA stage;
- “Level 1 construction standards (AS 3959-1999) are required for any development within bushfire prone land that is between 20m and 30m from the hazard (woodland) (not including the OPA)”; and
- “no construction standards will be required for development that will be more than 30m from the hazard (not including the OPA) or within land outside that classified as bushfire prone”.



- Noise assessment

Noise sources include:

- existing industries (Boral Concrete batching plant);
- operation of Marulan's waste management facility;
- Main Southern Railway adjoining on the north;
- Hume Highway to the east;
- proposed State significant hard rock quarry to the west; and
- proposed industrial zone on the southern side of Wilson Drive.
- Proposed Quarry
- ERM Consulting (November 2005) advise as follows:
- "A proposed Readymix quarry is understood to have been granted approval nearby the site. A review of the noise and blasting assessment part of the May 2005 Environmental Impact Statement (EIS) has been undertaken. Based on this document, noise and blasting at the proposed quarry are predicted to be within appropriate limits at proposed residences subject of this review. Hence, no development restrictions are anticipated as a result of the quarry."
- Further to this report the quarry has been granted Part 3A development consent.
- In addition, the proposed quarry's current owners have objected against the proposed residential development on land zone R1 at Wilson Drive, Marulan.
- ERM noise control requirements:
- ERM have recommended an acoustic barrier at the eastern edge of the land zoned IN2 light industrial.
- Design of such barrier and future residential dwellings will depend on quantification of noise coming from the proposed quarry, and industrial areas to the west and south of residential release area.
- House design may take the form of reducing openings facing noise sounds, providing air conditioning and double brick and window construction.
- Noise from industrial sources, freeway and rail traffic can also be controlled by employing noise barriers and buffer zones. These can take the form of solid panels or an earth type bund forming part of a nature strip or a combination of both.
- The following ERM Consulting recommendations have been adopted:
  - 3m high solid noise barriers adjacent to the Main Southern Railway and proposed residential development along the northern boundary.
  - 4m high solid noise barrier adjacent to the Boral batching plant and the Wilson Drive Road reserve along the eastern and southern boundaries (for a distance of 300m along the southern boundary).

- acoustic buffer between the proposed industrial zone, and the residential zone.
- This plan also recommends that:
  - acoustic buffer also be included adjacent to the southern road reserve of Wilson Drive from the 4m high solid barrier to the RU6 zone.
- All barriers to be positioned along the north, east, south and west residential boundaries are to ensure that any proposed dwellings are to be shielded so that the line-of-sight from the noise source, be it rail, Hume Highway or the future industrial development to the south and west and the receptor location is blocked.
- Heritage assessment
  - Aboriginal sites
  - ERM Consulting (November 2005) have located some five sites within the subject Wilson Drive precinct. A section 90 consent under the NPW Act is required from DECC for the two sites found within the residential release area (Lot 1 DP 221236). Also respective Aboriginal representatives have expressed the wish to collect Aboriginal objects from those sites. Lot 3 DP 517713 which contain the remaining three sites is to be maintained as a conservation area. This area has been zoned RU2 Rural Landscape.
  - European items
  - There are no European heritage items within the residential urban release area.
  - Soil and contamination
  - Coffey Geosciences Pty Ltd, February 2004 advise that there appears to be no significant geotechnical constraints and that likelihood of contamination being present that would pose constraints to residential development of the subject release site is considered to be low.
  - Drainage lines
  - Indicative stormwater management plan has been prepared by Patterson, Britton and Partners, December 2005 though the locations of swales etc may vary the principles developed in this plan will remain the same for the subject residential release area.

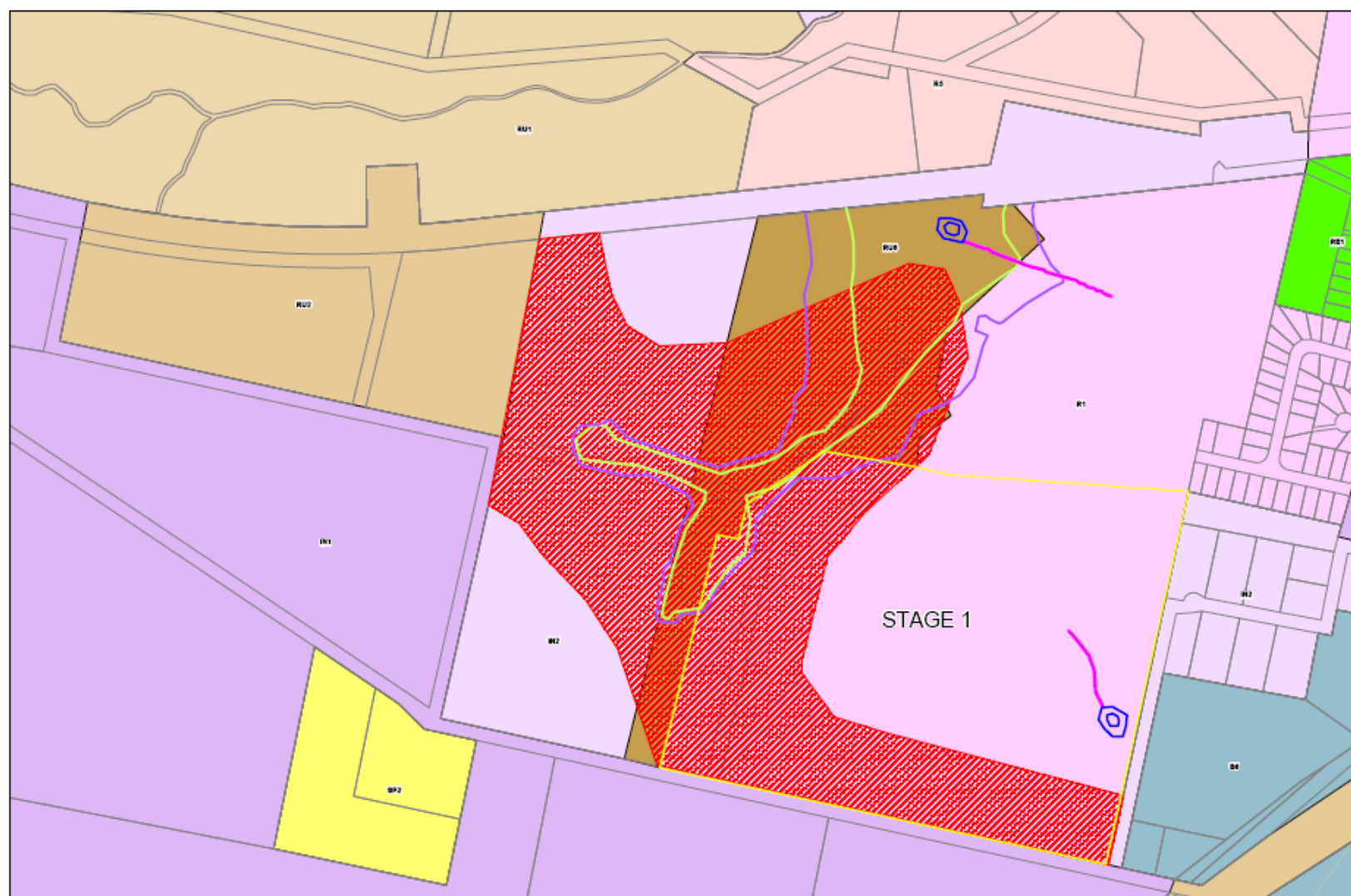


Figure 8.14.3 - Natural And Environmental Hazards  
Part 1

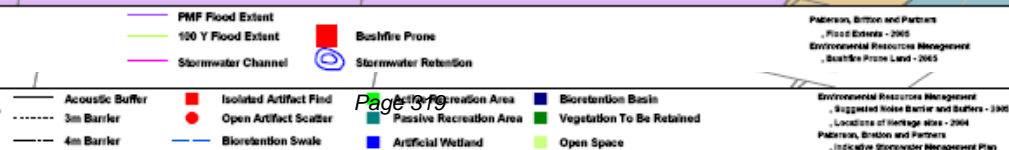


Figure 8.14.3 - Natural And Environmental Hazards  
Part 2 - Indicative Solutions

Palmerston, Britton and Partners  
Flood Extents - 2005  
Environmental Resource Management  
Bushfire Prone Land - 2005

Palmerston, Britton and Partners  
Flood Extents - 2005  
Environmental Resource Management  
Locations of Heritage Sites - 2004  
Palmerston, Britton and Partners  
Indicative Stormwater Management Plan

(g) Urban Design controls

Urban design control principles are detailed under Chapter 4 – “Principal Development Controls – Urban,” Sub-chapter 4.1 relates to residential development.

(h) Higher density living – (refer to figure 8.14.4 zoning and lot size map).

Density controls are detailed under sub-chapter 4.1.1 – Site planning, bulk, scale and density.

Medium density development is permissible throughout the R1 and R2 residential zones.

The subject Wilson Drive release area (R1 zone) allows multi unit residential accommodation at the ratio of 350m<sup>2</sup> per dwelling unit. In addition part of this release area allows subdivision of the land down to a minimum lot size of 350m<sup>2</sup>. The majority of the area however has a conventional minimum lot size of 700m<sup>2</sup>.

Note: Community and Strata title developments are not subject to the minimum lot sizes.

(i) Neighbourhood shops

Retail premises (except neighbourhood shops) are prohibited in the Wilson Drive release area.

Appropriate zone for all such premises is B2 – Local Centre zone.

(j) Public facilities and services

Council has put in place a Section 94A levy development contributions plan and a Marulan Infrastructure Contributions Plan.

Wilson Drive urban release area is subject to both of these plans. However with the Infrastructure Contributions Plan only the identified works in that plan are to be funded.

All other works required in the release area must be fully funded by the relevant developer.

The following figures identify the public facilities and their location for which contributions will be required pursuant to S94A Contributions Plan:

Figure 8.14.5 – public facilities

- George Street landscape works including:
  - street tree planting and road treatment at the southern end;
  - southern and northern entry features;
  - post office median strip and adjacent areas;
  - garden area adjacent to the pedestrian crossing.
- Meridian Park development including:
  - picnic facilities, playground equipment, landscaping and off street parking.
- Portland Avenue public recreation area development including:
  - sporting fields, access roads and parking area.
- Health care and community centre in George Street(completed):
- Traffic facilities upgrading including:

modification works on the north and south bound lanes of the Hume Highway at the southern “at-grade” intersection with Portland Avenue and George Street roundabout;

Figure 8.14.6 – Marulan Infrastructure Contributions Plan public infrastructure utilities including:

- water supply infrastructure;
- sewerage infrastructure;
- stormwater design infrastructure.

The staged urban release area will not be consented to until chapter 8.4.9(2) has been satisfied and Council is satisfied that any public utility undertaking infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

The recommended means to satisfy the above requirements is for a mutually agreed planning agreement to be put in place between Council and the developer.

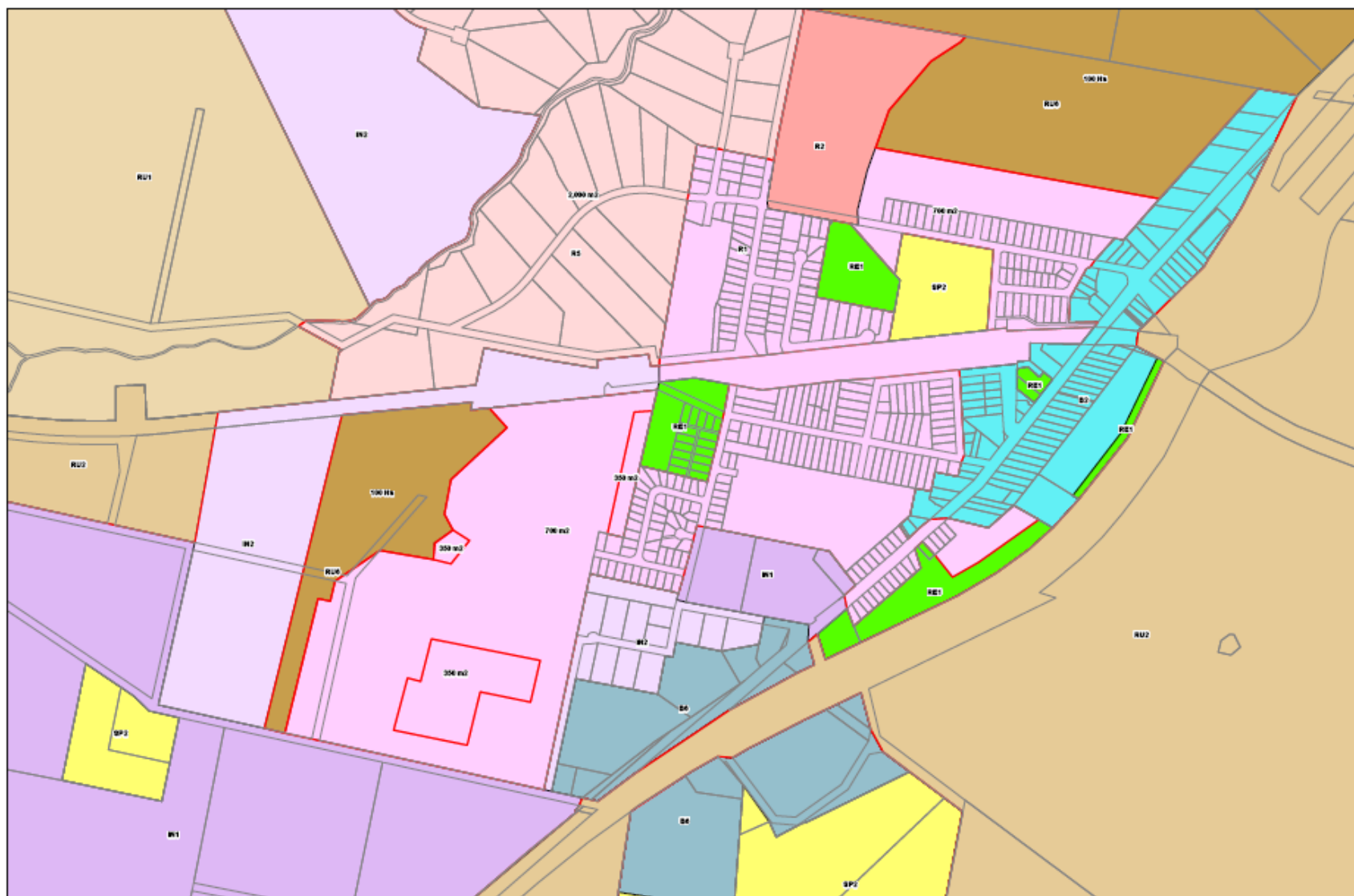


Figure 8.14.4 - Zoning and Lot Size Map

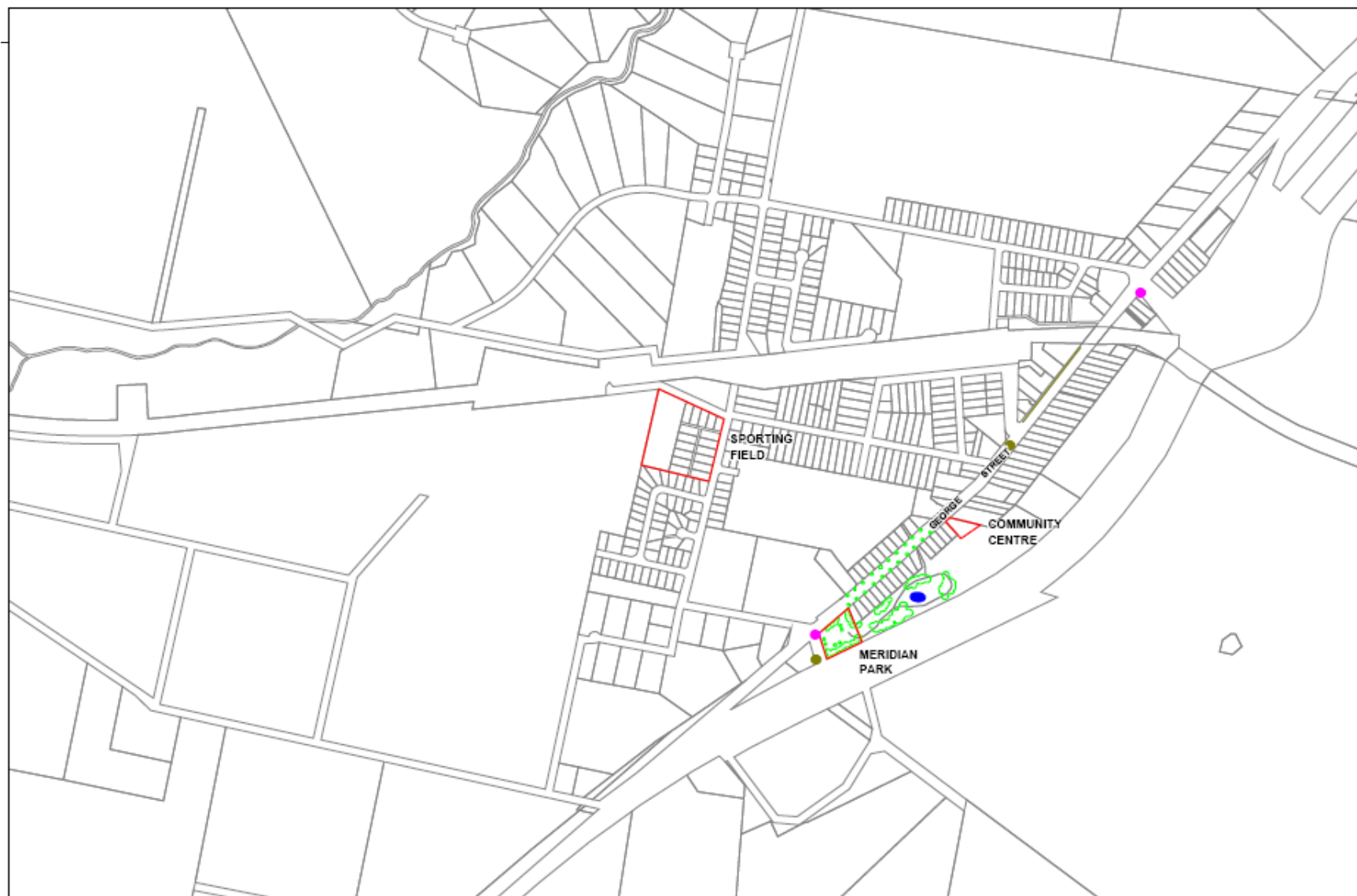


Figure 8.14.5 - PUBLIC FACILITIES

-  Cycle Track
-  Proposed Trees
-  Dam
-  Entry Signs
-  Road Feature Upgrades

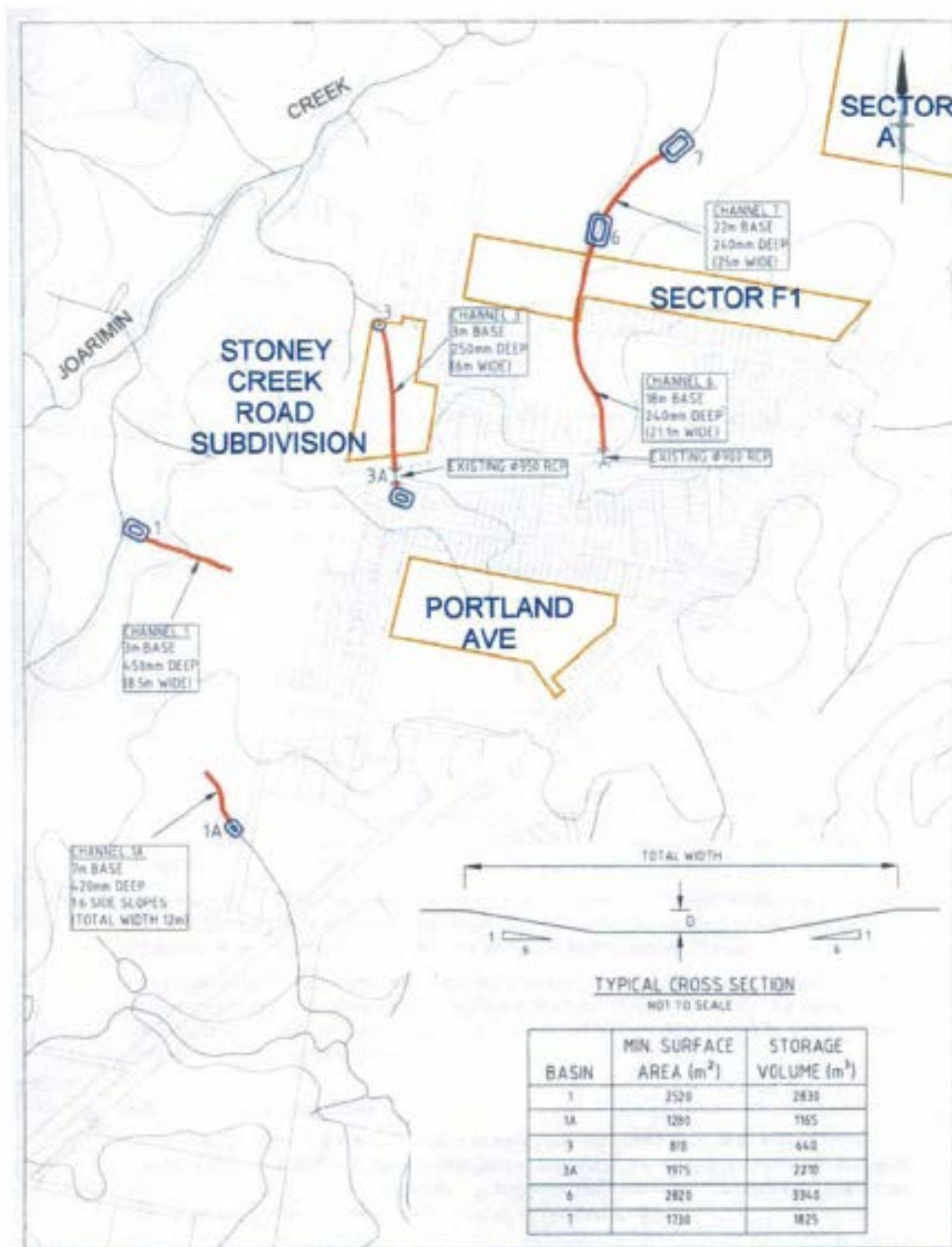


FIGURE 8.14.6 – STORMWATER



FIGURE 8.14.6 – SEWER

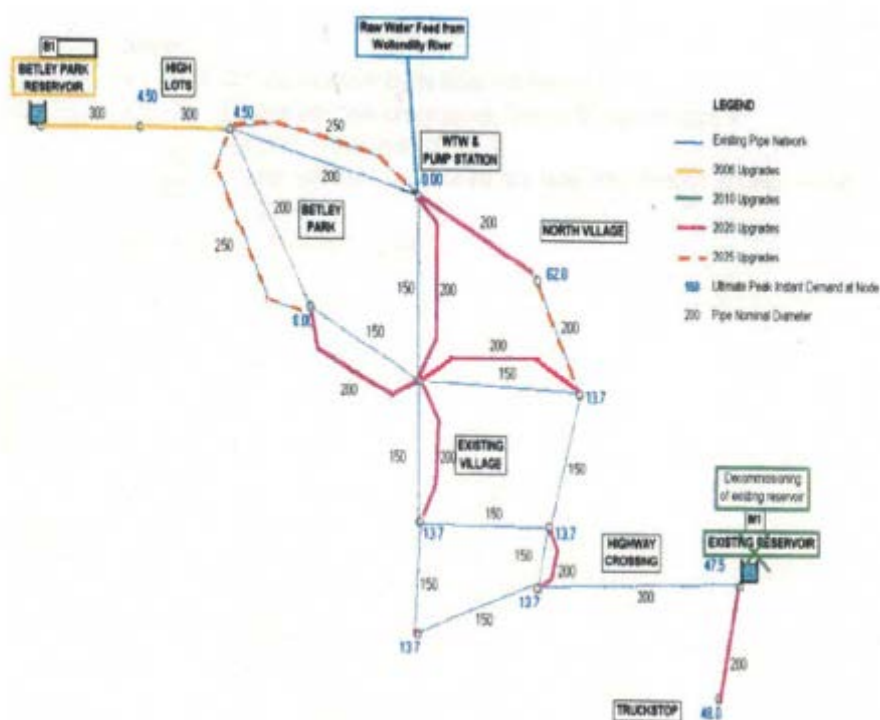


FIGURE 8.14.6 – WATER

## 8.5 Charles Valley' – Long Street Goulburn

### **Objectives**

The overall objectives of this plan are:

- to identify the development constraints to urban development of land in the Study area
- to provide an indicative plan for the future land use, subdivision and development of the area
- to identify and protect natural and heritage assets in the study area

### 8.5.1 Land to which this clause applies

This Plan applies to the land shown on the map at **Figure 8-15**. This land is bounded by:

Chiswick Street, Hetherington Street, Long Street, Memorial Drive and Rifle Range Road.

### 8.5.2 Constraints

Investigations have been undertaken into the potential for residential development in the land subject to this plan. The reasons for these investigations were to identify opportunities and constraints to development to guide future residential development and to be used for any rezoning of land in the area.

The initial planning process included the identification of main constraints to development within the area, which includes:

- water infrastructure requirements (and estimated costs)
- road requirements (access is not available off Memorial Drive)
- drainage lines
- stormwater runoff
- land capabilities for on site effluent disposal and building envelopes
- land ownership patterns
- existing development, including house locations
- remnant vegetation
- historic features
- potentially contaminated land
- bushfire hazards
- steep land
- the adjoining public recreation area to the west and environmental conservation area to the east

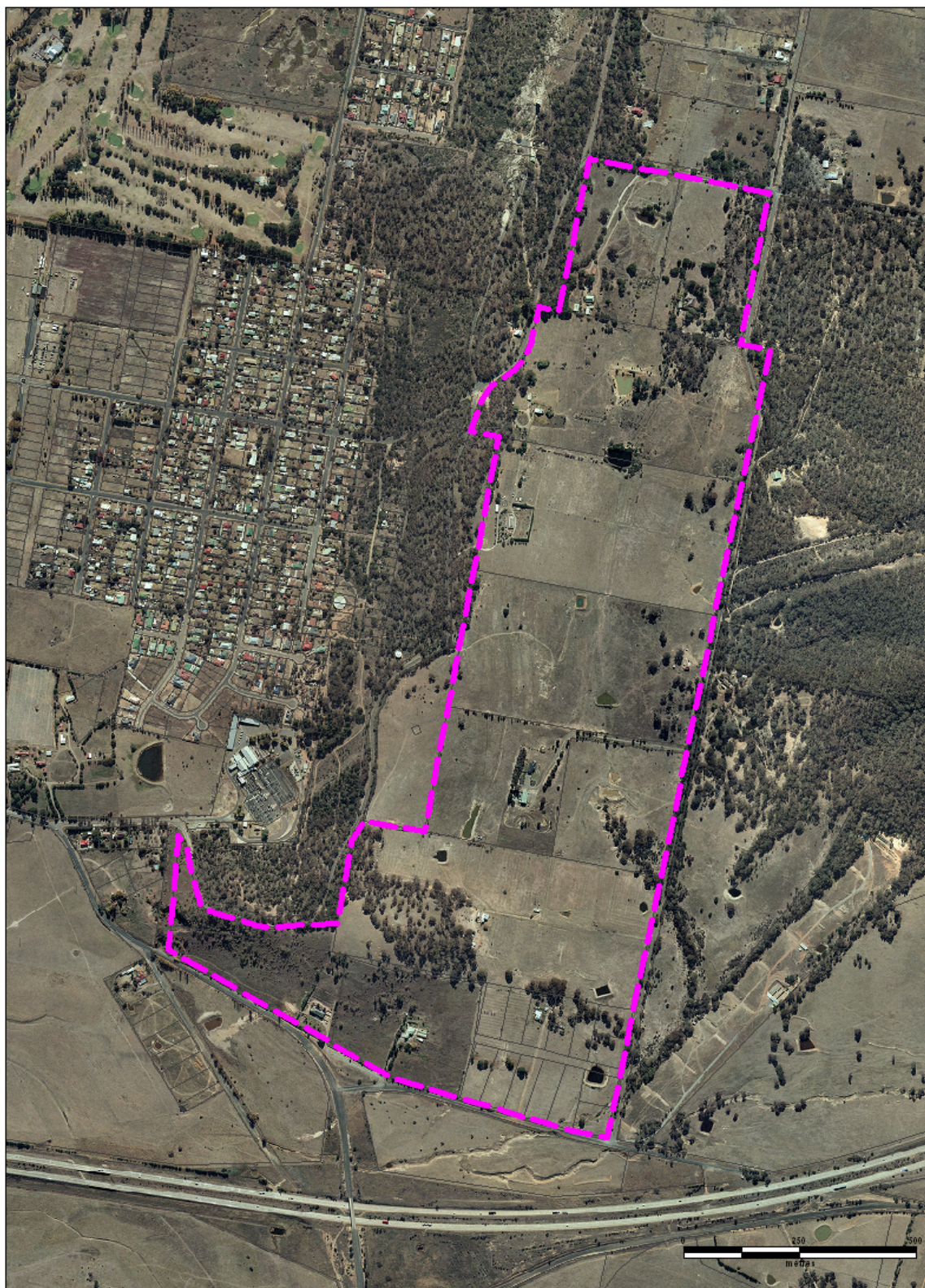
- preservation of rural character
- potential aboriginal artefacts

The major constraints of bushfire hazard/buffer, drainage lines, vegetation and steep land (contours) were mapped on cadastre and aerial photograph which identified potential developable land. The other constraints identified will require consideration and investigation at the development application stage.

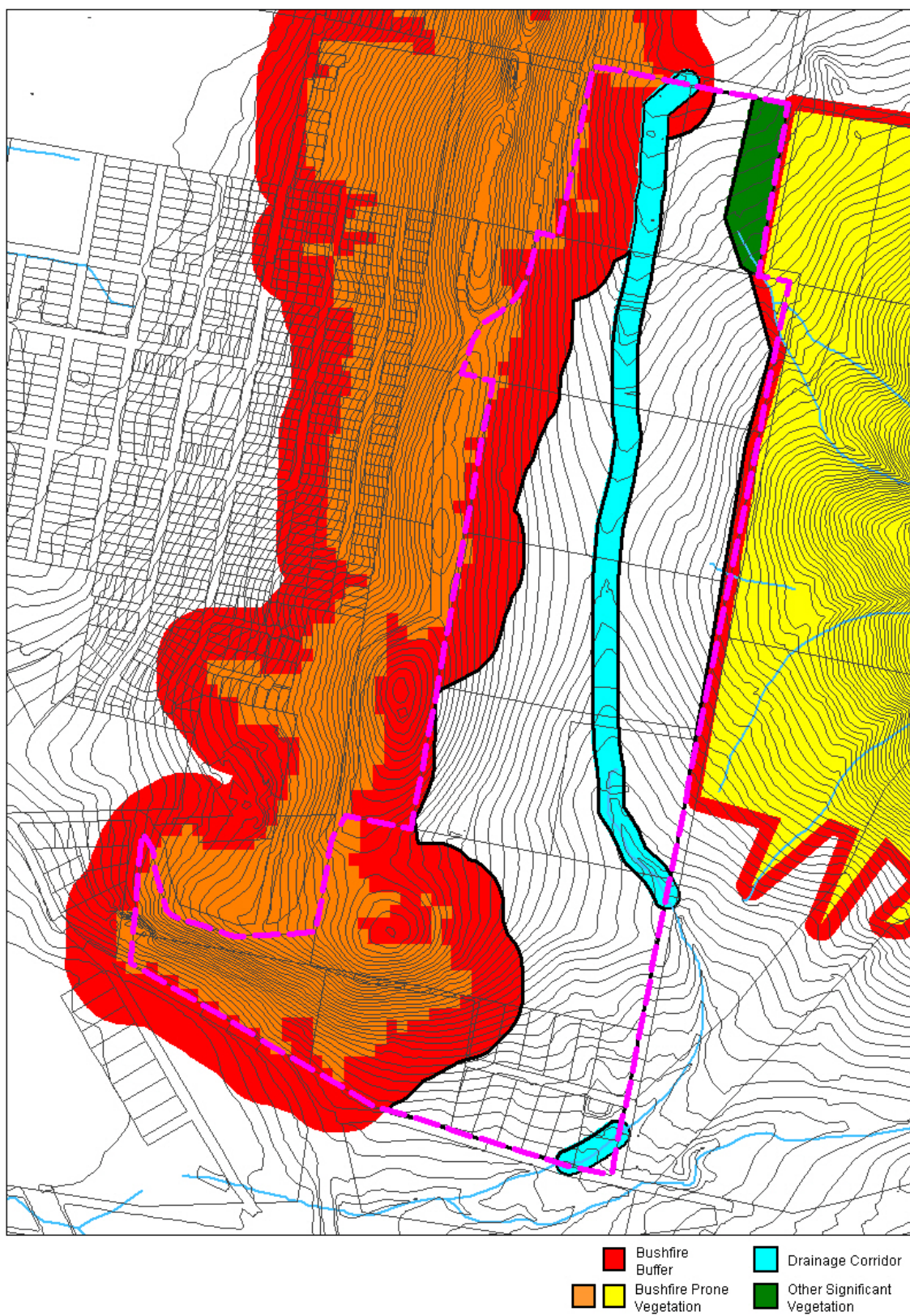
The land subject to major constraints is not considered suitable for rural lifestyle development. Any development application for the locality will need to reflect all potential constraints and produce an overall master plan for the locality.

These major main constraints to development are mapped and shown in **Figure 8-16**.

**Figure 8-15: Land to which this plan applies**



**Figure 8-16: Constraints**



### 8.5.2.1 Aboriginal sites

The Goulburn Mulwaree Council Aboriginal Archaeological Survey Policy identifies specific criteria as being an indicative of a site/area in which Aboriginal artefacts are likely to occur. Several of these criteria are located within the Charles Valley development area.

In accordance with the Aboriginal Archaeological Survey Policy, where a particular site within the Charles Valley development area is deemed to meet one or more of these criteria the following procedure must be followed.

A preliminary assessment to determine the likelihood of artefacts at the site. This assessment to include:

- review of the site history
- identification of the level of disturbance
- literature review and consultation with the National Parks and Wildlife Service on information they hold
- site inspection by a person skilled in identifying Aboriginal artefacts
- any consultation with the local Aboriginal community
- a statement as to the likelihood of artefacts being found and the need, if any, for a more detailed Archaeological survey

An Archaeological Survey undertaken by an appropriately accredited person/organisation in accordance with relevant guidelines on the preparation of such documentation.

### 8.5.2.2 Potentially contaminated sites

Grazing has been the main agricultural use in the area and no sites have been identified as being potentially contaminated.

### 8.5.3 Development potential

Land that has potential for development has been identified by removing land subject to the major constraints identified. The total area covers 120ha and the area of land available for development totals approximately 66ha. The existing lot pattern is shown in **Figure 8-17**. The minimum lot size to be created within the areas is 2ha.

Factoring in the major land constraints, the approximate developable area has a potential for an approximate additional 33 dwellings.

It is important that an estimate is made on the number of potential dwellings, rather than calculating that all available land will become lots of 2ha. This is because infrastructure must be designed to meet the needs of the expected population. If infrastructure is designed that

overcompensates for the actual population, the cost of providing the infrastructure would effectively stifle any further development in this locality.

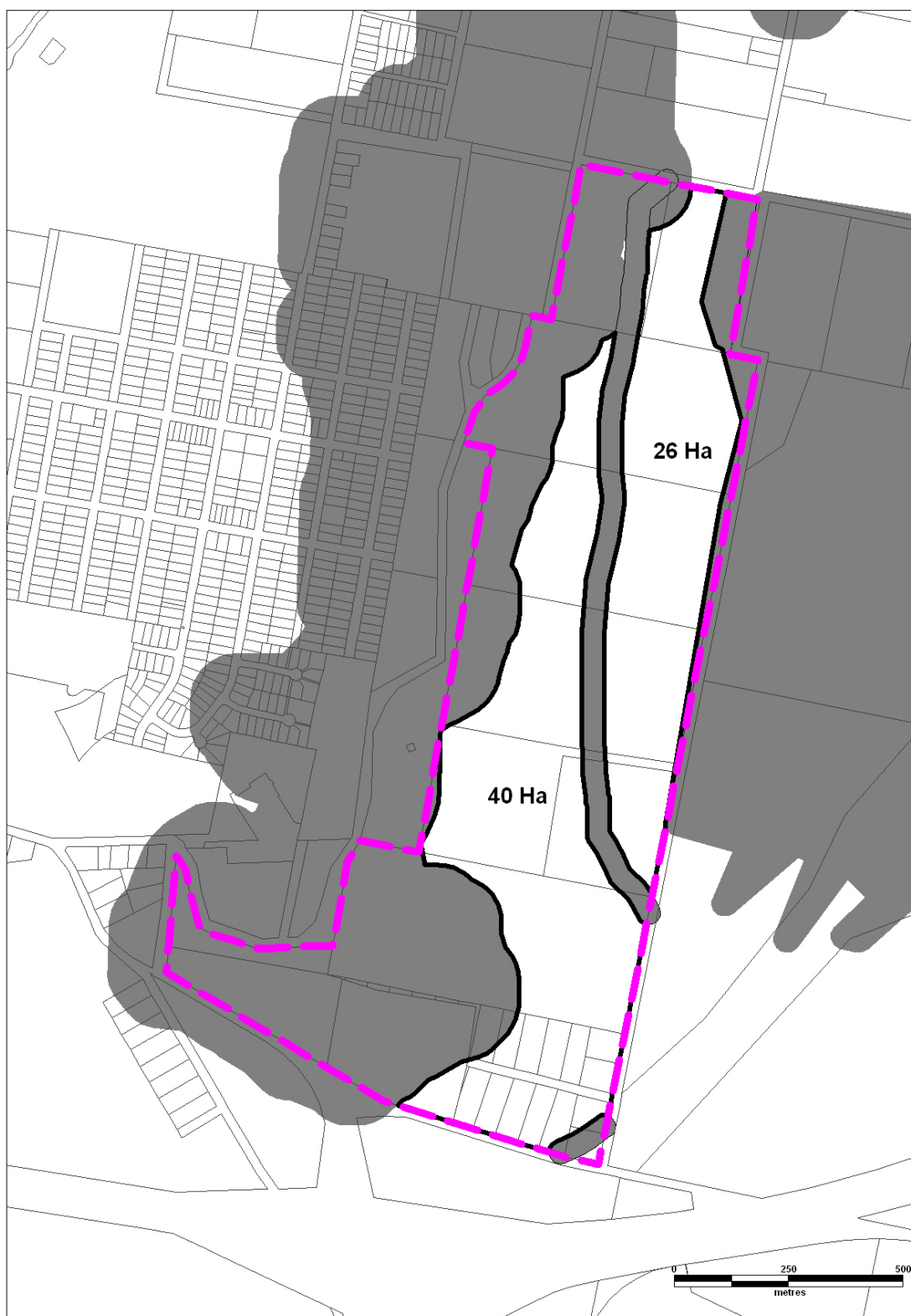
With occupancy rate of 2 persons per household (from Goulburn Mulwaree Strategy 2020) and assuming each lot will be used for a single dwelling there is the potential for an ultimate population of 66 people.

POTENTIAL DWELLINGS:            33 dwellings (excluding existing dwellings)

POTENTIAL POPULATION:        Between 60 and 100 people

**Note:** Range of population figures is given because individual lots have the right to a “secondary dwelling”.

**Figure 8-17: Developable land**



## 8.5.4 Subdivision

**Note:** Reference chapter 7 of this Plan.

### **Objectives**

To encourage subdivision layouts that:

- allow integration of neighbourhoods between “natural” boundaries or barriers and connections between the neighbourhoods
- minimise environmental impact by ensuring subdivision into rural residential lots only occurs on land free of development constraints
- are based on a hierarchy of roads for the efficient movement of vehicle traffic. Roads will be connective and efficient, giving motorist multiple travel paths. Long cul-de-sacs are unsuitable for efficiency and safety reasons
- focus open space on the drainage constraints and network
- incorporate water sensitive urban design principles into subdivision design
- encourage northern orientation of dwellings for energy efficiency benefits and passive solar access
- ensure rural residential lots have a sufficient area to allow for the siting of a dwelling and ancillary buildings (including private open space, vehicle access and parking)
- provide for protection/enhancement of visually prominent sites/locations
- protect riparian areas and native vegetation areas
- consider existing residential development

### **Controls**

#### 8.5.4.1 Subdivision lot size

Minimum lot size, is 2ha. However this minimum will need to take into account the suitability of the site and the infrastructure that will have to be provided.

Battleaxe lots are generally not supported. In calculating the area of a battleaxe allotment, the accessway, which includes any rights-of-carriageway/access, are to be excluded.

## **8.5.4.2 Lot orientation**

### **Solar access**

The following design techniques are to be adopted to maximise opportunities for solar access to allotments and to allow for the consequent design and siting of energy efficient houses.

Align streets east-west and north-south. Aim for north-south streets within 20° west and 30° east of true north and east-west streets within 30° south and 20° north.

Allotments on east-west orientated streets need to have greater depth and width to make best use of solar access.

Allotments on south side of street should be sufficient depth so buildings can be set well back to allow north facing rooms to look onto larger front yards.

Allotments on north-south streets to be of sufficient width to allow for private open space on the north side and for houses to be built on the south boundary.

Taking into account views and topography, lot orientation and layout should enable the majority of dwellings to be designed so that the main living area receives not less than 4 hours of sunlight per day between 9am and 3 pm.

Regular rectangular shaped allotments maximises siting opportunities and increases potential lot yield.

On sloping sites, north-facing sites improve opportunities for solar access.

### **Passive surveillance**

Lots shall face toward public open space areas, vegetation conservation areas and public roads to encourage passive surveillance from dwellings over these public spaces to assist with safety and security.

Where this cannot be achieved open style fencing is required to promote passive surveillance of public open space and public road area with some landscape screening to provide privacy.

#### **8.5.4.3 Bicycle and pedestrian movements**

Bicycle and pedestrian movements to be addressed in accordance with Council's Bicycle Strategy 2007.

Cyclists can be integrated into the road network through a combination of on and off road measures together with bike parking at clusters of community and commercial facilities.

To encourage cycling as an easy transport alternative, on-road and off-road cycle networks will be clearly highlighted with signposting and pavement logos. Engineering works, including signposting and line marking must comply with the appropriate engineering standards.

#### **8.5.4.4 Streetscape**

Existing trees are to be retained where possible and appropriate.

Existing trees should be located near boundaries of proposed allotments to avoid conflict with proposed building envelopes (refer Council Policy – Bushfires and Vegetation Controls)

Streetscape planting themes are to be developed based on native tree species suitable for the locality and in an urban context.

Boundary fencing shall be rural timber style fencing i.e. post and rail with mesh. This is to maintain semi-rural amenity of this locality.

#### **8.5.4.5 Open space**

Areas identified as being as a drainage line shall be set aside as a drainage reserve.

The open space network is to be focused on these drainage lines.

Drainage lines are to be re-established as "natural" watercourses largely through revegetation with native species. These will meet the passive outdoor recreation needs.

Environmental management plans for the natural areas are to be prepared particularly for the watercourses and areas of remnant vegetation.

#### **8.5.4.6 Sites of visual importance**

Areas of visual importance have a building form of significant architectural and design merit or a prominent landscape feature. For this area the following sites/areas have identified:

- gateway entries to neighbourhood entrances within the plan area
- ridgelines
- treed hilltops or ridgelines
- subdivision design must address areas of visual importance and demonstrate how they will be protected or enhanced

#### **8.5.5 Residential development**

##### ***Objectives***

To encourage residential development in which:

- there is a diversity of housing stock and type to meet diverse housing needs
- dwellings to face public spaces for passive surveillance
- living areas are orientated to the north for energy efficiency benefits
- dwelling design and siting respects the privacy of neighbours
- on site vehicle parking is provided to minimise congestion within the streets
- garages and fences do not dominate the streetscape
- there is easy access to community facilities
- Rainwater tanks are provided to supplement water supply and control stormwater runoff.

##### ***Controls***

##### **8.5.5.1 Detached dwellings and “secondary dwellings”**

###### **Streetscape**

Dwellings are to face public spaces (roads and open space areas).

Dwellings are not to be hidden by high fences.

Garages are to be located behind the building facade so that they do not dominate the streetscape.

Fences shall be of a design that is sympathetic to the existing semi-rural character of this locality.

###### **Height**

Maximum recommended height is two storeys.

### **Energy efficiency**

To maximise energy efficiency the internal and external living areas should be located to the north side of the dwelling. Further requirements are specified in **clause 4.1.3** of this plan.

### **Privacy**

Private open spaces and living rooms of adjacent dwellings should be protected from direct overlooking, by:

- appropriate dwelling layout
- use of distance or slope
- screening devices like screen vegetation and courtyard walls

First floor decks, balconies and the like, are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space of adjoining properties.

Windows of one dwelling should not be located opposite the windows of another dwelling unless direct views are restricted:

- off-set windows
- use of narrow, translucent or obscured windows
- provide sufficient distance between dwellings

### **Acoustic privacy**

Noise generating area of a development (e.g. driveway, air conditioning units, swimming pool areas) should be adequately screened or located away from the bedroom areas to minimise impact on neighbours.

Bedroom windows to be a minimum 3m from shared streets, driveways and parking areas of other dwellings.

Transmission of noise between adjoining properties should be minimised.

Locate active recreation areas (swimming pools, spas, tennis courts, BBQs), driveways, carports, garages and garbage collection areas, pumps and air conditioners, away from bedrooms of adjacent dwellings.

Dwellings adjoining and other noise generating land uses should be designed and sited to minimise noise impacts.

Locate bedrooms and other noise sensitive rooms away from the road.

## **Parking**

Provision for at least one covered parking space per dwelling (e.g. carport or garage) and one tandem vehicle space (e.g. driveway area in front of garage or carport).

## **Rainwater tanks**

A rainwater tank is to be provided per dwelling to supplement water supply and control stormwater runoff.

The tank shall have a minimum capacity of 10,000 litres.

The rainwater tank supply shall be connected to the hot water service, laundry and toilet facilities with a top up connection into the tank.

## **Water sensitive urban design**

House design should include water sensitive urban design features such as porous paving, infiltration devices and landscaping.

### **8.5.6 Zoning plans and lot size maps**

'Charles Valley', Long Street developable land plan (figure 8.17) is affected by the following zoned areas for the purposes of the Goulburn Mulwaree Local Environmental Plan 2009:

- E2 – Environmental Conservation;
  - RE1 – Public Recreation; and
  - RU2 – Rural Landscape.
- Minimum lot sizes within the affected area vary from:
- Not applicable; and
  - 2 hectares.

Reference: Goulburn Mulwaree Local Environmental Plan 2009, land zoning maps, sheets LZN 005 and 006 and lot size maps, sheets LSZ 005 and 006.

## **8.6 Goulburn City Business District**

### **Preliminary**

#### ***Aim***

Develop a plan for Goulburn City's Business District that facilitates future management by balancing development and conservation in a sustainable way.

## Objectives

1. Develop standards, guidelines and principles to improve the image, attractiveness and functionality of the Business District of Goulburn City
2. Attract business, tourism and residents to Goulburn Mulwaree.
3. Maintain, protect, enhance and promote Goulburn City's built and natural heritage.

### 8.6.1 Land to which this clause applies

This plan applies to land shown on the map at figure 8.18 – Land Zoned B3 Commercial Core and B4 Mixed Business.

### 8.6.2 Background context material

#### (a) Historic context

Reference: Goulburn CBD Plan, Interim Report 1, 29 August 2008 Edaw/AECOM.

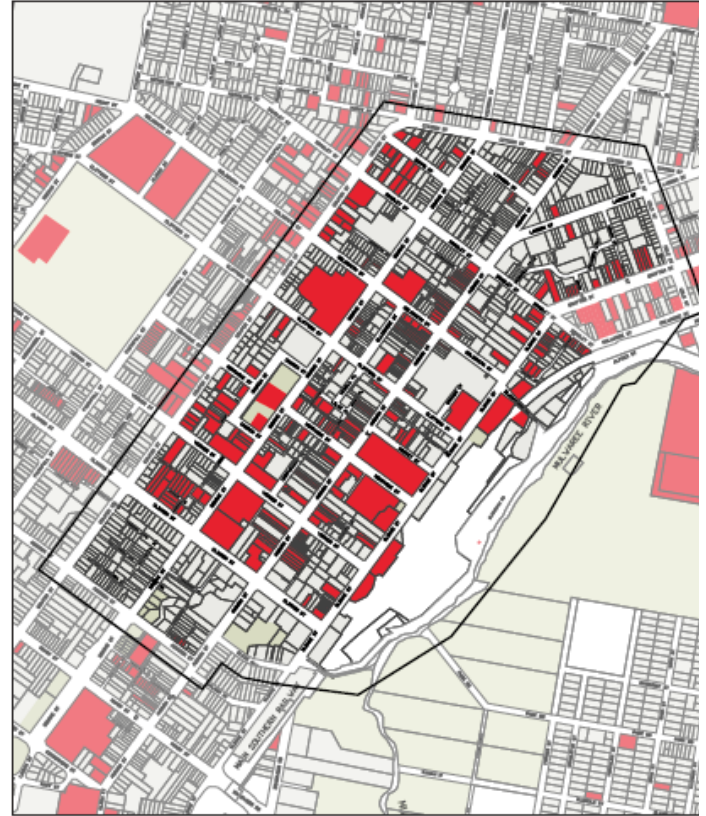
#### HISTORIC DEVELOPMENT

The CBD has developed around its original planned city centre incorporating a uniform grid subdivision pattern. The formal axis along Montague Street from Victoria Park through St. Saviours Church to Belmore Park was an important component of the original town plan.

#### TIMELINE

1817-1820	Exploration by Hume, Throsby, Meehan and Oxley alerted early colonists to good grazing potential of the southern highlands	1880s	Period of significant growth in the City (1881 Auburn Street Post Office opened);
1828	Governor Macquarie marked out the new town of Goulburn as a key service centre for the southern highlands - built at the confluence of the Wollondilly and Mulwaree Rivers	1887	Court House opened.
1833	Present city centre laid out on higher land to the south west to avoid repeated flooding	Early 20th C	Moderate expansion with only minor change. Rail as an employment and development focus diminished with growth in road transport.
1841-1845	Town population increased from 655 to 1,200	1950s >	Period of decline with many regional headquarters relocating to Sydney or other regional centres
1868	Construction of railway completed and physical connection of the City Centre with the river severed	1992	Hume Highway by-pass. Loss of highway traffic caused a change in business mix but not significant loss of business. Council began Main Street Improvement Program to capitalise on new opportunities for public domain improvement.

**(b) Heritage Context**

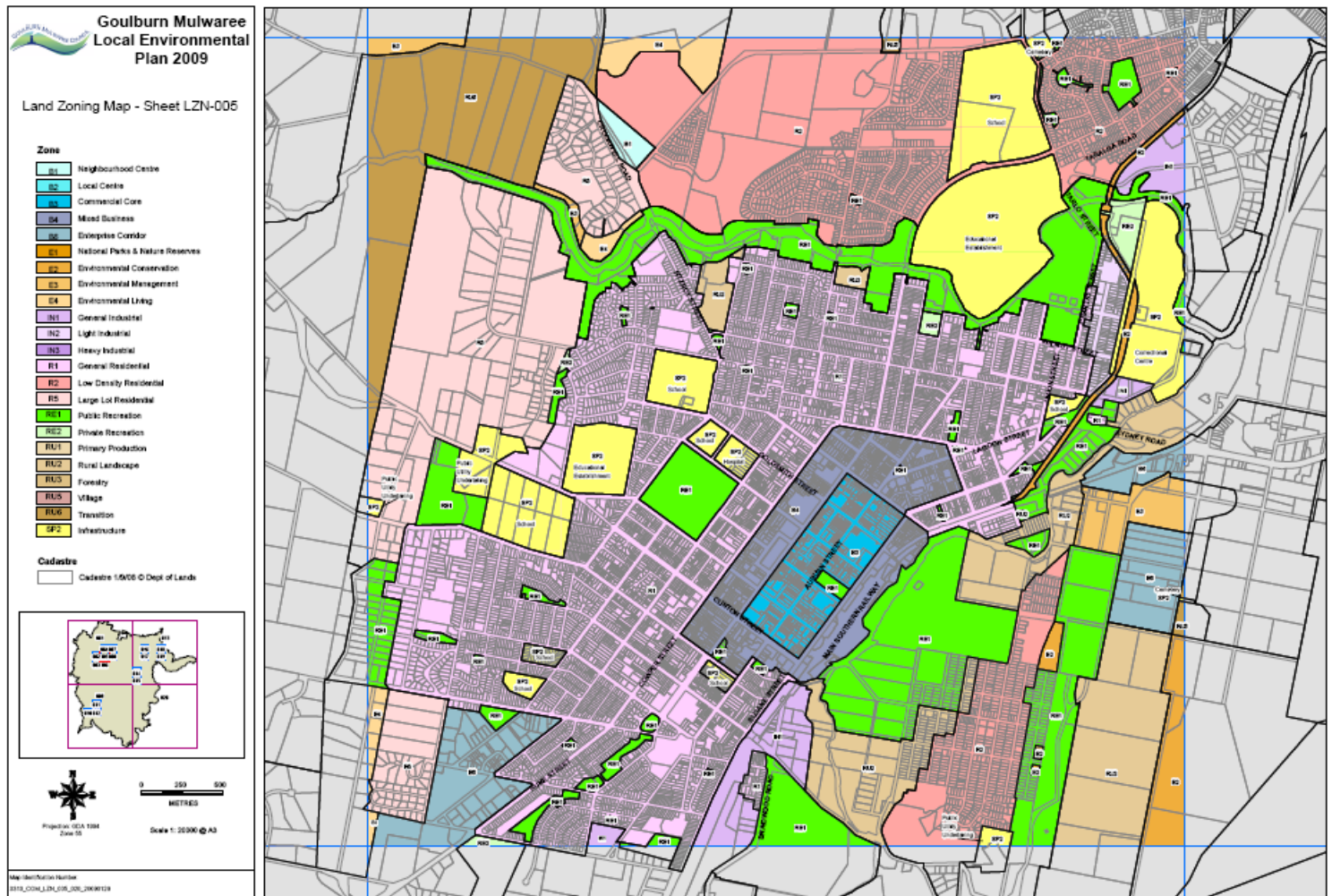


**Scheduled Items of Heritage Significance (Draft LEP)**



**1882 Town plan of Goulburn**

Reference: Heritage Report and Conservation Principles / Guidelines, City Plan Heritage July 2008.



**Figure 8.18**

## Heritage

A report on heritage matters as they pertain to planning for the CBD have been provided by City Plan Heritage. The results of this work are described in the report available on Council's website.

Items of Heritage Significance scheduled in the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 are indicated in the heritage significance map.

"The City Plan report describes the following characteristics as being critical to the heritage significance of the CBD:

- The original grid form subdivision pattern dating from the establishment of Goulburn including nightsoil lanes, various rectangular allotment sizes addressing the street, and parks/open spaces.

- Predominately single-storey and uniform streetscapes with mostly intact Victorian and Federation housing stock.
- Relatively intact consistent main street commercial streetscape with two to three storey continuous historic character.
- Common residential architectural features such as street facing prominent gables, hipped or pitched corrugated iron or tile roofs, timber framed windows, front verandas, asymmetrical facades, face brick finished, and low fencing in keeping with the styles of the period.
- Common commercial architectural features including vertically proportioned above awning facades, decorative parapets with advertising evident in public and administrative buildings, two-storey continuous streetscape, verandas supported on posts over footpaths, dominant tower elements or splayed facades at the corner allotments, traditional shop windows and uncluttered above awning facades.
- Streetscapes that are dominated by mature trees creating a dense leafy setting generally concealing the houses in street-long views and frame views to houses close to the viewer.
- Maintained garden settings with generally low or no fencing to the street along residential zones of the CBD.
- Topography that is characterised by a number of small hills and ridges allowing the city to be experienced as a whole when approached from north whilst creating a distinctive view corridors and vistas towards north, south and particularly east from the ridge of the CBD (along Montague Street) in and out as well as within the study area.
- Well established public domain including roads with kerbed footpaths and grasses verges traffic management devices throughout, street trees and parks.

Conversely, the following elements are described as intrusive to the CBD's heritage values:

- Uncoordinated and unregulated advertising and business signs along consistent streetscape creating unpleasant presentation.
- Unsympathetic single-storey or oversized infill development within a consistent two to three storey streetscape.
- Corporate buildings with their respective designs, corporate colours and signs.
- Contemporary buildings with no regard to the established heritage streetscape.
- Vacant allotments, service stations, car parking or car repair workshops / car sales yards.
- Overhead wires and antennas in some residential areas."

Reference: Goulburn CBD Plan, Interim Report, 29 August 2008, EDAW/AECOM

### (c) **Street Character Statements**

The character statements for each street that is located within the boundaries of the Goulburn Central Business District are provided in the form of dot points outlining the significant and dominant aspects of the street. The character statements also identified issues and negative aspects of the individual streets. The Statements are based on the Goulburn Mulwaree CBD Master Plan, Heritage Report and Conservation Principles / Guidelines, the Street Character Statements, July 2008, City Plan Heritage.

Note: The point of the statements and their accompanying photographs is to illustrate good and bad design elements.

It is the writers opinion and not necessarily the opinion of Council. It is not meant as a personal criticism and if taken that way please accept the writers apology.

#### (i) **Cowper Street**

Creating the western boundary of the CBD, Cowper Street is a residential street with good examples of Victorian, Federation periods and Georgian style housing stock particularly on the western side whilst the east side (within the study area) has consistency towards north and south blocks of the street.



#### **Good Elements:**

- Consistent face brick single-storey gabled houses with low traditional fencing (Photo 1).



*Photo 1 Cowper Street looking south*

- Infill residential development at the north east corner intersection with Clinton Street (Photo 2).



*Photo 2 Good infill development at the intersection with Clinton Street*

- Significant view corridors and vistas from highest point at the Montague Street intersection to the Central CBD, St Saviour Cathedral and the extended townscape (Photo 3).



*Photo 3 Streetscape of Cowper Street looking north from the Montague Street hilltop.*

- Laneway development in Little Addison Street, Hillview Road and Thorne Avenue (Photo 4).



*Photo 4 Little Addison Lane*

- Neighbourhood character at the intersection of Addison Street (Photo 5).



*Photo 5 Intersection with Addison Street.*

- Vista looking north from Montague Street onto a well maintained tree lined street (Photo 6).



*Photo 6 Looking north*

- Significant dwelling cluster between Montague and Clinton Streets (Photo 7).



*Photo 7 Looking north at significant housing cluster.*

#### **Intrusive Elements:**

- Service station and industrial developments at the southern intersection (Photo 8).



*Photo 8 Industrial development at the corner of Clinton Streets. Service station opposite on the right.*

- Infill between Clifford and Goldsmith Streets is unsympathetic to surrounding neighbourhood (Photo 9).



*Photo 9 Unsympathetic*

#### **(ii) Bourke Street**

Bourke Street is typified by mixed developments and features a number of scattered heritage items, residential housing, motels Conservatorium Technical College, a number of churches, St Saviours Cathedral at the highest point, Goulburn civic centre, Goulburn Public School, St John of God Hospital, fire station, and Apex Park. The residential developments are located at the northern and southern ends of the Street with consistent streetscape character.



### Good Elements:

- Two storey form and mass (Photo 1).
  
- Institutional and religious buildings providing interesting and dominant streetscape elements (Photo 2).
  
- Mixed uses with residential developments at north and south ends (Photo 3).
  
- Significant dwelling cluster between Clinton & Verner Streets on western side (Photo 4).



*Photo 1 Bourke Street  
two story buildings*



*Photo 2 Bourke Street  
between Goldsmith Street  
and Bradley Streets  
looking south.*



*Photo 3 Residential  
development at southern  
end.*



*Photo 4 Significant  
dwelling cluster*

### **Intrusive Elements:**

- Lack of street trees in south portion between Montague and Addison Streets (Photo 5).



*Photo 5 Streetscape of Bourke Street looking northeast from opposite Lanigan Lane.*

- Lack of streetscape consistency (Photo 6).



*Photo 6 Bourke Street streetscape*

### **(iii) Auburn Street**

Auburn Street is the main commercial street of the CBD since the establishment of the town featuring a high number of heritage items and consistent traditional commercial strips.



### **Good Elements:**

- Two to three storey cohesive Victorian and Federation periods. Shops with flats / offices above dominate the street particularly between Verner and Bradley Streets (Photo 1).



*Photo 1 Traditional shops between Goldsmith and Bradley Streets on west side of Auburn Street.*

- Important public and administrative domain buildings (Photo 2).



- Important public and administrative domain buildings (Photo 2).



*Photo 2 Post Office*

- Improvements to Belmore Park (Photo 3).



*Photo 3 Belmore Park*

- Above awning facades (Photo 4).



*Photo 4 Auburn Street west side from Verner Street. Note break in consistent two-storey strip and uncharacteristic government offices.*

- Well defined corner allotments with original buildings (Photo 5).



*Photo 5 Auburn Street east side from Verner Street looking towards post office.*

- Contemporary buildings reflecting some traditional design elements (Photo 6).



*Photo 6 Autosshop at the southern end reflects some traditional design elements.*

#### **Intrusive Elements:**

- Above awning signs (Photo 7).
- Infill buildings having no regard to the established character of the street (these include banks, government office, car yards, motels and shopping centre) (Photo 8),



*Photo 7 Traditional shops between Goldsmith and Bradley Streets on west side of Auburn Street.*



*Photo 8 Entrance to Auburn Street from North.*

- Loss of below awning and fascia signs (Photo 9).



*Photo 9 Loss of below awnings and fascia signs*

- Out of character corporate developments and signage (Photo 10).



*Photo 10 unsympathetic corporate signs*

- Car yard and service station development at the northern end of Auburn Street (Photo 11 and 12) – this is an important “gateway” entry.



*Photo 11 Domination of car yard and service station*



*Photo 12 Auburn Street 'gateway'*

- New building at the corner of Market Street complicates the simplicity of the traditional shops (Photo 13).



*Photo 13 Unsympathetic Infill development at Market Street*

- Lack of street trees (Photo 14).



*Photo 14 Auburn Street Streetscape*

#### (iv) Sloane Street

Sloane Street has had a similar role and importance with Auburn Street as one of the main commercial and administrative streets of Goulburn in the early years of settlement. It contains a number of buildings from that period however it has lost its cohesive traditional appearance with majority of public movements shifted to Auburn street. Contains a large number of heritage items of local and state significance.

##### **Good Elements:**

- Scattered two storey terraces at northern end (Photo 1).
- Warehouses including former railway workshop adaptively reused building in a sympathetic manner (Photo 2).
- Belmore Park, Courthouse precinct, railway precinct buildings and traditional hotels (Photo 3).



*Photo 1 Sloane Street north end.*



*Photo 2 Adaptively reused building in railway precinct.*



*Photo 3 Sloane Street towards Belmore Park.*

- View and vistas especially vistas towards St Saviours Cathedral along Montague Street (Photo 4).



*Photo 4 Vista towards St Saviours Cathedral*

- Early buildings adaptively reused – old Connolly's Mill (Photo 5).



*Photo 5 Sloane Street towards Goldsmith Street intersection.*

#### **Intrusive Elements:**

- Tourism Information Centre terminates the east-west Montague Street axis which was historically an open axis (Photo 6).



*Photo 6 Montague Street historical axis.*

- Bowling Club car park area, contemporary hotel, railway yards, open storage areas and major car parking for shopping mall break the continuity of the street (Photo 7).



*Photo 7 Central Car Park at the Goldsmith Street intersection.*

- Corporate signage. Though it has incorporated some of the traditional design elements and compatible colour scheme, the signage makes it an unsuccessful development (Photo 8).



*Photo 8 Supermarket complex at the corner of Sloane and Verner Streets.*

- Communication Tower (Photo 9).



*Photo 9 Sloane Street streetscape taken from south end looking towards Railway Precinct (Left); Coolavin Hotel looking south.*

#### (v) Addison Street



##### Good Elements:

- Consistent single storey residential streetscape (Photos 1 and 2).
- Wide footpath, street trees and small landscaped front garden (Photo 1).
- Setback building alignment (Photo 1).
- Pitched and multi gabled corrugated iron or tiled roofs (Photos 1 and 2).
- Low brick fence or no fence with open front gardens (Photo 2).



*Photo 1 Addison Street viewed from outside No. 51 "Belvedere".*



*Photo 2 Addison Street viewed from outside of No's 33 and 35 C1910.*

- Veranda with asymmetrical façade (Photo 3).



*Photo 3 Asymmetrical façade*

- Well established street trees (Photo 4).



*Photo 4 Looking east towards Bourke Street*

- Significant dwelling cluster between Auburn Street and Addison Lane (Photo 5).



*Photo 5 Significant Dwelling cluster*

#### **Intrusive Elements:**

- TV antennas and street overhead wiring (Photo 6).



*Photo 6 overhead wiring*

- Eastern block (north side) is an unidentified character mix of open space, community, industrial and residential activities (Photo 7).



*Photo 7 Eastern block*

**(vi) Clinton Street:**

Clinton Street is one of major transport streets therefore affected by service station and accommodation premises.

**Good Elements:**

- Two to single storey buildings (mainly residential) towards Cowper Street end on northern side (Photo 1).

- Some new central avenue street trees (Photo 2).

- View to west (Photo 3).

- Wide footpaths (Photo 4).

- Relatively consistent bulk and scale of commercial developments (Photo 5).



*Photo 1 Single storey buildings*



*Photo 2 Clinton Street between Auburn and Bourke Streets.*



*Photo 3 Looking west on Clinton Street.*



*Photo 4 Clinton Street footpath*



*Photo 5 Commercial development*

### **Intrusive Elements:**

- Overhead wiring (Photo 6).
  
- Corners occupied by service station and motel buildings. The corner of Clinton and Auburn Streets is an important “gateway” (Refer S.8.6.3(d)(i)) (Photo 7).
  
- Large corporate signage (Photo 8).
  
- Lack of streetscape character between Auburn and Sloane Streets (Photo 9).



*Photo 6 Overhead wiring*



*Photo 7 Motel and Service Station at Bourke Street Intersection.*



*Photo 8 Corporate signs*



*Photo 9 Streetscape character*

**(vii)Verner Street:**

**Good Elements:**

- Good streetscape with trees on both sides (Photo 1).
- Vista from Cowper Street to the town centre and the hills beyond on the eastern edge (Photo 1).
- Views to Cowper Street and Church from Sloane Street end (Photo 2).
- Traditional early buildings of similar scale on north side between Auburn and Sloane Streets (Photo 3).
- Well defined corner allotments by two storey buildings (Photo 4).



*Photo 1 Vista looking east from Cowper Street*



*Photo 2 Verner Street looking towards Bourke Street.*



*Photo 3 North side streetscape*



*Photo 4 Corner allotments*

- Church buildings (Photo 5).



Photo 5 Church buildings

- Significant housing cluster on western end both north and south sides (Photo 6).



Photo 6 Significant housing cluster.

#### **Intrusive Elements:**

- No uniform streetscape towards Bourke Street due to the dominance of motel car park and bank car park (Photo 7).



Photo 7 Streetscape between Bourke and Auburn Street.

#### **(viii) Montague Street:**

Montague Streets forms the central axis of the original street grid pattern with extensive view corridors up and down on both directions along the street focussed on the St Saviours Cathedral hill.



#### **Good Elements:**

- Good consistent streetscape between Auburn and Bourke Streets terminating with St Saviours Cathedral (Photo 1).



Photo 1 Montague Street looking towards Bourke Street where it terminates with St Saviours Cathedral.

- Contains two of the most important early features of the City – Goulburn Court House group and Belmore Park (Photo 2).



*Photo 2 Montague Street looking up from Sloane Street. The Courthouse and Belmore Park make exceptional contribution to the streetscape.*

- Contains central axis view corridor to St Saviours Cathedral (Photo 3).



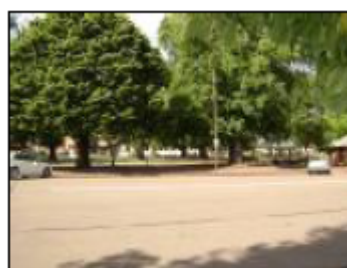
*Photo 3 vista towards St Saviours Cathedral from Cowper Street.*

- Contains significant portion of heritage architectural character of area (Photo 4).

*Photo 4 1890 Fire Station and Elmslea Chambers some of the significant heritage architectural character.*



- Belmore Park with its important traditional street lights, good pedestrian friendly traffic management and landscaped treatment (Photo 5).



*Photo 5 Belmore Park from Montague Street.*

- Roses Café – good adaptively reused early building (Photo 6).



*Photo 6 Roses Café on Montague Street is a popular meeting place.*

#### **Intrusive Elements:**

- Key corner occupied by unsympathetic bank building and signage which also breaks up the streetscape (Photo 7).



*Photo 7 Unsympathetic buildings and signage on Auburn Street Corner.*

#### **(ix) Market Street:**

Previously a busy commercial street that has lost its integrity due to changes to the early buildings including the introduction of the uncharacteristic club building.

#### **Good Elements:**

- The surviving early buildings (heritage items) provide physical evidence of Market Street's early commercial phase (Photo 1)
- Use of interpretive signs (Photo 2).



*Photo 1 Market Street looking towards Auburn Street.*



*Photo 2 Sign in Market Street*

- Remaining Bull and Woodward Arch  
(Photo 3).



*Photo 3 Bull and Woodward Arch.*

#### **Intrusive Elements:**

- Street car parking dominance (Photo 4).



*Photo 4 View of Market Street from Auburn Street.*

- Club building (Photo 5) and street replacement building at Auburn Street. These two key corner sites have been compromised by these two buildings. The replacement building does have some traditional architecture elements but overstates them by colour scheme, dominant vertical piers and moulded panels which make it an unsuccessful infill development.



*Photo 5 Club building (right) and replacement building at corner of Auburn Street.*

**Note:** New colour scheme of the replacement building is an improvement (Photo 6).



*Photo 6 New colour scheme*

#### (x) Clifford Street:

Featuring the Council Chambers and Goulburn Public School, Clifford Street has only limited consistency mainly on the western end towards Cowper Street.

##### **Good Elements:**

- Some two to single storey building consistency at western end towards Cowper Street (Photo 1).



*Photo 1 Clifford Street streetscape*

- Avenue Street trees along western end to Cowper Street and beyond (Photo 2).



*Photo 2 Avenue Street Trees*

- Two key corner heritage item buildings at Auburn Street. Excellent examples of Goulburn's traditional corner buildings with their tower like structure (Photo 3).



*Photo 3 Clifford Street looking from Auburn Street towards Sloane Street.*

##### **Intrusive Elements:**

- No particular character with a mix of building styles (contemporary civic centre / bank / church and contemporary shopping mall) (Photo 4).



*Photo 4 Clifford Street (south side) looking towards Bourke Street.*

- Uncharacteristic corner building at Auburn Street (Photo 5).



*Photo 5 Clifford Street (north side) looking towards Bourke Street.*

#### **(xi) Goldsmith Street:**



#### **Good Elements:**

- The more established streetscape west between Auburn and Cowper Streets (Photo 1).



*Photo 1 Goldsmith Street looking towards Bourke Street.*

- The early phase single storey free standing houses and shops (Photo 2).



*Photo 2 Single storey free standing houses*

- Methodist Church, Goulburn Public School garden and Georgian style cottages (Photo 3).



*Photo 3 Methodist Church*

- Two reasonably good Auburn Street corner developments (Photo 4).



*Photo 4 Goldsmith Street looking towards Sloane Street.*

- Significant dwelling cluster (Photo 5).



*Photo 5 Dwelling cluster*

#### **Intrusive Elements:**

- Inconsistent streetscapes in the eastern and middle blocks (Photo 6).



*Photo 6 Goldsmith Street looking towards Bourke Street.*

- Unsympathetic buildings break the street wall appearance (Photo 7).



*Photo 7 Goldsmith Street looking from Sloane Street.*

- Lack of street trees in eastern block (Photo 8)



*Photo 8 Goldsmith Street streetscape*

- Side elevations and central car parking of shopping mall further dominates the traditional streetscape character (Photo 9).



*Photo 9 Shopping Mall*

- The service station at Bourke Street intersection dominates the traditional streetscape character (Photo 10).



*Photo 10 Service Station*

#### **(xii)Bradley Street:**

Bradley Street forms the northern boundary of the original grid town layout extending between Cowper Street on the west and Sloane Street on the east.

#### **Good Elements:**

- Good streetscape at western end with dominant residential use and roundabout treatment at Bourke Street intersection (Photo 1).



*Photo 1 Bradley Street  
looking from Bourke  
Street intersection.*

- Consistent street facades at Bourke Street (Photo 2).



*Photo 2 Streetscape at Bourke Street Intersection.*

- Good example of adaptively reused Victoria residence with no external alterations (Photo 3).



*Photo 3 Adaptively reused residence*

- Good tree line and streetscape (Photo 4).



*Photo 4 Streetscape of Bradley Street along east end towards Railway Line.*

#### **Intrusive Elements:**

- Car yards especially at Auburn Street corner – this “gateway” site needs to address traditional design elements (Photo 5).



*Photo 5 Auburn Street 'Gateway'.*

- Service station at Auburn Street corner (Photo 6).



*Photo 6 Service station at Auburn Street.*

- Streetscape middle block northern side (Photo 7).



*Photo 7 Streetscape*

**(xiii) Beppo Street:**

A short, residential and no thoroughfare street that runs between Cowper and Bourke Streets. It forms the southern boundary of the northwest block of the Study Area.

**Good Elements:**

- Mainly federation period residential dwellings (Photo 1).



*Photo 1 Corner Beppo and Cowper Streets.*

- Established streetscape with dwellings ranging from two to single storey scape with large allotments (Photos 2 and 3).



Photo 2 Beppo Street streetscape

- Tree lined quiet neighbourhood friendly street (Photos 2 and 3).



Photo 3 Beppo Street looking east.

#### (xiv) Lithgow Street

##### Good Elements:

- A good tree lined residential streetscape with mature trees on northern side and new tree plantings on the other (Photo 1).



Photo 1 Lithgow Street looking west.

- Narrow allotments with few as early as 1840s – 60s semi-detached dwellings and former shop and residence (identified as heritage items) (Photo 2).



*Photo 2 Former Shop and residence*

- Single to two-storey free standing or semi-detached housing with corrugated or tile hipped or pitched roofs (Photo 3).



*Photo 3 Single storey free standing dwellings*

- Asymmetrical façade and front veranda (Photo 4).



*Photo 4 Asymmetrical façade and veranda*

- Few garages placed discreetly to the rear of their respective sites with side driveways (Photo 5).



*Photo 5 Discreet garages*

- Street parking is provided between the trees (Photo 6).



*Photo 6 Street parking*

#### **(xv) Citizen Street:**

##### **Good Elements:**

- Citizen Street has generally a leafy streetscape with a tree lined avenue at the eastern end where it meets Cole Street. The street trees lose their dominance between Bourke and Auburn Streets (Photo 1).
- It is characterised by single-storey residential development dating from the Victorian, Federation and 20<sup>th</sup> Century. The northern side of the street contains a more cohesive and early building stock some of which are listed as heritage items. The southern side of the street also presents consistent single-storey residential housing but lesser early and intact building stock (Photo 2).



*Photo 1 Citizen Street looking from Cole Street intersection.*



*Photo 2 Citizen street streetscape*

- Low height well maintained front fencing provides consistent and pleasant streetscape (Photo 3).



*Photo 3 Front fencing*

- Some good infill developments (Photo 4).



*Photo 4 Infill development*

- Significant housing cluster (Photo 5).



*Photo 5 Housing cluster*

- The streets character towards the eastern end changes with insertion of a corner shop and more established street trees creating a good tree lined streetscape (Photo 6)



*Photo 6 Citizen Street taken from Belmore Street looking east*

- Roundabout treatment at the intersection of Citizen, Belmore, Cowper and Hurst Streets creates a good neighbourhood character (Photo 7).



*Photo 7 Neighbourhood character of Citizen, Belmore, Cowper and Hurst Streets*

- Garages are generally well setback to the rear of the allotments with concrete and grass strip driveways (Photo 8).



Photo 8 Garage Setback

#### **Intrusive Elements:**

- Street trees lose their dominance between Bourke and Auburn Streets (Photo 9),



Photo 9 Middle block between Bourke and Auburn Street

#### **(xvi) Cole Street:**



#### **Good Elements:**

- Public park at the intersection of Lagoon and Citizen Streets – Park creates an open setting and link between early grid subdivision and the later expansion. Good approach point to focus on (Photo 1).
- Established character between Lagoon and Mulwaree Streets (Photo 2).



Photo 1 Public Park



Photo 2 Cole Street at the Lagoon Street Intersection

- Build fabric – interwar to late 20<sup>th</sup> century (Photo 3).



*Photo 3 Built fabric*

- Well established street trees (Photo 4)



*Photo 4 Streetscape of Cole Street looking from Mulwaree Street*

#### **Intrusive Elements:**

- Motel development dominates (Photo 5).



*Photo 5 Motel Development*

- Some poorly maintained houses with bad use of shade cloth (Photo 6).



*Photo 6 Example of poor use of shade cloth*

- Some federation period houses remain intact and contribute to the streetscape with their low fencing and characteristic features of their style (Photo 2).



Photo 2 Lagoon Street Streetscape

- Good tree lined pedestrian pathway in sections (Photo 3).



Photo 3 Lagoon Street Streetscape from Cole Street intersection

#### (xvii) Lagoon Street:



#### Good Elements:

- Mixed residential and commercial streetscape with some of the dwellings being adaptively reused offices (Photo 1).



Photo 1 Examples of housing on Lagoon Street with adaptively reused dwelling.

### **Intrusive Elements:**

- Number of motel designs (Photo 4).

*Photo 4 Motel designs*



Intrusive car yard (Photo 5).



*Photo 5 Intrusive car yard*

- Poor signage (Photo 6).



*Photo 6 Signage*

**(xviii) Grafton Street:**

**Good Elements:**

- Early major approach road to CBD to north (Photo 1). This street, mostly outside of the study area contains some 21 heritage items from an earlier phase.



*Photo 1 Views of Grafton Street.*

- Good tree lined streetscape with mature trees and central tree island (Photo 2). Mostly sympathetic residential



*Photo 2 Tree lined streetscape*

**Intrusive Elements:**

- Unsympathetic dwelling conversion (Photo 3).



*Photo 3  
Unsympathetic  
dwelling  
conversion*

**(xix) Mulwaree Street:**



**Good Elements:**

- A street that is characterised by a row of single-storey semi-detached brick cottages associated with the railway development some of which present the same architectural detailing in groups suggesting their construction by the same builder(s) (Photo 1).
- Good streetscape with mature trees along the railway line containing (together with Bradley Street) some of the oldest trees in Goulburn (Photo 2).



*Photo 1 Single-storey brick cottages.*



*Photo 2 Streetscape along railway line.*

**Intrusive Elements:**

- Uncharacteristic and unsympathetic alterations and modifications to the buildings' fabric and fencing are evident (Photo 3).



*Photo 3 Examples of uncharacteristic and unsympathetic building fabric and fencing.*

## (xx)Laneways:

### Good Elements:

- Thorne Avenue – Good use of timber rail and post pedestrian balustrade, timber palling and picket fencing and pavements grassed on one side and paved on the other (Photo 1).
  
- Hillview Road – Good laneway streetscape with mature garden landscaping (Photo 2).
  
- Little Addison Street – Established narrow streetscape with single to two-storey housing stock (Photo 3).
  
- Horne Square – Complete physical evidence of identical Victorian period detached dwellings built by former mayor c1869 – 1871 (Photo 4).



*Photo 1 Thorne Avenue*



*Photo 2 Hillview Road*



*Photo 3 Little Addison Street*



*Photo 4 Horne Square*

### **Intrusive Elements:**

**(a)**

- Lanigan Lane – No particular consistency or dominant features (Photo 5).



Photo 5 Lanigan Lane  
looking towards Bourke  
Street

### **Goulburn Mulwaree Local Environmental Plan 2009 Controls:**

- (i) Zones (Business)
  - B3 – Commercial Core;
  - B4 – Mixed Business.
- (ii) Zone Objectives and land use table for zones B3 and B4 – Clause 2.3.
- (iii) Height of Buildings – Clause 4.3.
  - Height of Buildings Map – HOB 001
    - Business Core – 15m
    - Surrounding Mixed Business – 10m
- (iv) Floor Space Ratio – Clause 4.4 and 4.5.
  - Floor Space Ratio – Clauses 4.4 and 4.5.
  - Floor Space Ratio map – FSR 003.
    - Business Core – 2:1
    - Surrounding Mixed Business – 1.5:1

### **(b) Goulburn Mulwaree Development Control Plan 2009**

#### **Other specific provisions of this Plan.**

- Chapters 4 and 7.

### **(c) Levels of Heritage Significance**

- (i) Items of Environmental Heritage

These items are of key importance to the areas character eg. building works, relics, places, landscapes, gardens, trees or vegetation of historic, scientific, cultural, social, natural or aesthetic significance as listed in Schedule 5 of Goulburn Mulwaree Local Environmental Plan 2009 and shown in figure 8.19.

(ii) Contributory Items

These items are of moderate significance and contribute to the predominant character and visual attractiveness of the Schedule 5 items above. Again shown in figure 8.19.

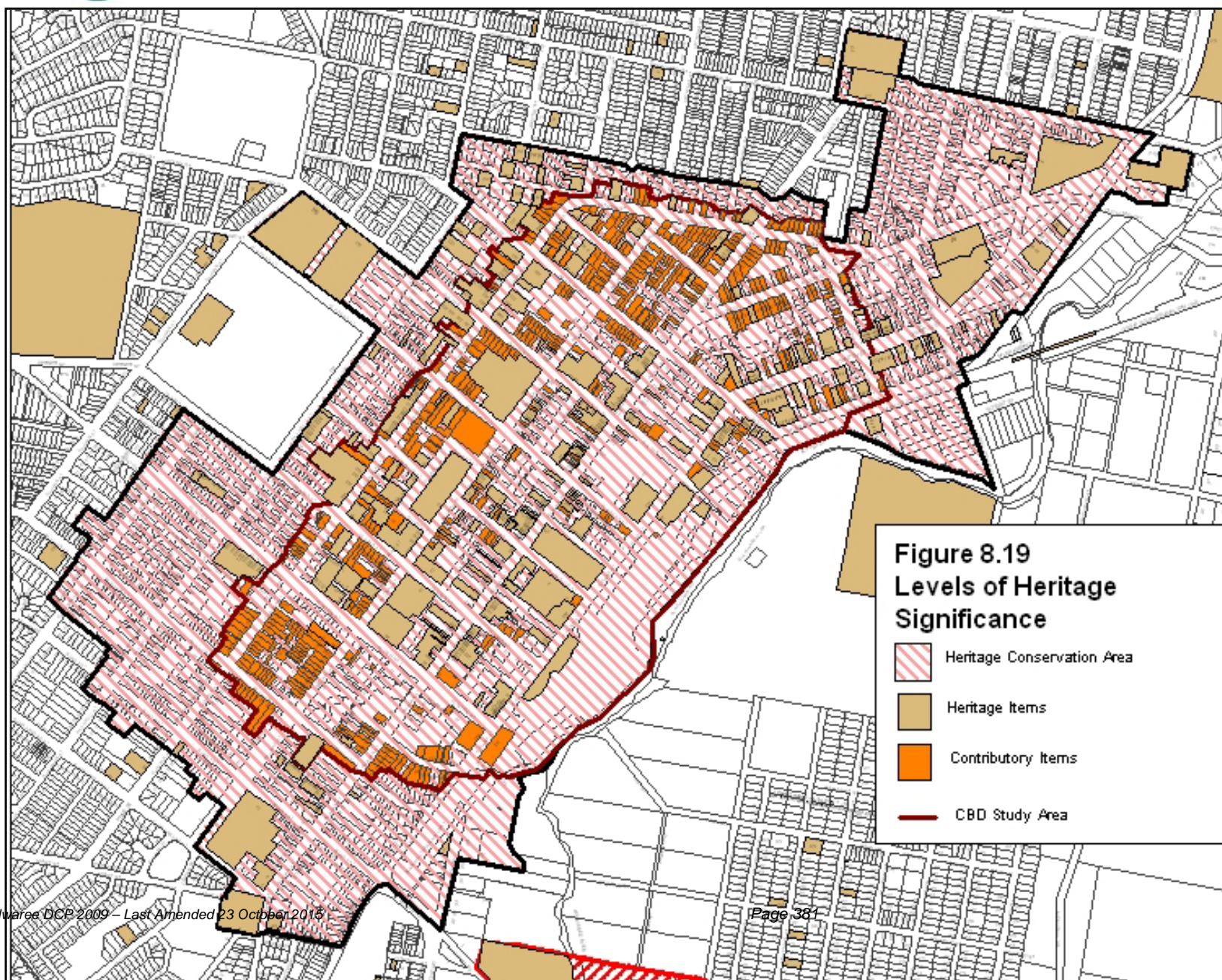
(iii) Non-Contributory Items

These items are buildings or places that have either a neutral or detrimental contribution to the areas character. Such items are buildings and places not mapped as a Heritage Item or Contributory Item in figure 8.19.

(iv) Heritage Conservation Areas (HCA)

Applicable HCA's are mapped in Goulburn Mulwaree Local Environmental Plan 2009 and shown in maps HER 004, 005, 006, 007, 008, 009 and 010. The objective of the HCA is to conserve the heritage significance of the Area included associated fabric, setting and views.

Clause 5.10 of Goulburn Mulwaree Local Environmental Plan 2009 details statutory requirements that need to be addressed in development applications which fall within the HCA.



**(d) Protective structures in the public domain**

***Objectives***

Any structures within the public domain should principally serve to enhance public use and amenity in terms of shade, shelter, comfort, egress and safety.

The structure should enhance the building and streetscape.

Where restoring a lost structure this should be done on the basis of the known evidence and Burra Charter principles.

Structures that are new to the building should be identifiably modern whilst complementing the style and form of the building.

Structures can provide other benefits such as improved private open space or commercial opportunities such as outdoor dining, providing that these do not compromise the public amenity.

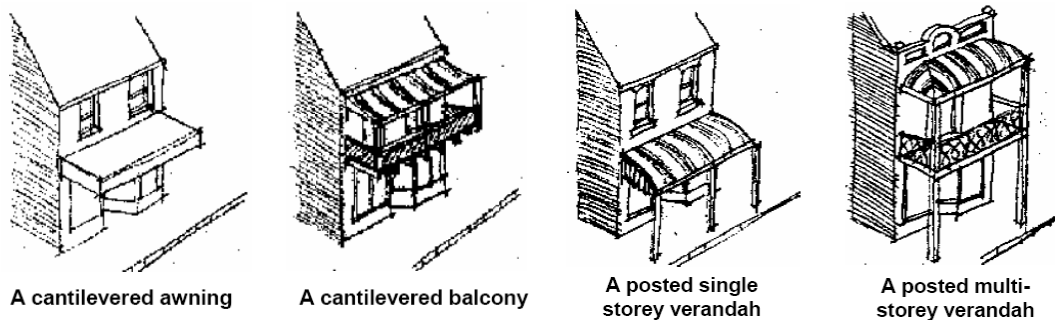
***Controls***

Generally all buildings in a commercial centre should have permanent protective structures over footpaths. The only exceptions are where such structures are not compatible with the heritage or architectural values of the building. This is usually the case with civic buildings, churches, and often with banks.

Where a building has heritage value either as a Heritage Item or is contributory to a heritage precinct or Heritage Conservation Area, the approach should be to restore on the basis of known evidence, preferably photographic, as well as by the detailed examination of the structure and surrounds. Where the evidence is lacking, appropriation of conjectural detail from a nearby structure of similar form and style may be reasonable.

Where an existing building is not consequential in heritage terms, or a new building is proposed, the protective structure should be complementary to the building in terms of form, material, detail etc, and compatible to the row if it is in a row of like buildings. The options are identified in **Figure 8.6** below.

**Figure 8.6: Preferred public domain protective structures**



Generally protective structures over footpaths are light, open, timber or steel structures. The structural members are normally exposed and the structure unlined so that any upper floor is exposed and any roofing is exposed to the underside. This gives them a light and airy appearance, appropriate to their function and location. All structures need to be carefully crafted as with a piece of joinery or street furniture, as the whole structure is exposed to view. All structures also need to be robust given their exposure to public use and risk.

The traditional materials are usually timber for the structure with often metals including cast iron for decorative elements. The timbers are always planed and usually shaped such as with stop chamfering, with hardwood tongue and groove flooring which falls to the kerb, and corrugated profile roofing. These materials are appropriate for reinstatements. It may be appropriate to use other materials such as steel and metals, or glass and acrylics with new structures.

Post supported structures are often appropriate in heritage precincts and Heritage Conservation Areas both for new structures and restorations. Posts can enhance the rhythm and composition of a building and streetscape, provide a protective edge to the pedestrian space, and frame the views in and out. They should be placed so as to minimise obstruction of pedestrian access, and the structure designed so that it will continue to stand intact even if a corner post or posts are damaged or removed due to a vehicle or similar collision.

## **(e) Principles for Goulburn City Business District**

### **(i) Commercial Development**

- New, infill and alteration developments are to respect and contribute to the special character of the CBD demonstrated in the street character statements;

- Prominent corner buildings are to maintain the traditional corner design element of addressing both street facades with a prominent tower-like corner element and generally splayed entrance or corner;
- Façade and restoration works are to be based on sound historical or physical evidence (Reference Main Street Study);
- New large scale developments are to respect and retain the existing grid subdivision street pattern;
- Intrusive elements such as uncomplimentary oversized buildings, unsympathetic alterations and additions, large sizes, horizontal facades, inappropriate colour schemes, and out of character design elements must be avoided.

(ii) Residential Development

- Proposed residential development in the mixed business area is to keep uniform single to two-storey cohesiveness of streetscapes including leafy quality in accordance with their identified street characteristics.
- No intrusive changes or elements will be permitted in the residential portions of the study area including high, visually impenetrable front fences, the painting and rendering of face brick facades, the removal of original detailing, or unsympathetic alterations and additions such as first floor additions.

**Additions:**

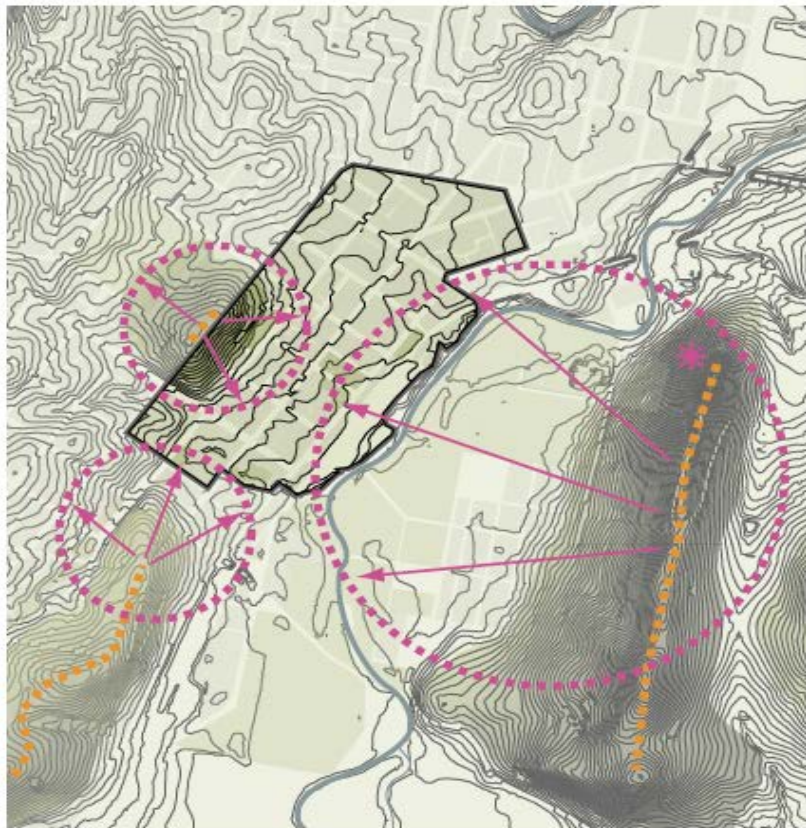
- must not impact upon the contribution of a building to the streetscape,
  - should be restricted to the rear of a dwelling,
  - must minimise impact upon original roof form when viewed from the public domain,
  - should be recessive and not dominate the original form and character of the dwelling, and
  - which interrupt the front roof plane of a heritage item or contributory building, will not be permitted.
- Established character of the main streetscapes should be reflected in the form, design, materials and signs of the infill and corporate developments. New developments should be compatible with the dominant streetscape and town centre character.

Reference: Goulburn Mulwaree CBD Master Plan, Heritage Report and Conservation Principles / Guidelines, July 2008, City Plan Heritage.

(iii) Demolition

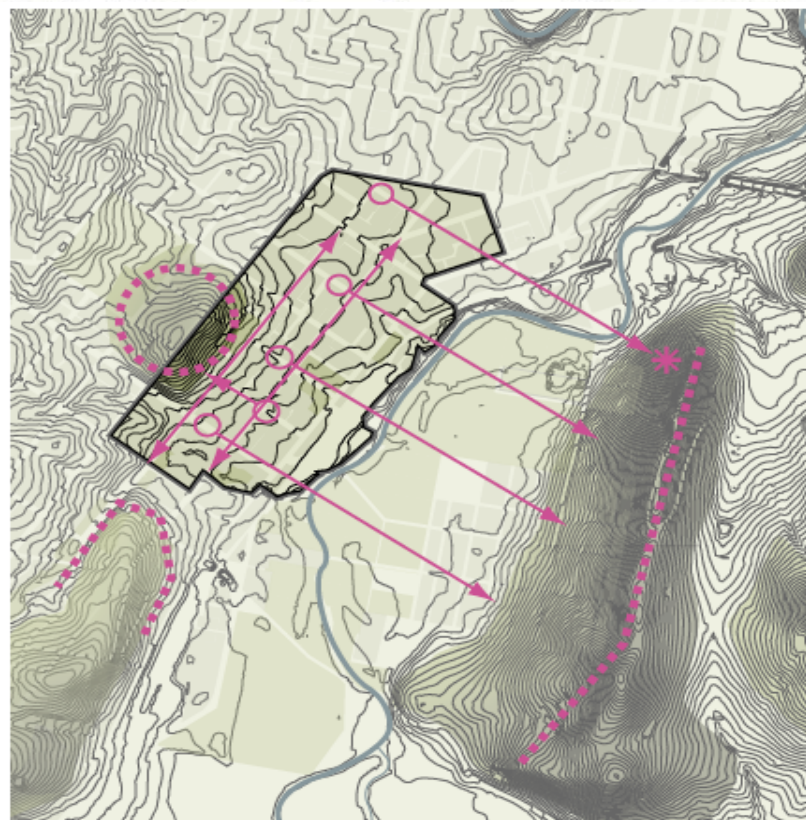
- Buildings that are listed as heritage items and contributory items should not be demolished unless such demolition is justified in a Heritage Impact Statement (HIS). Applicants must retain as much as possible of the existing building fabric particularly those aspects that contribute towards the items visual / heritage significance and the identified streetscape qualities. This process must be informed by an assessment of the heritage / streetscape significance of the items (this does not apply to the removal of unsympathetic elements).
- Non – contributory items may be demolished but must be replaced by a building that will contribute to the character and significance of the streetscape.

(f) Views and Vistas



Panoramas into the CBD are available from the ridge line to the south east. These views illustrate the importance of the grid street pattern and the City's spires and towers to its visual character. Any development within the CBD must protect and enhance these elements of the city's viewscape.

Views from knolls and ridges to the north-west and south-west of the City are less panoramic due to their orientation but they equally illustrate the significance of these visual elements.



Views available from within the CBD are strongly influenced by the grid street and subdivision pattern. Long vistas east to the ridge line are available down most of the north-west to south-east streets. The ridge forms a green backdrop to the CBD in these views.

In north-east to south west streets, long views terminate at the ridge line to the south west of the centre.

Internally, important elements of the viewscape are in built form and include notably:

- / the aerial view down Montague Street to St. Saviours Church;
- / the spire of the Uniting Church (which is a particularly important element in views from the road when entering the CBD from the north-east (see view 5); and
- / spires and towers across the cityscape generally which form focal points and points of orientation in numerous views with and across the city.

Reference: Goulburn Mulwaree CBD Plan, Interim Report 1, 29 August 2009, Edaw/AECOM.

**(g) Economic Viability and Social Values**

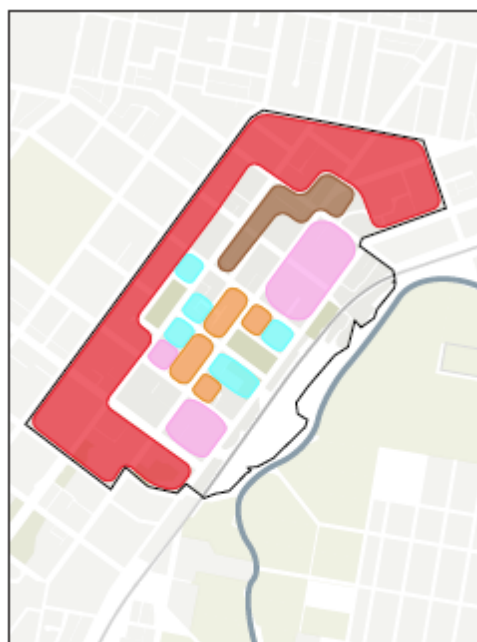
All new developments are to demonstrate a contribution to the economic viability of the Business District.

New development may achieve this outcome by:

- following Council's precinct based approach to land use distribution:

**Concept Development Plan**

- Contributing to:
  - vibrant north south Auburn Street accommodating a range of retail and commercial business:



- Boutique retail
- Large format retail
- Civic/cultural
- Residential
- Commercial

improved east west activity path, including redevelopment of laneways into supporting niche retail precincts below residential development to increase population mass.

- the dedicated commercial office precinct at the western fringe of the CBD to allow the CBD to remain as a concentrated retail precinct with high pedestrian activity focused on hospitality services and shop front retailing.

- large format household goods retailing concentration at the northern end of the CBD. This area presents the leading location for larger format retail and commercial space given the size of the sites, their gateway location and high exposure to passing trade.
- the development of residential development of different housing types throughout the precincts is fundamental to broadening the range of socioeconomic backgrounds of the CBD's residents. This enrichment of the social fabric of the CBD is necessary to maintain the values of the CBD as a social service centre and its commercial role for residents and visitors.

## General Contextual Built Form Study

### 1.1 Existing Buildings and Concept Building Envelopes for Redevelopment Sites



Reference: Goulburn CBD Plan, Master Plan, 29 August 2008, EDAW/AECOM

#### (h) Landscape and access

- New developments are to contribute, in-kind or by monetary means towards the following public domain treatments:
  - heritage parks, plazas, urban and suburban walkways and lane ways.
  - green link connection following the line of drainage from south of the CBD through Manfred Park towards the Mulwaree River.

- green link along the historic east-west axis connecting the CBD with the Mulwaree River foreshore and Victoria Park.
- additional street tree planting in Sloane Street along the rail edge and in residential streets surrounding the CBD.
- traffic control measures.



Reference: Goulburn Mulwaree CBD Plan, Master Plan, 29 August 2008, EDAW / AECOM

**(i) Strategies**

Concept Plan – Strategies

The following diagram indicates the key strategies of this plan to guide future change in the Goulburn CBD. The key components of a planning framework to achieve the Vision for the CBD are derived from the Planning and Design Principles in the EDAW / AECOM Master Plan document.

**Consolidate**

1. Define a CBD core and a series of land use precincts that support and enhance its function.

**Integrate**

2. New development zones including key redevelopment sites identified by Council at the northern and southern ends of the CBD are designed to enhance and strengthen the integrity of the CBD core.

**Humanise**

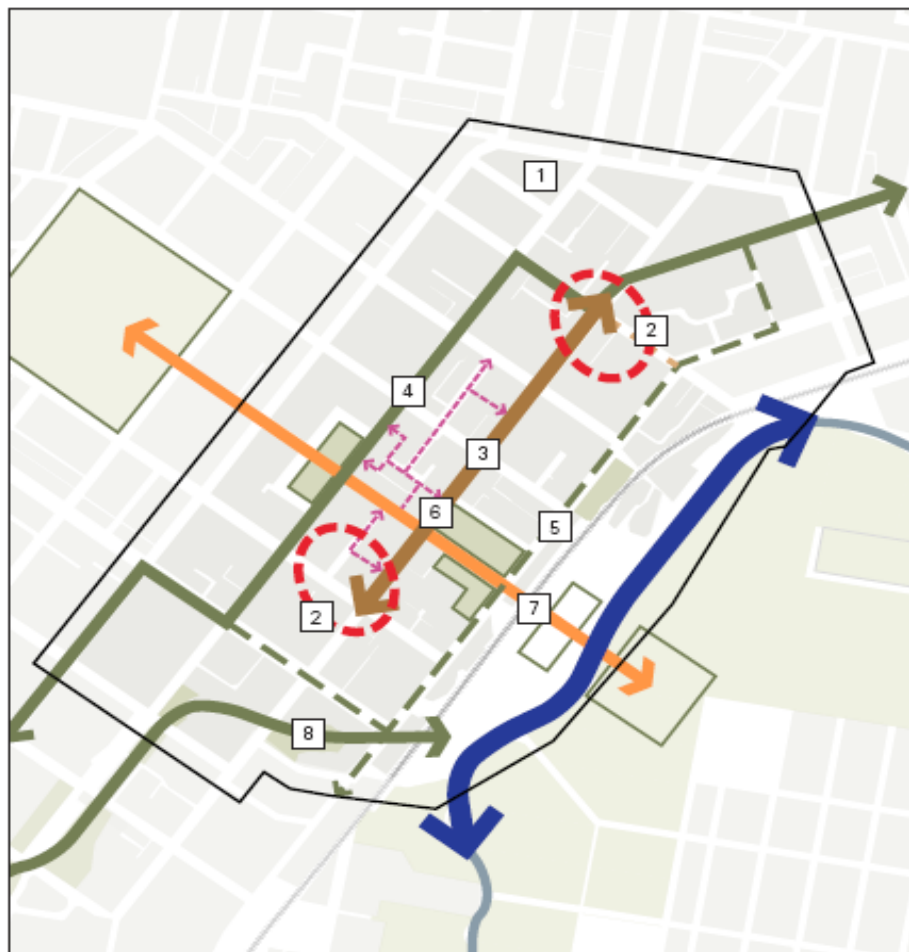
3. Define a pedestrian based precinct within the CBD core.
4. Encourage north – south through traffic to travel around the core via Goldsmith, Bourke and Clinton Streets.
5. Encourage service and local through traffic to travel east of the Core via Sloane Street.
6. Concentrate people orientated place making measures on Auburn and Montague Streets and the parks, streets and laneways in this vicinity.

**Connect**

Reinstate the connection of the CBD with its context along two principle lines:

7. The historic east – west axis is reinforced and extended to reconnect the CBD with the Mulwaree River foreshore and Victoria Park.
8. The open space connection to the river at the southern edge of the CBD is reinstated and strengthened.

## Concept Plan – Strategies



EDAW / AECOM.

Reference: Goulburn Mulwaree CBD  
Plan, Master Plan, 29 August 2008,

### 8.6.3 Examples

Examples following are generally outside of Goulburn and resourced from City Plan Heritage's previous heritage study files except where otherwise indicated.

### Examples of intrusive alterations and additions and infill developments



*Intrusive high brick front fences*



*Row of intrusive garages and fences*



*Intrusive 1960/70s infill that is out of scale with surrounding dwellings and its bulk is intrusive to the streetscape.*



*Intrusive carport which has removed a section of the original verandah and obscures the façade of the Federation cottage.*



*This infill development on Sloane Street, Goulburn does not reflect detailing, form or design elements of the adjoining Archives Museum*



*Typical oversized corporate signs and service stations make no reference to the established streetscape character and break continuity of a cohesive streetscape (Source of the photos: Streetwise by Elizabeth Vines)*

### Examples of sympathetic alterations and additions and infill developments



*A sympathetic uncovered car space that does not impact on a good and intact Queen Anne cottage.*



*Although original façade fabric has been altered the rear additions are sympathetic because of their setback, scale, sympathetic form and materials. Due to the slope of the site they probably allow two levels at the rear without having impact on the streetscape.*



*This house has been extended to the rear by a two-storey addition however the original form of the house remains intact. The single-storey streetscape appearance of the house is kept. Note the uncovered car space to the front.*



*Another good example of a rear addition linked to the existing house by a pavilion creating distinctive separation between the new and old.*



*Sited on a prominent corner, this country town infill development has taken its form from typical buildings found locally. It makes reference to the scale proportions of its surrounding context with use of local materials. (Source: Design in Context by NSW Heritage Office)*



*The space between buildings is one of the most important distinctions between suburbs developed in different periods. These early Federation houses are set wider apart on larger blocks than houses in more recently developed suburbs. The character of this street is determined similar to those in the residential areas of the CBD by the regular placement of the street trees, the wide footpath, front fences, gardens and regular setbacks. Any new development should respect and reinforce this character. Infill development should reflect the specific boundary setbacks in each locality. (Source: Design in Context by NSW Heritage Office)*



*The new building in its two-storey shops and adjacent residential streetscape context (Source: Design in Context by NSW Heritage Office)*



*The new building between the existing hotel to the left and the warehouse to the right. (Source: Design in Context by NSW Heritage Office)*



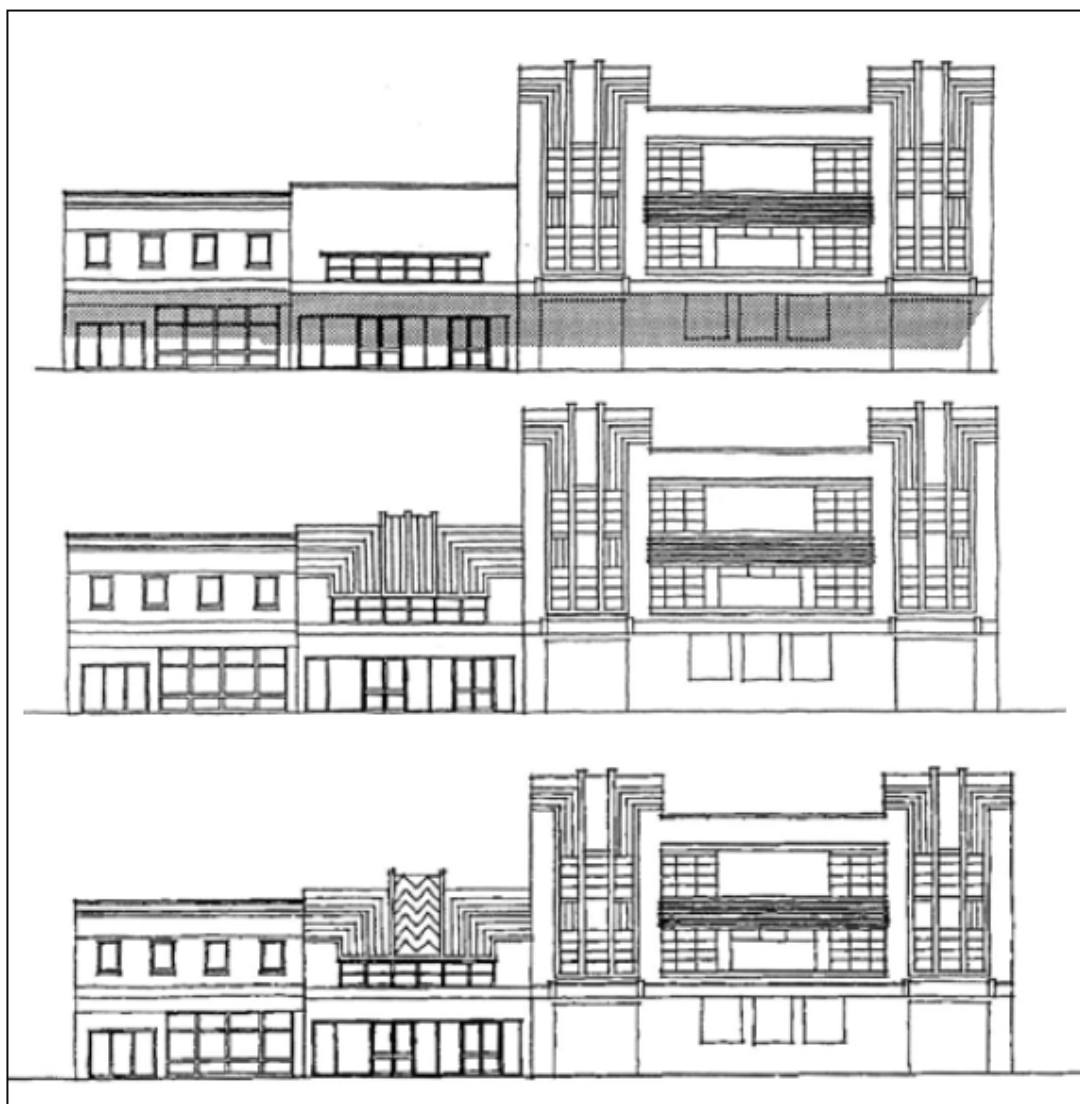
*Signs on buildings: Left above existing cluttered signage and left below suggested signage and veranda reinstatement. Above: Signs can be part of the style and architectural elements of a building as it is in this Art Deco building.  
(Source: Streetwise by Elizabeth Vines)*



*Examples of sympathetic traditional signs on buildings both informative and business names  
(Source: Streetwise by Elizabeth Vines)*



*Examples of suggested infill development within a main town streetscape  
(Source: Armidale Dumaresq DCP 2007)*



*Examples of suggested infill development within a main town streetscape  
(Source: Armidale Dumaresq DCP 2007)*

Reference: Goulburn Mulwaree CBD Master Plan, Heritage Report and Conservation principles / Guidelines, July 2008, City Plan Heritage.

#### 8.6.4 Acknowledgements

- Goulburn Mulwaree CBD Plan, Interim Report 1 and Part 2, Master Plan, 29 August 2008, EDAW / AECOM.
- Goulburn Mulwaree CBD Master Plan, Heritage Report and Conservation Principles / Guidelines, July 2008, City Plan Heritage.

- Goulburn Mulwaree CBD Plan, Master Plan Development Assessment, Traffic, Transport and Parking, 25 August 2008, GTA Consultants.
- Goulburn Mulwaree CBD Master Plan, Economic Assessment, July 2008, AEC Group.

## 9 Contributions

Developer contributions towards the provision, extension or augmentation of public amenities and public services are detailed in Goulburn Mulwaree's Section 94, and Section 94A Contributions Plans (as amended).

## Appendix A

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Criteria for the assessment of  
heritage significance of Aboriginal  
sites

## **Criteria for the assessment of heritage significance of Aboriginal sites**

The Burra Charter of Australia defines cultural significance as 'aesthetic, historic, scientific or social value for past, present and future generations'. The assessment of the cultural significance of a place is based on this definition but often varies in the precise criteria used according to the analytical discipline and the nature of the site, object or place.

In general, Aboriginal archaeological sites are assessed using five potential categories of significance:

- significance to contemporary Aboriginal people
- scientific or archaeological significance
- aesthetic value
- representativeness
- value as an educational and/or recreational resource

Many sites will be significant according to several categories and the exact criteria used will vary according to the nature and purpose of the evaluation. Cultural significance is a relative value based on variable references within social and scientific practice. The cultural significance of a place is therefore not a fixed assessment and may vary with changes in knowledge and social perceptions.

Aboriginal significance can be defined as the cultural values of a place held by and manifest within the local and wider contemporary Aboriginal community. Places of significance may be landscape features as well as archaeologically definable traces of past human activity. Aboriginal cultural significance may or may not parallel the archaeological significance of a site.

Scientific significance can be defined as the present and future research potential of the artefactual material occurring within a place or site. This is also known as archaeological significance.

There are two major criteria used in assessing scientific significance:

**1. Potential of a place to provide information which is of value in scientific analysis and the resolution of potential research questions**

Sites may fall into this category because they: contain undisturbed artefactual material, occur within a context which enables the testing of certain propositions, are very old or contain significant time depth, contain large artefactual assemblages or material diversity, have unusual characteristics, are of good preservation, or are a constituent of a larger significant structure such as a site complex.

**2. Representativeness of a place**

Representativeness is a measure of the degree to which a place is characteristic of other places of its type, content, context or location. Under this criteria a place may be significant because it is very rare or because it provides a characteristic example or reference.

The principle aim of cultural resource management is the conservation of a representative sample of site types and variation from differing social and environmental contexts. Sites with inherently unique features, or which are poorly represented elsewhere in similar environment types, are considered to have relatively high cultural significance.

The cultural significance of a place can be usefully classified according to a comparative scale which combines a relative value with a geographic context. In this way a site can be of low, moderate or high significance within a local, regional or national context. This system provides a means of comparison, between and across places. However it does not necessarily imply that a place with a limited sphere of significance is of lesser value than one of greater reference.

**Aboriginal heritage impact assessment process**

The following is an outline of the process of Aboriginal heritage impact assessment.

**(a) Determining if an Aboriginal heritage impact assessment is required**

This determination process is described in clause 3.2.2 above.

**(b) Conducting an Aboriginal heritage impact assessment**

An Aboriginal heritage impact assessment must be prepared by a suitably qualified heritage practitioner or consultant. The minimum qualification generally recognised as a prerequisite for an Aboriginal heritage assessment practitioner is a tertiary level degree (or equivalent) in an Australian archaeology or cultural heritage degree. The range of specialist practitioners is considerable and can include anthropologists, stone artefact specialists, rock art specialists, materials conservators, palaeobotanists, and physical anthropologists. In general, heritage assessment based on field survey and/or excavation will require a qualified archaeologist. Assessments which involve the analysis of contemporary Aboriginal communities may also require input from an anthropologist.

Several professional organisations exist which recognise and accredit heritage consultants and other related practitioners. These are:

*Australian Association of Consulting Archaeologists Inc – PO Box 214, Holme Building, University of Sydney, NSW 2006 ([www.archaeology.usyd.edu.au/aacai](http://www.archaeology.usyd.edu.au/aacai)).*

*Australian Institute of Professional Archaeologists Incorporated – GPO Box 5336BB, Melbourne Victoria 3001 ([www.users.bigpond.com/raluebbers/AIPA](http://www.users.bigpond.com/raluebbers/AIPA)).*

Some consultant heritage practitioners are listed in the Yellow Pages under the categories of 'Archaeology' and 'Heritage Consultants'.

The following are key components of an Aboriginal heritage impact assessment:

Identify and then consult with appropriate local Aboriginal stakeholder groups – Consultation with local and custodial Aboriginal community groups is an integral component of any Aboriginal heritage impact assessment.

The status and number of stakeholder groups can change over time. The Department of Environment and Climate Change can provide advice regarding appropriate groups which should be consulted.

Consult with relevant Council Heritage staff – Council heritage staff are potential sources of information, advice and direction, regarding community consultation, site locations and the management of heritage values.

Conduct a review of previous heritage assessment work and background information (including a search of the Department of Environment and Climate Change Aboriginal site register) – All relevant previous heritage assessments should be reviewed with regard to the potential issues and heritage values present within the assessment area. Sufficient background information should also be presented so that the environmental and historical

context of the area can be characterised, and any heritage places, sites and features can be effectively placed within an assessment context.

Conduct an appropriate level of field inspection of the proposed development area – This usually involves comprehensive or sample survey of the development area. All field survey involves levels of sampling, however a comprehensive level of inspection would normally achieve a coverage of greater than 40% of the area subject to development impacts. The proportion of survey coverage achieved will depend on the degree of ground surface visibility available to the surveyors at the time of the investigation.

The first stage of field inspection and assessment generally involves visual inspection of the ground surface and does not include subsurface testing. In the event that an assessment concludes that an area has subsurface archaeological potential, then various forms of archaeological subsurface testing may be conducted to assess this potential. Excavation is generally conducted as a second stage of assessment, following the submission and consideration of a surface survey report. Excavation with the aim of recovering or detecting Aboriginal artefacts can only occur following the receipt of a permit or consent from the Department of Environment and Climate Change.

Any assessment of a study area must include consideration of any oral histories or traditions of the local Aboriginal or wider community regarding heritage place, events and values.

Identify known and potential archaeological sites and places of Aboriginal cultural heritage value – Both the known and potential cultural heritage resource of a proposed development area should be adequately described. Where ground surface conditions do not allow for an effective assessment of the subsurface potential of a deposit or landform, then predictions must be made based on oral or historical report, and regionally based predictive statements about probable site locations and content.

Submit cards to NSW Department of Environment and Climate Change for all previously unrecorded Aboriginal sites detected during survey – All new site recordings must be reported to the Department of Environment and Climate Change using standard site recording forms (provided by the Department of Environment and Climate Change).

Assess cultural heritage significance of identified sites and places – An assessment of the heritage significance of all identified sites and places should be presented and documented. The assessment of significance is based on an established set of criteria including Aboriginal cultural and social value, scientific value, and educational value. The assessment of Aboriginal cultural significance must be contributed by appropriate members or representatives of the Aboriginal stakeholder groups.

The assessed level of heritage significance of any single or group of sites, artefacts or places will determine to a large degree, the nature and necessity of any management strategies drafted

Provide impact mitigation and management recommendations for known and potential cultural heritage values – Strategies and recommended actions should be drafted for the appropriate management of the known and potential heritage values identified in the proposed development area. Where possible strategies should seek to avoid or minimise impact to heritage values. Strategies should be developed in consultation with appropriate members or representatives of the Aboriginal stakeholder groups.

**(c) Submit copies of the Aboriginal heritage impact assessment for review by Council and the Department of Environment and Climate Change**

This step provides an opportunity for stakeholder groups to comment on the conduct and findings of the assessment. Three copies are required by the Department of Environment and Climate Change to cover archival and review responsibilities. All survey and assessment reports which inform planning, statutory and impact assessment procedures should be subject to the review of the Department of Environment and Climate Change. The Department of Environment and Climate Change has statutory responsibility for Aboriginal sites and artefacts in NSW and requires copies of all assessments for review.

**(d) Where appropriate, amend assessment report or append supplementary information in response to review comments**

In the event that review comments or other feedback are received as a consequence of providing copies of the assessment to the Department of Environment and Climate Change, Aboriginal group(s) and Council, consideration should be given to addressing the comments in an appropriate form. This may be achieved by amending the original report or by providing an addendum of supplementary information.

A written report from the Aboriginal group or groups consulted may have been included within the original heritage impact assessment. Where this presents a response to the findings of the report, there should be no requirement to await a further response.

If no comment has been received from the Department of Environment and Climate Change or stakeholder Aboriginal groups within a reasonable time, then the Aboriginal heritage impact assessment should be submitted to Council for their due consideration.

**(e) Council assessment and determination**

There are three broad categories of likely Council resolution regarding development applications or works proposals with the potential to impact heritage values:

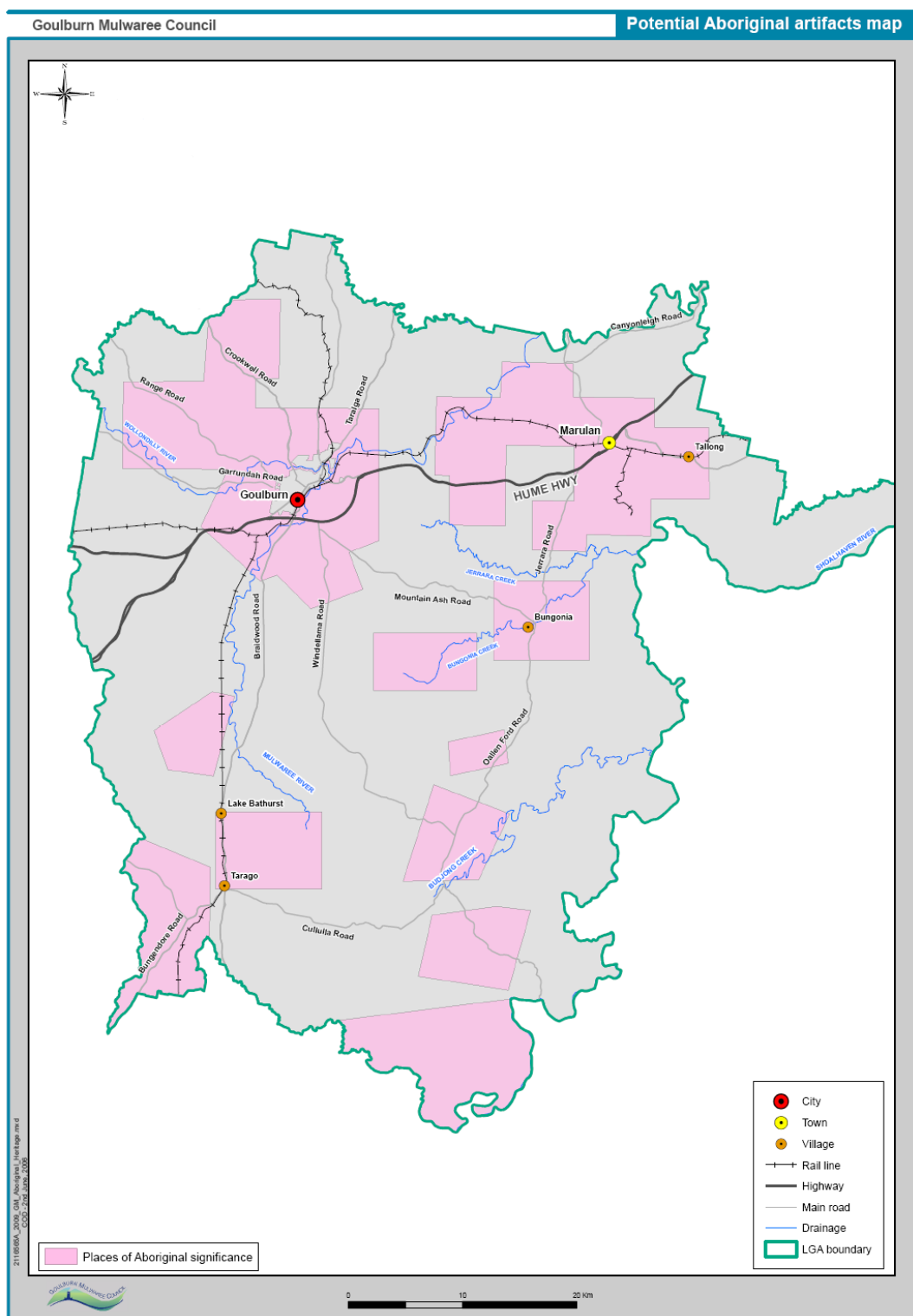
the proposal is approved, subject to the conduct of impact mitigation strategies (which may or may not have been recommended by the Aboriginal heritage impact assessment);  
a decision is delayed pending the results of further assessment; or  
the proposal is refused.

#### Aboriginal Heritage Significance Areas

Council requires the preparation and submission of an Archaeological Survey / Report for certain forms of development proposed in a place of Aboriginal Heritage Significance.

The map following defines the places of Aboriginal Heritage Significance. The matrix table that accompanies the map nominates the level of detail required by Council for development assessment purposes.

In some instances a pre-cautionary approach is nominated as the most appropriate means of protecting Aboriginal Heritage. The precautionary approach allows development to proceed without detailed field studies. In the event that artefacts are uncovered during earth/construction works, all activities must cease until all relevant approvals have been obtained for removal/destruction of the artefacts.



## Aboriginal archaeology matrix

	Development/Land Use Type	Alterations/Additions	Awnings	Carports	Commercial/Industrial Buildings	Complying Development	Dams	Domestic Shed (less than 12m <sup>2</sup> )	Dwelling	Exempt Development	Recreational Establishment	Recreational Facility	Rural Sheds (greater than 12 m <sup>2</sup> )	Services/Infrastructure	Subdivision (no new road)	Subdivision (new road)	Tanks	Extractive Industry	Intensive Agricultural/Horticulture
<b>Topography Type / Map Reference</b>																			
<b>Aboriginal Sensitive Land (refer to Map)</b>		2	1	1	2	1	2	1	1 <sup>A</sup>	1	2	2	1 <sup>A</sup>	2	2	3	1	3	2
<b>Exempt Land (refer to Map)</b>		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<b>Flat Land</b>		1	1	1	2	1	2	1	1	1	2	2	1	1	2	2	1	3	2
<b>Lower slopes adjacent to water course</b>		1	1	1	2	1	2	1	2	1	2	2	1	2	2	2	1	3	2
<b>Ridge lines/Hill tops</b>		1	1	1	2	1	2	1	2	1	2	2	1	2	2	2	1	3	2
<b>Undulating hills and plains predominately vegetated</b>		1	1	1	2	1	2	1	2	1	2	2	1	2	2	2	1	3	2
<b>Undulating hills and plains predominately grazing land</b>		1	1	1	2	1	2	1	1	1	2	2	1	2	2	2	1	3	2
<b>Water courses (within 40 metres)</b>		2	1	1	2	1	2	1	2	1	2	2	2	2	2	3	1	3	2

1

Precautionary Approach

2

Pejar Local Aboriginal Land Council Assessment or Archaeological Survey or Risk Assessment Report

3

Archaeological Survey

A

Precautionary approach if the development is proposed within a building envelope nominated at subdivision stage. If proposed outside an approved envelope a type 2 assessment is required.

## Appendix B

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### Preferred planting species

## Preferred planting species in the Goulburn Mulwaree local government area

Zone 1 - In stream

Zone 2 - Waters edge, wet

Zone 3 - Littoral zone, moist but not wet

Zone 4 - Dry areas, beyond banks

### PLANTS FOR ZONE 1:

Plant species	Common name	Comments	Height
Phragmites australis	Common Reed		
Triglochin procera	Water Ribbon		

### PLANTS FOR ZONE 2:

Plant species	Common name	Comments	Height
Acacia retinodes	Wirilda	Not endemic to Gbn	6m
Banksia robur	Swamp Banksia	Not endemic to Gbn	2m
Callistemon sieberi	Swamp bottlebrush	Formerly sp. Paludosa	2m
Casuarina cunninghamiana	River she-oak	Plants as pots, frost tender when young	30m
Eucalyptus camphora	Broad Leaved Sally	Also called Swamp Gum	20m
Hakea microcarpa	Hakea	Edge swamps and bogs	2m
Leptospermum juniperinum	Prickly Tea tree	Endemic in ACT	3m
L. myrtifolium	Swamp Tea tree	Endemic in ACT	1-3m
L. obovatum	Creek Tea tree	Endemic in ACT	2m
Lomandra longifolia	Spiny Matrush	Plant as tubes	1m
Melaleuca ericifolia	Swamp Paperbark		4-5m
M. styphyloides	Prickly Paperbark		10m

### PLANTS FOR ZONE 3:

Plant species	Common name	Comments	Height
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Plant species	Common name	Comments	Height
Acacia dealbata	Silver Wattle	Suckers	8m
A. decurrens	Green Wattle	Similar to A. mearnsii	6m
A. parramattensis	Wattle	Similar to A. mearnsii	10m
Allocasuarina luehmannii	Bull oak	Doesn't seed locally?	10<local
Banksia ericifolia	Heath Banksia	Plant as tube stock	5m
B. marginata	Silver Banksia	Plant as tube stock	4m
B. spinulosa	Hairpin banksia	Plant as tube stock	3m
Callistemon citrinus	Crimson bottlebrush		1-2m
C. sieberi	Swamp bottlebrush	Can grow in water	2m
Casuarina Cunninghamiana	River she oak	Plant as pots	30m
Euclayptus amplifolia	Cabbage Gum	Adjacent to creeks	25m
Eucalyptus Angophoroides	Apple top box	Similar to bridgesiana	20m
E. bridgesiana	Apple box		25m
E. camphora	Broad leaved Sally		20m
E. pauciflora	Snow gum	Frost pockets	15m
E. rubida	Candle bark	Frost pockets	25m
E. stellulata	Black Sally	Frost pockets	15-20m
E. viminalis	Ribbon Gum	Frost pockets	20m
Hakea microcarpa	Hakea		2m
Leptospermum phylloides	Tea Tree	Suitability? Damp sites	5m
L. polygalifolium	Tea Tree	Prev. L. flavescens	3m
Lomandra longifolia	Spiny Matrush	Plant as tubes	1m
Melaleuca ericifolia	Swamp paperbark		4-5m
M. styphyloides	Prickly Paperbark		10m
Pomaderris spp	Pomaderris		2m
Rulingia dasycphylla	Kerrawang	Spreading shrub	1-2m

#### PLANTS FOR ZONE 4:

Plant species	Common Name	Comments	Height
Acacia decurrens	Green Wattle	Similar to A. mearnsii	6m

Plant species	Common Name	Comments	Height
A. mearnsii	Black wattle	Doesn't sucker	6m
A. parramattensis	Wattle	Similar to A. mearnsii	10m
Allocasuarina verticillata	Drooping she oak		10m
Banksia ericifolia	Heath Banksia	Plant as tube stock	5m
B. integrifolia	Coast Banksia	Plant as tube stock	15m
B. marginata	Silver Banksia	Plant as tube stock	4m
B. serrata	Saw Banksia	Plant as tube stock	10m
B. spinulosa	Hairpin Banksia	Plant as tube stock	3m
Brachychiton populneum	Kurrajong		15m
Callistemon citrinus	Crimson Bottlebrush		1-2m
Casuarina cunninghamiana	River she oak	Plant as pots	30m
Daviesia mimosoides	Bacon & Eggs Pea Flower		2m
Eucalyptus angophoroides	Apple Top Box	Similar to E. bridgesiana	20m
E. blakelyi	Blakely's Red Gum		25m
E. bridgesiana	Apple Box		25m
E. melliodora	Yellow Box		30m
E. pauciflora	Snow Gum	Frost pockets	15m
E. rubida	Candle Bark	Frost pockets	25m
E. stellulata	Black Sally	Frost pockets	15-20m
Jacksonia scoparia	Dogwood		4m
Leptospermum polygalifolium	Tea Tree	Prev. L. flavescens	3m
Melaleuca styphyloides	Prickly tea tree		10m

## Appendix C

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Not in use

## Appendix D

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### Development application checklist

## Development application checklist

The following list of requirements must be identified in a development application

- site layout
- development site including building envelope
- soil and water management plan (including soil profile and effluent disposal envelope)
- location of internal access roads to the development site
- location of proposed gateways
- new public roads
- rights of way (proposed and existing)
- easements (proposed and existing)
- heritage items (if any) on and surrounding the site
- services (existing and proposed)
- full land owners consent
- correct prescribed fees (including fees for integrated development and related concurrences)

The application should be accompanied by a statement of environmental effects (SEE) specifying:

- effect on any threatened species, populations or ecological communities, or their habitats. At a minimum this will require the submission of an eight part test pursuant to section 5A of the EP&A Act. At a maximum depending on the eight part test outcome this will require a species impact statement (SIS). The SIS preparation will require consultation with the Department of Environment and Climate Change.
- contaminated land assessment (Refer to State Environmental Planning Policy No 55 – Managing Land Contamination Planning Guidelines for potential land contamination issues/uses)
- bushfire assessment (refer to Planning for Bush Fire Protection 2006 Guidelines);
- neutral/beneficial effect assessment (refer to Regional Environmental Plan No.1 – Drinking Water Catchments)
- an assessment of the impact of the proposal on any watercourse, including the location of any watercourse crossings or works proposed in proximity to a watercourse, the nature and extent of vegetation cover in the watercourse corridor, any actively eroding areas within watercourse corridors and any existing or proposed work designed to protect or restore the watercourse and corridor;

- degraded land, including land affected by salinity or erosion, any measures, existing or proposed, designed to manage or minimise that degradation;
- clearing proposed and required;
- erosion and sediment control;
- drainage and flooding, including any identified waterways;
- solar access;
- traffic generation including the provision of all weather access to and within the subdivision allotments; and
- assessment of the proposal against the relevant clauses of the *Goulburn Mulwaree LEP*.

### **Information to accompany applications for development on flood prone lands**

For development within identified flood prone lands, the following information must accompany a development application for any type of development requiring consent under this plan:

A survey plan showing:

- position of the existing building an/or proposed building;
- ☐ existing ground levels to the Australian Height Datum (AHD) around the perimeter of the building, as determined by a registered surveyor;
- level of the 1% AEP flood event, determined by a registered flood engineer;
- proposed flood levels to AHD; and
- where earthworks or filling of land is proposed, contour intervals of 0.25 metres, and relative levels to AHD.

A report from a suitably qualified engineer that describes the impact of the proposed development on flood levels and the impact of the proposed development on peak flood flow velocities on adjacent properties up to the 1% AEP flood event. The report must also certify that the proposed structure is capable of withstanding the conditions that would be experienced during the 1% AEP event.

Where substantial alterations to landform, including excavation, are proposed, a hydrologist's report to examine the impact of a proposed development on the flow of floodwater and flood behaviour.

A flood emergency response plan for the site, clearly showing proposed excavation routes during flood events.



## Customer Service Checklist

DA N<sup>o</sup>: \_\_\_\_\_

Assessed by: \_\_\_\_\_

### MANDATORY INFORMATION

#### APPLICATION FORM

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| ✓ Applicant's details provided (including Address & Contact Phone No.) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Description of proposed development                                  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Property Description (Including Lot, DP & Street/Rural Address)      | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Cost of Development  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Full owner/s consent:  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- (Please note: Owners consent means the registered owner and requires all owners to sign the consent)
- |                 |                              |                             |
|-----------------|------------------------------|-----------------------------|
| ✓ Correct Fees: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|-----------------|------------------------------|-----------------------------|
- (If the fees are incorrect, please advise customer that the amount of \$\_\_\_\_\_ is outstanding and the applicant can pay
- Difference immediately,
  - Return with amount or
  - Take application and resubmit in full with correct fees.

#### SUPPORTING INFORMATION

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| ✓ Statement of Environmental Effects is attached | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ 4 sets of Plans (including 1 x A3 set)         | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- Plans must to include:
- |              |                              |                             |
|--------------|------------------------------|-----------------------------|
| ▪ Site Plan  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Floor Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Elevations | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- (with existing ground level & finished ground level i.e. cut & fill)
- |           |                              |                             |
|-----------|------------------------------|-----------------------------|
| ▪ Section | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|-----------|------------------------------|-----------------------------|
- 4 sets of plans are required 1 set of plans must be A3 size**

The following additional information depending on the type of development

**DWELLING – ALTERATIONS & ADDITIONS – RURAL**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| ✓ On Site Sewage Management Facility Form is completed                            | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Wastewater Assessment Report/Geotech Report                                     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Reports must include a drainage diagram   |                              |                             |
| ✓ BASIX Certificate   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (for all dwellings and all alterations and additions over the value of \$100,000) |                              |                             |
| ✓ Location of gateway access (can be included on site plan                        | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**DWELLING – ALTERATIONS & ADDITIONS – CITY**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| ✓ BASIX Certificate   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (for all dwellings and all alterations and additions over the value of \$100,000) |                              |                             |
| ✓ Two-storey – Notification (A4 Plan)   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Access details / footpath crossing  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Levels, contours, extent of cut & filling                                       | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**SUBDIVISION – RURAL**

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| ✓ Subdivision Layout Plan                                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Including a topographic overlay & aerial photo overlay) |                              |                             |
| ✓ Water Cycle Management Study                           | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Flora & Fauna Assessment (If Bushfire Prone)           | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Bushfire Assessment Report                             | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Statement of Environmental Effects                     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Aboriginal Archaeological Risk Assessment              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Aboriginal Archaeological Site Assessment              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Site Analysis  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Please note: 4 copies of all of the above is required.

**SUBDIVISION – CITY**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| ✓ Subdivision Layout (with contours)            | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ A4 Plan for notification                      | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Statement of Environmental Effects (4 Copies) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ✓ Site Analysis                                 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**COMMENTS**

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## Appendix E

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### Rainwater tanks policy

## Rainwater tanks policy

### **Objectives**

This policy outlines requirements for the provision of rainwater tanks as part of residential, commercial and industrial development to supplement water supply and provide stormwater retention.

### **Controls**

For all new dwellings located in urban areas (serviced by reticulated water) and new industrial development a rainwater tank shall be installed in conjunction with the dwelling construction and subject to the following –

The tank capacity (or combined capacity of tanks) being a minimum of

- as per BASIX Certificate for single dwelling houses on conventional housing lots.
- as per BASIX Certificate for medium density housing units (eg. dual occupancy, villa unit development).
- 20,000 litres per hectare ratio per hectare ratio for industrial and commercial development (i.e. 2 Litres / metre<sup>2</sup>) of allotment area.

Design and installation requirements being in accordance with the requirements detailed in Schedule 1.

Rainwater tank supply being connected to the laundry and toilet facilities with a top up connection into the tank from the reticulated system. Tank supply may also be used for landscape and garden irrigation.

**Note:** This policy should also be read in conjunction with the former Goulburn City Council Policy for Rainwater Tanks and rebates.

## **SCHEDULE 1: GENERAL INSTALLATION REQUIREMENTS**

The following installation requirements apply to rainwater tanks in urban areas:

See exempt development.

### **CONNECTION TO THE POTABLE WATER SUPPLY –**

#### **Installation requirements**

The following provides installation requirements for rainwater tank systems connected to the town water supply, including the “topping up” water from town water supply, installation of tank, and associated pipe work from the tank to the toilet, laundry, hot water system or outlets for garden watering only.

All work is to be carried out by a licensed plumber.

1. A permit in accordance with the New South Wales Code of Practice – Plumbing and Drainage, is to be obtained from Council.
2. Installation and materials shall be in accordance with AS/NZS 3500 Part 1, Water Supply, Sections 2 and 8.
3. The maximum size of a potable water supply line used for “topping up” shall be 15mm.
4. “Topping up” should not take place until the tank is at least 80% empty (a float valve is required to regulate the “topping up”)
5. Designed and connected in accordance with diagrams included in this policy or other variation permitted by Council.

**Note:** Council may require flow restriction devices to be fitted on the “topping up” line to reduce significant impact on their capacity to provide adequate flow to surrounding installations.

#### **Cross connection control and backflow prevention**

Rainwater tank installations shall be designed, installed and maintained to prevent a cross connection with the potable water supply.

Where a property has both a rainwater tank system and a potable water supply from a reticulated system, the following conditions shall apply:

1. An authorised backflow prevention device sized to suit the potable water service shall be fitted at the meter location. Prior to installation of the rainwater tank, if no backflow prevention device is currently installed, Council will install one, at no cost.

2. Rainwater tank services are not to be interconnected with the potable supply, but may have “topping up” water from the potable supply to the rain water tank. “Topping up” water from the potable supply, shall only be by means of visual “Air gap”, external to the rainwater tank, in accordance with the provisions of the National Plumbing Code, AS/NZS 3500 – Minimum air gap requirements.

#### **Proximity to other services**

1. Above ground rain water services shall not be installed within 100 mm of any parallel drinking water supply.
2. Below ground rainwater services shall not be installed within 300 mm of any parallel drinking water supply.

#### **Marking and labelling**

Marking and labelling of rainwater services shall in accordance with the following:

Above ground distribution pipes shall be continuously marked ‘rainwater’ in accordance with AS1345. Alternatively, pipes can be clearly labelled ‘rainwater’ with adhesive pipe markers made in accordance with AS1345.

Below ground rainwater pipes shall be continuously marked ‘rainwater’ in accordance with AS1345. Alternatively, identification tape/pipe sleeve continuously marked ‘rainwater’ made in accordance with AS2648 can be used.

Every rainwater tank outlet and all taps, valves and rainwater tank apertures shall be identified as ‘rainwater’ with a sign complying with AS1319 (refer Figure 2) or a green coloured indicator with the letters ‘RW’. Alternatively, a permanent sign, at the front of the premises visible to all visitors, may be displayed advising that rainwater is in use.

Identification tape marked ‘rainwater’ shall be at least 75mm wide. The identification tape shall be installed on top of the rainwater pipeline installed within the trench, running longitudinally, and fastened to the pipe at not more than three metre intervals.

### **Maintenance**

The roof, gutters and inlet should be cleaned regularly to ensure a safe water supply is captured within the tank.

Leaves and debris should be removed from the gutter quarterly and overhanging branches trimmed and removed where possible.

The inlet screen should be removed, thoroughly cleaned and replaced quarterly.

For further information, refer to Department of Health's Rainwater Tanks brochure available on the NSW Health Website.

### **Material**

Tank material types suitable for the rebate include polyethylene, metal (galvanised steel, colorbond), concrete and fibreglass.

## Diagrams for tanks connected to town water supply

Figure 1b. Plumbing for above ground rainwater tanks with a direct inter-connection to the drinking water supply & providing rainwater to the garden, washing machine & toilet only

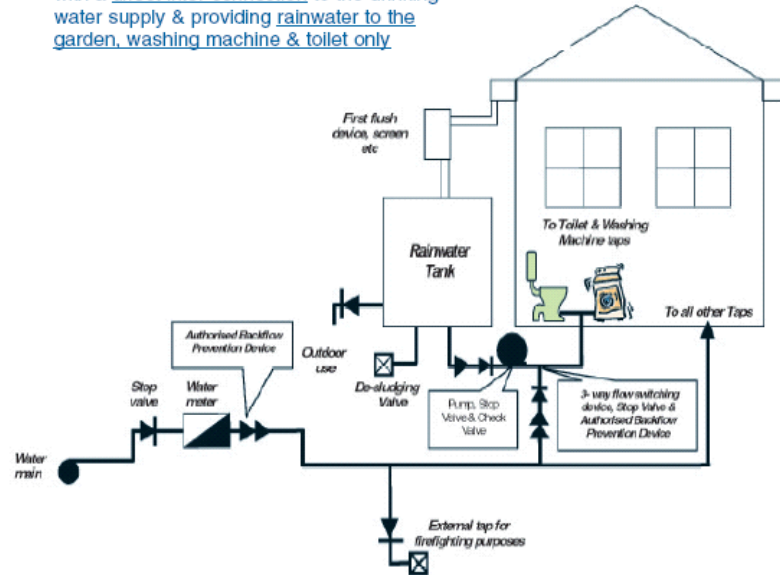
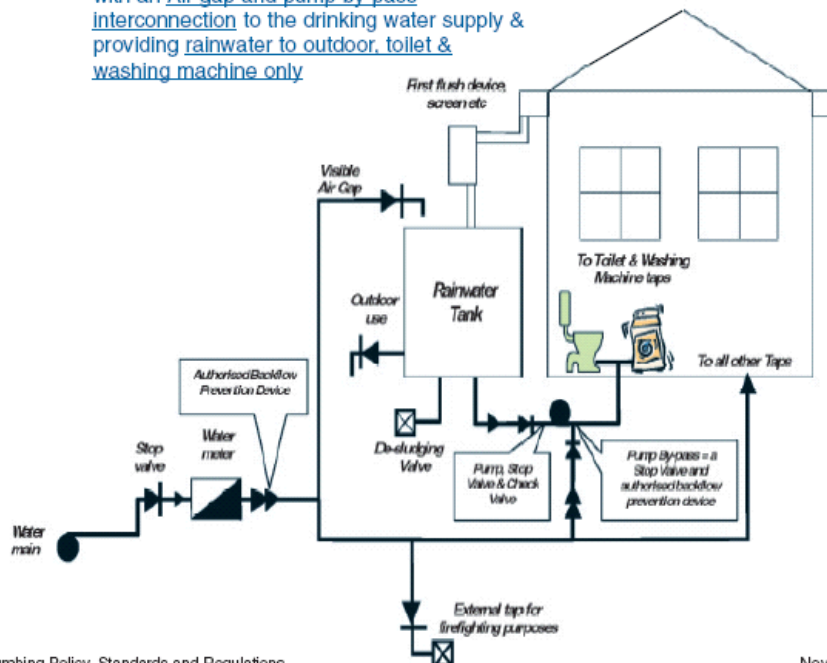


Figure 1d. Plumbing for above ground rainwater tanks with an Air gap and pump by-pass interconnection to the drinking water supply & providing rainwater to outdoor, toilet & washing machine only



Plumbing Policy, Standards and Regulations

November 200

Source: Sydney Water (November 2003) Plumbing Policy, Standards and Regulations.

## Appendix F

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### Telecommunications policy

## Telecommunications policy

### Lodgement requirements

The facility provider is to provide information as requested by Council about the applicant's existing facilities in the area to assist with consideration of this application. The applicant is to provide Council with a statement of environmental effects, and site and locality analysis.

The following controls apply to radiocommunication facilities specifically:

- an EMR assessment in accordance with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) prediction methodology and report format as described in the Australian Communications Industry Forum (ACIF) Code;
- a prediction map of exposure levels at 1.5m above publicly accessible surfaces within 300 metres of the facility for sites listed as likely community sensitive location at clause 5.1.4(c) in the ACIF Code, or for other sites upon request; and
- photo montage of the proposed facility in context of the location.

Upon request, the applicant is to provide additional documentation such as a heritage report/ impact statement, should the site be identified as a heritage item or as being located within an area of environmental conservation/ significance.

Telecommunication facility (i.e. mobile), providers must provide compliance evidence that indicates that exposure details contained in the application are true and accurate, consistent with the ACIF Code.

Other radiocommunication facility providers must provide an EMR compliance certificate as to exposure details in the application.

### Site and locality analysis

A site and locality analysis establishes the development context by identifying the constraints and opportunities of the proposed site in relation to existing land uses and existing buildings in the immediate surroundings and the environment generally. It should influence the suitability of the proposed location and the design. For all proposed radiocommunication sites a site and locality analysis plan is to be submitted with all development applications and should indicate in relation to the proposed site for a radius of 300 metres:

- existing vegetation
- site boundaries and dimensions

- topography
- location of existing buildings
- views to and from the proposed site; and
- location of any sensitive land use within the adjacent area, such as schools, child care centres, parks and recreational areas/reserves.

The site and locality analysis must be to scale.

Council requires that in the circumstance where a facility is proposed within 300 metres of a sensitive land use as highlighted above and including special areas, heritage items, streetscapes and conservation areas, an alternative location be considered where possible outside a 300 metres radius from any one of these sites/areas.

### **Statement of environment effects**

A written statement is to be prepared and must explain how the proposed facility has responded to the site analysis and the objectives of this plan.

This statement is to demonstrate how the precautionary principle has been applied in the siting, design and operation of the proposed facility, included in sections 5.1, 5.2 and 5.7 of the ACIF Code.

### **Public consultation**

The following public consultation objectives and controls relate to all facilities defined as Non-Low Impact facilities and which require a development application.

The following consultation requirements apply:

- Development applications should comply with Council's requirements on notification and signage;
- Service Providers are to make available all information regarding radiofrequency electromagnetic radiation in accordance with ACIF Code requirements;
- For each facility, a permanent and legible weatherproof sign must be publicly visible in the immediate proximity of the facility and visible to the general public, to identify the name and contact details of the operator or the site manager.
- For each facility, a sign must be erected notifying the intention of the service provider to erect infrastructure on site and providing the name and contact details of the service provider, consistent with the ACIF Code.

### **Conditions of development consent**

The applicant is advised that the approval may be subject to a number of conditions, including but not restricted to the following:

- The approved facility and all related infrastructure must be maintained and repaired to an acceptable standard at all times.
- The approved facility and all related infrastructure must be removed if no longer in use.
- Prior to the operation of the approved facility, a permanent and legible weatherproof sign must be publicly visible, in the close proximity of the facility, displaying the name and contact details of the operator or site manager.
- If the approved facility is located on public infrastructure, such as road and rail infrastructure, public buildings and pedestrian footpaths, and the infrastructure requires replacement or removal, the owner and/or operator will be responsible for the cost of removing/replacing their own facility.
- If the approved facility is located on public infrastructure, such as road and rail infrastructure, public buildings and pedestrian footpaths and requires replacement or removal, the owner and/or operator will be responsible for the cost of removing/replacing their own infrastructure.

## Appendix G

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Landscape Policy

Site Analyses

Preparing a Landscape Plan

## Site analysis

A good understanding of the site and its surrounds is essential for a successful landscape design. A Site Analysis puts the site in its context for both the design and evaluation of the proposal. It is mandatory for all Development Applications and forms the basis for the Statement of Environmental Effects in providing evidence that the options investigated have resulted in the optimum use, rather than the maximum use, of the site.

### **What information is necessary?**

The extent of the information required will be dependent on the type and scale of the proposed development, e.g. an application for two-storey house extension, a multi-unit residential development or a proposed industrial development will not necessarily require all the same information. Additional information may also be required for specific sites where there are particular opportunities and constraints caused by the characteristics of the site itself or the surrounding area.

The Site Analysis may be presented in a number of ways, depending on which method best presents site characteristics, e.g. a notated plan at a suitable scale or in text form with graphics and photographs. There also needs to be an explanatory statement.

### **Explanatory statement**

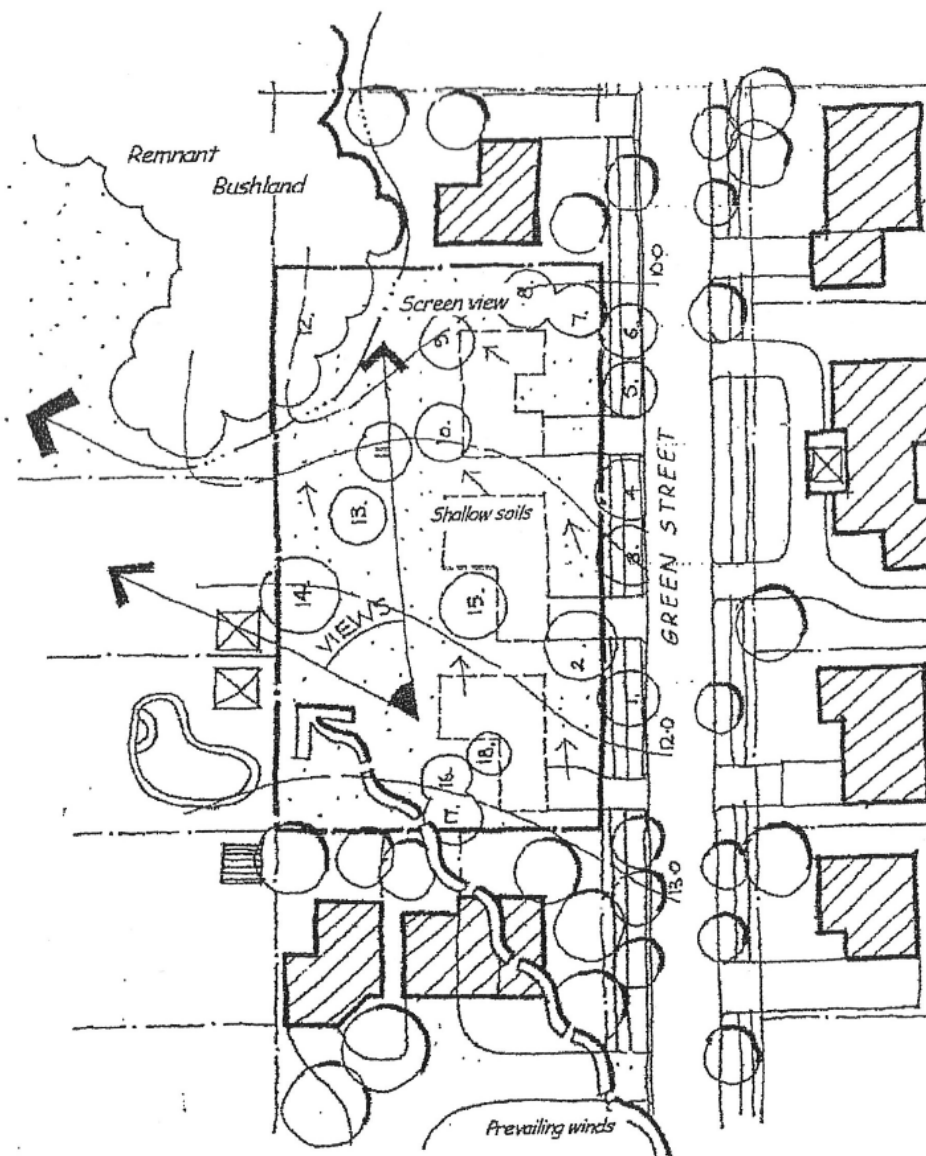
It is not sufficient to prepare a Site Analysis and then ignore it during the design process.

The Site Analysis will have identified the opportunities and constraints of a particular site and the relevant surrounding area. The purpose of the site analysis is to inform the design process. Some of the information will form the basis for preparing Management Plans for vegetation, erosion and sedimentation control, stormwater and waste (refer to Appendix for more information on these Plans).





Therefore a statement must be prepared explaining how the proposed development has responded to the Site Analysis. The statement may be in written form or presented as an annotated plan. Such a statement would greatly assist the design and assessment processes, and is likely to result in a significant improvement in the quality of the development.

It will also indicate the way in which the specific requirements of this DCP are to be achieved. Different categories of development require varying levels of detail in the preparation of landscape proposals.

**An example of a Site Analysis in plan form**



**KEY**

-  Prevailing winds
-  Views (eg to hills or city skyline)
-  Existing trees to be retained
-  Contours

### **Information required for Site Analysis**

The following list indicates the sort of information to be collected and presented in the site analysis depending upon the site and the complexity of the proposal.

#### **Site Survey**

Identifies the lot and its boundaries

#### **Plan Information**

Scale of plan at 1:100 or 1:200 (use ONLY these scales) plus bar scale

North point

Name and qualifications of person preparing the site analysis

#### **Existing site features**

Location and uses of any existing buildings and structures on the site showing those to be removed and retained

Location and height of walls and fences built to the boundary

Heavily shaded areas from existing structures, mature trees or dominant landform, such as rock ledges

Archaeological and heritage sites

Any easements and rights-of-ways and their restrictions

#### **Services**

Location of existing overhead and underground utility services (electricity, gas, telephone, water, sewer and stormwater drainage lines, inlets and collection points).

#### **Use of adjacent land**

Location and uses of adjacent buildings

Ridge levels and floor levels of adjacent buildings

Potential for overlooking into and from window openings in walls adjacent to the development site

Potential for shading on adjacent properties

The form and character of adjacent and nearby development, including characteristic styles e.g. style of dwellings, landscaping, scale and bulk of buildings

Street frontage features e.g. street trees, poles, kerb crossovers, bus stops

Potential sources of nuisance dust or noise (e.g. flight path, main road, railway line).

### **Landform**

Topography will affect the use of the site

Show height contours at 1 metre intervals (and any relevant road benchmark) and areas of steep slope (20% or more)

Existing natural features (cliffs, rock outcrops)

Orientation of site (e.g. south-facing slope).

**Soils** (this forms the basis for an Erosion and Sedimentation Control Plan,

Condition – fertility, whether it has been compacted, cut or filled

Erosion problems, contamination or salinity

### **Plants**

Many sites should have a tree and/or bushland survey done – this is the basis for a Vegetation Management Plan

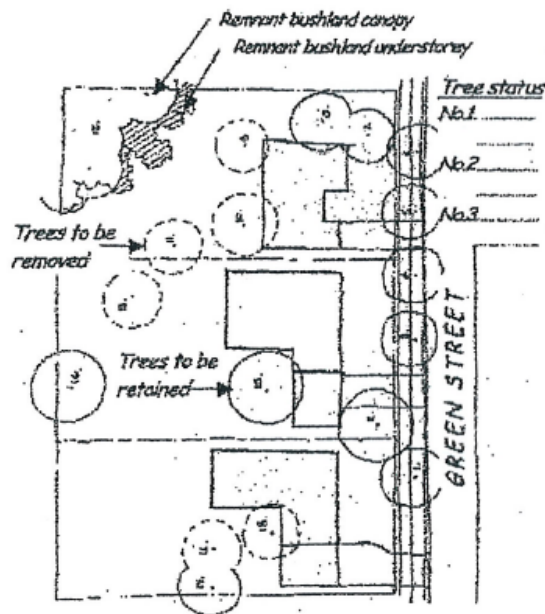
Existing established individual or stands of trees and massed shrub planting with their height and spread, condition and common/botanical name – particularly note any trees listed as “Significant”

Existing ground levels around the base of trees

The extent and name of any weed infestation

The plants growing well or characteristic of the local area

Any ‘endangered ecological community’ on the site and nearby land – refer to Council’s State of the Environment Report



### Wildlife

Any habitats on the site and nearby land

Fauna habitat possibilities e.g. niches in rockeries, ponds for frogs, habitat plants (nectar for small birds).

### Climate

Directions of pleasant and unpleasant summer and winter winds

Windbreaks and their likely performance

Frost pockets

Areas of full or partial shade in winter and summer at 9am, midday and 3pm

Direction and extremity of bushfire threat

**Water** (this forms the basis for a Stormwater Management Plan)

Sources of water flowing on to the site and the general quality of that water

Drainage patterns on the site, areas of concentrated run-off, ponding, possible flooding

Adjoining riparian zone if within 40m of a waterway

Characteristics of the drainage system immediately downstream of the site (e.g. bushland creek or a constructed stormwater drainage channel).

### **Views**

Good and unsightly views from the site

Views into the site and privacy problems

Qualities of the site that are important in the view to and from the site (e.g. major trees)

## Preparing a landscape plan

### Introduction

When submitting a Development Application (DA) to Goulburn Mulwaree Council, you may be required to submit a Landscape Plan depending on the nature of the proposed development. Council's aim in requiring a Landscape Plan is to enhance and protect the amenity of new and existing development areas. This will be achieved by setting reasonable standards for development including protection of the existing environment.

A Landscape Plan must contain information on a development sites existing features and the proposed development. The plan must illustrate the function and character of the development. This will include the extent of works, layout, design and the types of materials to be used. It may also address certain details of the construction methods. Council has a minimum standard of information required for an application to be considered.

For clarification of Landscape Plan requirements for a specific property, please contact Councils Planning and Community Services Department at the Civic Centre in Bourke Street or telephone (02) 4823 4454.

Reference should be made to the following Council documents where relevant:

- Goulburn Street Master Study

The use of qualified Landscape Architects or Horticulturalists to prepare Landscape Plans is recommended but not required by Council. The use of such professionals may assist to reduce the time taken to assess an application.

### Landscape character

Landscape character varies according to an areas age and location. Generally, Council will be looking for proposed development to reflect elements of the surrounding landscape character.

### Existing vegetation

Goulburn Mulwaree has a "green" heritage. Contributing to the areas character are the plants that have been planted by residents in the past and restricted areas of valuable remnant native vegetation.

To protect the character of the area Council wishes to retain as much as possible of a development sites significant existing vegetation. This includes both native and

introduced species. Remnant native vegetation including grasslands, shrubs and trees is a limited, non-renewable resource. Applicants should give careful consideration to retaining existing vegetation when planning developments.

### **Landscape plan features**

#### **Existing Development**

For the existing development a plan of the site should show:

- A title block containing the title of the Plan, the location/address of the property, the applicant's name and the name of the consultants who prepared the plan (if any).

The scale shown as:

- Site plan 1:500 or 1:200
- Landscape plan 1:200 or 1:100 (including paths, planting etc.)
- Construction details 1:50 to 1:5
- Site section (as necessary)

#### **North Point**

The site boundary, fences, driveways, existing buildings, paving, retaining walls, pools and tennis courts and any other structures must be shown. Any rock outcrops or other landscape feature must also be shown.

All trees and vegetation affected by the proposed works must be accurately positioned on the plan of the site. For trees show type/species, trunk location and diameter plus eight and an accurate spread of canopy. Show all vegetation over 3m in height or over 100mm in trunk diameter measured 1000mm above ground level. Clearly identify vegetation to be retained and that to be removed.

Water Supply, gas, electricity, stormwater (above and below ground), sewer, manholes and drainage pits etc. and easements on and adjacent to the site, including the nature strip.

Existing ground levels shown as spot heights or contours over the site may be necessary if significant changes to levels are being proposed.

#### **Proposed development**

For the proposed development the following must be shown:

New buildings or extensions and associated works eg. Pools, tennis courts, fences, retaining walls, steps, paving, service/utilities, lighting, signage, stormwater drainage, surface materials and finishes.

Details of the finished ground levels for the works including cut and fill areas, mounding of the site and finished levels at adjoining boundaries are required.

Proposed planting. The function and location of plantings should be shown eg. Deciduous/evergreen shade trees, windbreaks, screen plantings, shrub areas, ground covers, grass etc. Information regarding the plant species, container sizes, numbers & planting method is required.

Sections through the site may be necessary if significant level changes are being proposed. These should include existing and proposed ground lines, building elevations, retaining walls, steps, etc. and proposed planting.

Run off and erosion control measures where required by Council must be incorporated in plans and details. There may be a need to prepare a soil erosion and drainage management plan. Guidelines are available from Councils Engineering Department.

Materials and construction details including pavements, drainage, drainage falls and collection points, retaining walls, steps, fences, edging, structures (pergolas, decks etc.), lighting, signage, water points, pools, planting methods, etc.

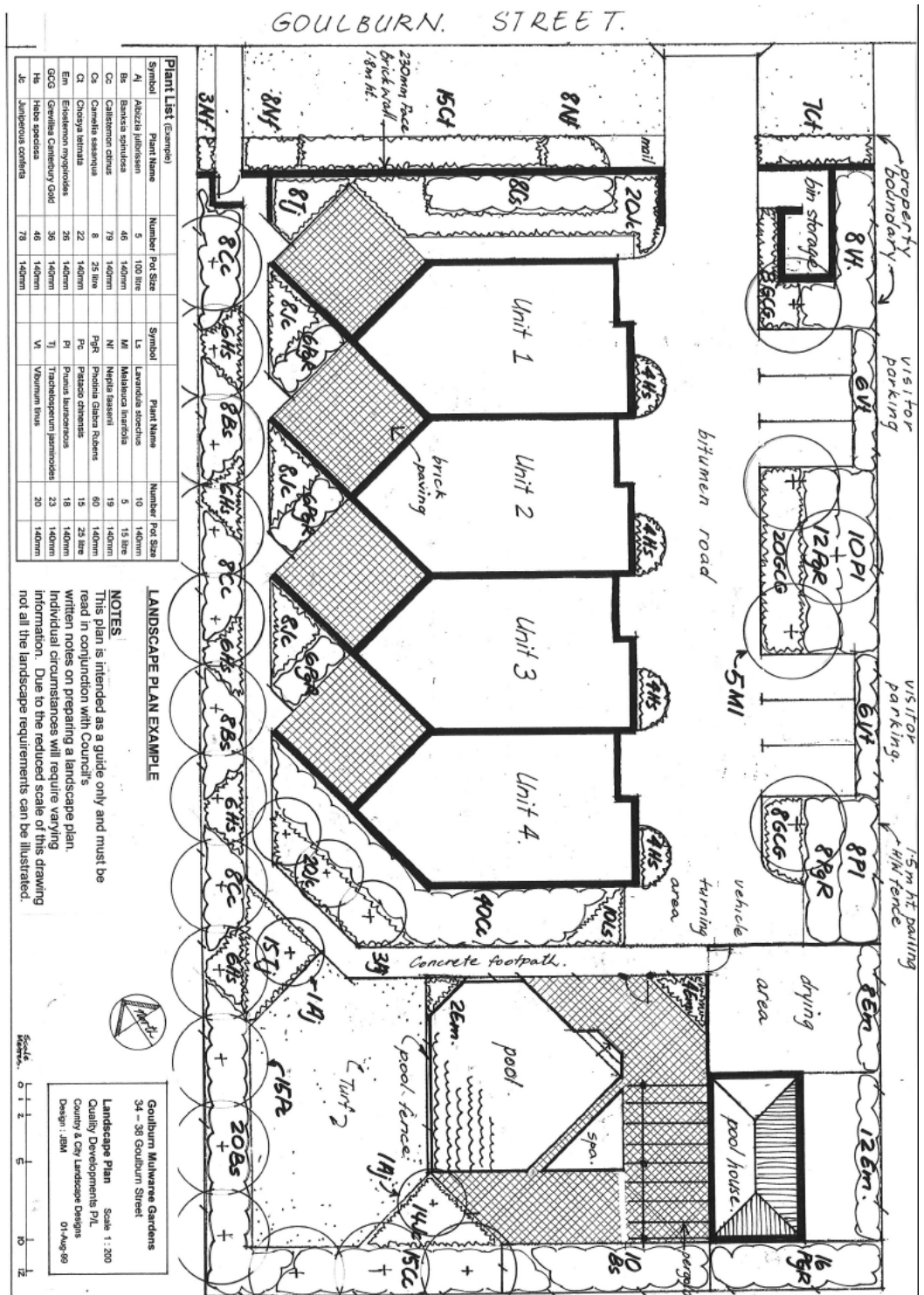
Tree surgery details including protective fencing where required by Council.

Maintenance must be clearly specified.

Paving samples may be required to be submitted for approval when proposed for use on nature strips, etc.

### **Landscape plan example**

A sample Landscape Plan is attached. This plan is intended as a guide only and must be read in conjunction with these notes. Individual circumstances will require varying information. Not all landscape requirements have been illustrated on the plan.



## Appendix H

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### Heritage Impact Statement Requirements

## When is a Heritage Impact Statement and Heritage Conservation Management Plan required?

**Heritage Impact Statement (HIS)** is required to be submitted with all development applications involving heritage items, adjacent streetscapes and buildings and properties forming part of the 'visual curtilage' of heritage items listed under Schedule 5, Goulburn Mulwaree LEP .

**Heritage Conservation Management Plan (HCMP)** is required to be submitted with any Development Application affecting a heritage-listed item assessed as being of State Heritage significance. A *Conservation Management Plan* is a document establishing the heritage significance of an item / place and which identifies conservation policies and management mechanisms that are appropriate to enable the heritage significance to be retained.

### Heritage Impact Statement Preparation Guidelines

The following guidelines should be followed when preparing a Statement of Heritage Impact to accompany a Statement of Environmental Effects. These guidelines are based on the Heritage Office, NSW Department of Planning, publication titled 'Guidelines for Preparing a Statement of Heritage Impact'.

A Statement of Heritage Impact should include:

1. an assessment of the heritage significance of the building or feature and its curtilage and a 'Statement of Heritage Significance'.
2. details of the contribution of the item to the heritage conservation area or historical landscape, generally contextual analysis, considering the setting of the item and its contribution to the heritage significance of the area.
3. a detailed description of the proposed works, change of use and / or any physical alterations to the place.
4. details of whether or not the additions / changes are sympathetic to the character of the item and the historical landscape in which the item is placed.
5. description of how any negative impacts of the proposal are to be mitigated.

The length of the Statement of Heritage Impact will vary depending on the scale and complexity of the proposal. A brief one to two page account included in the 'Statement of Environmental Effects' will usually be sufficient for minor works that will have minimal

impact on the heritage significance of an item. A comprehensive report is required for more complex proposals or those that have potential for a major impact on the item or place. Physical condition reports and any consultant reports, relevant to the application, should be included.



## Appendix I

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Goulburn Mulwaree Good Design  
Statement 2005



# Goulburn Mulwaree Good Design Statement



Adopted by Council on 20 September 2005 Minute No. 05/501

Effective from 28 September 2005



## **Contents**

### **1. Introduction**

- 1.1 Vision
- 1.2 Aims and objectives of this plan

### **2. Expected Outcomes**

- 2.1 Context
- 2.2 Strategies and Policies

### **3. Good Design Approach**

- 3.1 Landmark Sites
- 3.2 Non Landmark/Heritage Sites
- 3.3 Belmore Park
- 3.4 Urban Landscape Design

Appendix - List of Landmark and Heritage Sites within the CBD

## 1 INTRODUCTION

### 1.1 Vision

The broad vision for the CBD can be encapsulated in the following statement:

**The Vision is to maintain and enhance Goulburn's CBD and its historic charm as a visually attractive destination for its people and visitors.**

NOTE: "Historic charm" includes reference to "Heritage value or significance".

### 1.2 Aims and objectives of this plan.

The overall aims and objectives of this plan are:

- To encourage good design outcomes in the City Centre.
- To articulate the desirable design outcomes for the Central Business District.
- To preserve the desirable design elements within the Central Business District.

## 2. EXPECTED OUTCOMES

### 2.1 Context

The Goulburn CBD has several unique features that distinguish it from other provincial city's commercial centres. It is dominated by a single retail mainstreet, Auburn Street., with many grand institutional buildings imposing their presence on the streetscape. The features include:

- A range of Heritage or Landmark Buildings such as the Post Office, former AMP Building, Goulburn Post, Town Hall, Elmslea Chambers, former Lilac Time Hall.
- Historic Belmore Park
- Two lane mainstreet with angle parking and separating median

These landmark buildings are located at prominent sites within the CBD often at road intersections. Sites in the vicinity of these "landmarks" provide an opportunity, through redevelopment, to complement these buildings while making their own architectural statement.

Prominent buildings or landmarks are also located off the mainstreet at the periphery of the CBD such as cathedrals and churches, courthouse, police station and civic centre.

The CBD is a place where people will visit not only to purchase goods and services but because of the attractions and appeal of the social and physical environment. The appeal is not only the retail outlets and what they have to offer, but the design of the various buildings that will ensure the CBD is a whole and not a series of unrelated sections.

## 2.2 Strategies and Policies

- To manage physical change within the city through the promotion, protection, conservation of heritage items and precincts that contribute to the distinctive character, community tradition and special sense of place of the City of Goulburn.
- To create an appreciation and awareness of the extent and diversity of the environmental heritage of the City of Goulburn by identifying buildings, works, items, structures, relics or places which merit conservation by virtue of their particular aesthetic, archaeological, architectural, cultural, ecological, historic, landscape, natural, scientific, emotional, social or traditional significance to the City; and
- To achieve appropriate conservation and enhancement of heritage items and precincts identified in this plan through controls on demolition and alteration and on the form and character of new development in the proximity of such items, and by the discretionary provision of conservation incentives to protect environmental heritage.

While heritage features in the CBD are a dominant theme these are not the only features that contribute to the overall appearance and the design in the City – there is a broader perspective, which is partially implied in the Statement of Strategies and Policies. This broader perspective is reflected in the Vision Statement.

To assist with the “vision” the following broad design ideas have been established:

- Landmarks are identifiable features that serve as reference points or meeting places. These are desirable in Goulburn and may include memorials, fountains, public spaces, corner sites as well as feature buildings.
- The height of buildings should be lower than the Post Office tower to maintain its prominence as the highest building in the CBD.
- The built form (including street surfaces) at street level needs to maintain a human scale particularly in pedestrian locations through building scale and design.

- The buildings should face public spaces for passive surveillance and lighting must be provided to minimise the potential for personal risk.
- There is an emphasis on the retention and reuse of buildings rather than demolition and replacement.
- If existing multi storey buildings are to be replaced the new development should also include multiple storeys to retain the City scale and character.



### 3. GOOD DESIGN APPROACH

#### 3.1 Landmark and Heritage Sites

Landmark Sites are prominent corner sites and/or notable heritage buildings and must:

- Provide a positive contribution to the City's architectural landscape.
- Preserve where possible any identified significant heritage features.
- Provide reference points for users of the CBD.
- The preferred design approach to dealing with landmark sites and their redevelopment is to:

- Ensure that the overall height is lower than the Post Office tower.
- Ensure they “fit in” with the heritage character of the CBD.
- Have human scale building design at street level and in pedestrian locations.
- Have weather protection provided at street level.
- Design buildings to face public spaces for passive surveillance.
- Improve lighting around the site to reduce risk to personal safety.
- Ensure that buildings address the rear of the site (eg secondary building entrance, integration of private car parking area with public spaces/parking areas).
- Outdoor advertising must also be reflective of the design approach

In addition to the above, if the site is a:

#### **Heritage Sites**

- The primary objective is building retention.
- All features of significance (identified in a Heritage Study) should be conserved or reinstated. Any inappropriate alteration should be identified for future removal or removed and the original features reconstructed as well as possible. For buildings on the State Heritage Register or Register of the National Estate reference should be made to the Statement of Significance to ensure that the important elements and features are retained.
- Whenever there is a choice, do whatever will improve the appearance and unity of the street. Particular consideration should be given to:
  - Pitch and form of roof
  - Style, size, portion and position of the openings for windows and doors
  - Compatibility of material with other existing buildings in the locality

#### **Landmark Sites (not listed as a heritage site)**

- New development should be compatible with the existing visual, historical, built and landscape character of the CBD utilising design cues from the surrounding to help create linkages and unity in the streetscape. Important design cues to consider are:
  - Fabric (external materials)
  - Height
  - Common horizontal lines (ridges, gutters, awnings, window heads, etc)
  - Strong vertical lines to exaggerate the building height.
  - Overall size, shape and proportion of neighbouring buildings
  - Architectural features/decoration (including awnings, parapets, cornices, mouldings, openings, recesses, articulation of walls)

- Pitch and form of roof
- Style, size, portion and position of the openings for windows and doors
- Compatibility of material with other existing buildings in the locality
- A building design should make its own architectural statement and not mimic other buildings.
- A building proposal should avoid monotonous facades with little relief or detail
- Landmark Sites require special/additional attention with regard to street presentation. Incorporation of a landmark “feature” is appropriate to create interest and provide the building with a “recognisable” identity. For corner sites this should include or retain a “tower” element.
- Outdoor advertising must also be reflective of the design approach

Landmark and Heritage Sites are identified in the Appendix.



### 3.2 Non Landmark or Non Heritage Sites

Design at these sites must:

- Not dominate adjoining or nearby heritage buildings in the scale and massing of the new development.
- Provide a positive contribution to the City’s architectural landscape.
- Be clearly modern buildings but complement the design of nearby buildings.

The preferred design approach to dealing with the redevelopment of sites not identified as landmarks or heritage sites is to:

- Utilise design cues from the surrounding to help create linkages and unity in the streetscape. Important design cues to consider are:
  - Fabric (external materials)
  - Height
  - Common horizontal lines (ridges, gutters, awnings, window heads, etc)
  - Strong vertical lines to exaggerate the building height.
  - Overall size, shape and proportion of neighbouring buildings
  - Architectural features/decoration (including awnings, parapets, cornices, mouldings, openings, recesses, articulation of walls)
  - Pitch and form of roof
  - Style, size, portion and position of the openings for windows and doors
  - Compatibility of material with other existing buildings in the locality
- Make its own contemporary architectural statement and does not mimic other buildings.
- Avoid monotonous facades with little relief or detail
- Design buildings to face public spaces for passive surveillance.
- Provide weather protection at street level. Reinstatement of verandah and balcony forms is encouraged.
- Improve lighting around the site to reduce risk to personal safety.
- Ensure buildings address the rear of the site (eg secondary building entrance, integration of private car parking area with public spaces/parking areas)
- Retain buildings that, while not heritage listed, contribute to the heritage significance and character of the CBD. “Contributory” buildings from the “Goulburn Heritage Study” (1983), “Goulburn Main Street Study” (1992) and those identified by the Goulburn Heritage Group are included in Appendix.
- Outdoor advertising must also be reflective of the design approach

Guidelines for Infill Development prepared by the NSW Heritage Office are also a useful document to assist with developing design solutions.

### **3.3 Belmore Park**

This park will continue to be maintained and developed as a historic park and as a central meeting place. It also has a role to play as a venue for community events. Maintenance,

management and development within the park will be undertaken in accordance with adopted Plans of Management and Landscape Master Plan.

### 3.4 Urban Landscape Design

The urban landscape design approach for the CBD is based on:

- Formal exotic street tree planting.
- Formal planting areas at mid block crossing points.
- Pavement reconstruction at corners and mid block crossing points in Auburn Street.
- Public art works incorporated into streetscapes.
- Streetscape furniture and detailing to reflect historic streetscapes.



## **APPENDIX – List of Landmark and Heritage Sites within the CBD**

**Note: This list was compiled in 2005. For the up to date list of Heritage Items refer to Schedule 5 of the LEP 2009.**

### **Abbreviations**

RoNE Indicative Register of National Estate (Indicative Listing)

RoNE Registered      Register of National Estate (Registered Listing)

AHC      Australian Heritage Commission

SHR      State Heritage Register

HC      NSW Heritage Council

NT Classified      National Trust Classified

NT Recorded      National Trust Recorded

IAS      Industrial Archaeological Site

RAIA      Royal Australian Architects Institute

### **Notes on Heritage Lists**

There are several lists of Heritage Lists of items and places:

#### **Register of National Estate**

The Register of National Estate is a list of places and items of National heritage significance. This register is compiled by the Federal Government body the Australian Heritage Commission (AHC). The register began in 1976 and has different legal status for listed places. The categories that affect Goulburn are Indicative and Registered.

An indicative status means that:

*"Data provided to or obtained by the Commission has been entered in to the database and the place is at some stage in the assessment process. The Commission has not made a decision on whether the place should be entered in the Register."*

A Registered listing means:

*"The place is in the Register of the National Estate. Although some places may be legally registered because they are within a larger registered area they may not necessarily possess intrinsic significance."*

#### *Legal/Statutory Implications of Register*

The Commonwealth Government is the only body whose actions are constrained as a result of listings in the Register of the National Estate.

Under Section 30 of the Australian Heritage Commission Act 1975, the Commonwealth Government is prohibited from taking any action, which would adversely affect a place in the Register, unless there are no feasible and prudent alternatives to the action.

#### **State Heritage Register**

The State Heritage Register is a list of places and items of State heritage significance endorsed by the NSW Heritage Council and the Minister, which came into effect on 2 April 1999.

The Register, established under the Heritage Amendment Act 1998, replaces the old system of Permanent Conservation Orders as a means of protecting items of State significance, although the process of listing and of monitoring their conservation and protection are essentially the same

#### *Legal/Statutory Implications of Register*

An item or place listed on the SHR is legally protected under the NSW Heritage Act and requires approval from the Heritage Council of NSW and/or Local Council for certain kinds of work. Listing also makes the item or places eligible for financial incentives.

#### **National Trust Register**

The National Trust Register maintained by the National Trust of Australia, which is one of the most comprehensive of the non-statutory registers. It was first established nearly 50 years ago and is a reference for the compilation of statutory registers, particularly local government heritage studies. It has no legal/statutory implications.



There are two categories of listing; classified and recorded.

**Royal Australian Institute of Architects' Register of 20th Century Buildings**

This register is an important resource in assessing the heritage of our own time. It has no legal/statutory implications.

**Art Deco Society Register**

This register lists important buildings from the interwar (1918-39) period. It has no legal/statutory implications.

**Geological Society Register**

This register lists important geological sites.

**Australian Institution of Engineers**

AIE has a list of sites or objects of engineering significance. It has no legal/statutory implications.

**Professional Historians Association (NSW) Register of Historic Places and Objects**

This register lists sites and objects of historical significance. It has no legal/statutory implications.

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Tattersalls Hotel	76 Auburn Street (corner Clinton Street)	Yes	No	No	
Astor Hotel/Motel	Corner Auburn/Clinton Streets	Yes	No	No	
	90-100 Auburn Street	No	No	Yes	
	105-121 Auburn Street	No	No	Yes	
	110-116 Auburn Street	No	No	Yes	
	126-132 Auburn Street	No	No	Yes	

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
	127-131 Auburn Street	No	No	Yes	
	137 Auburn Street	No	No	Yes	
	139-153 Auburn Street	No	No	Yes	
	146-150 Auburn Street	No	No	Yes	
Goulburn Town Hall	163 Auburn Street	Yes	Yes	No	RoNE Registered/NT Classified
	164-166 Auburn Street	No	No	Yes	
Post Office	165 Auburn Street	Yes	Yes	No	RoNE Registered/NT Classified

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Former Mechanics Institute Building	167-173 Auburn Street	Yes	Yes	No	NT Classified
	174-178 Auburn Street			Yes	
Belmore Park	Auburn Street	Yes	Yes	No	RoNE Registered/NT Classified
Site of former Knowlmans' Store	Corner Auburn/Market Streets	Yes	No	No	
Former Young's Department Store	180-186 Auburn Street	Yes	Yes	No	NT Classified/RAIA
Former AMP Building	191 Auburn Street	Yes	Yes	No	RoNE Indicative/RAIA

Building	Site Address	Landmark Site	Complementary Building	Heritage Site	Comments
Hollis Group (commercial buildings)	194-204 Auburn Street	Yes	No	Yes	NT Classified
	197-203 Auburn Street	No	Yes	No	
Former CML Building	207 Auburn Street (Corner Clifford Street)	Yes	No	Yes	NT Classified/HC
	212-214 Auburn Street	No	Yes	No	
	228-232 Auburn Street	No	Yes	No	
	245-247 Auburn Street	No	Yes	No	

Building	Site Address	Landmark Site	Complementary Building	Heritage Site	Comments
	253-257 Auburn Street	No	Yes	No	
Former Goulburn Permanent Building Society	256 Auburn Street (corner Clifford Street)	Yes	No	Yes	RoNE Registered/NT Classified/RAIA
	264-294 Auburn Street	No	Yes	No	
	312 Auburn Street	No	Yes	No	
Commercial Buildings	314-324 Auburn Street	No	No	Yes	NT Recorded
	330-362 Auburn Street	No	Yes	No	
	376 Auburn Street	No	Yes	No	
Commercial	380-386 Auburn	No	No	Yes	NT Recorded

Building	Site Address	Landmark Site	Complementary Building	Heritage Site	Comments
Buildings	Street				
	396-408 Auburn Street	No	Yes	No	

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Railway Gate House	Blackshaw Road	No	Yes	No	NT Recorded
Dwellings	101 Bourke Street	No	Yes	No	NT Recorded
Dwellings	167-171 Bourke Street	No	Yes	No	NT Recorded
Dwellings	175-177 Bourke Street	No	Yes	No	NT Recorded
Dwelling	60 Bradley Street	No	Yes	No	NT Recorded

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Uniting Church	Clifford Street	Yes	Yes	No	NT Recorded
Our Lady of Mercy Convent and Chapel	Clinton Street	Yes	Yes	No	NT Classified
Dwelling	110 Goldsmith Street	No	Yes	No	NT Recorded
Dwellings	62-66 Goldsmith Street	No	Yes	No	NT Recorded
Methodist Church	Goldsmith Street	Yes	Yes	No	NT Recorded
Goulburn Club	Market Street	Yes	Yes	No	NT Classified
Bull and Woodward Archway	Market Street	Yes	Yes	No	RoNE Registered/NT Classified
Business Group	5-19 Montague Street (excluding 13 & 15)	No	Yes	No	NT Classified
Existing Court House	Montague Street	Yes	Yes	No	RoNE Registered/SHR/NT

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
					Classified
Mulwaree Private Hotel	158-160 Sloane Street	Yes	Yes	No	RoNE Registered/NT Classified
Terraces	168-174 Sloane Street	No	Yes	No	RoNE Registered

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Terraces and former shop	176-186 Sloane Street	No	Yes	No	RoNE Registered/NT Classified
Coolavin Hotel	188-190 Sloane Street	Yes	Yes	No	RoNE Registered/NT Classified
Coffee House Palaces	244-248 Sloane Street	No	Yes	No	SHR/NT Recorded
Railway Station and Station Master's House	Sloane Street	Yes	Yes	No	RoNE Registered/SHR/NT Recorded
Old Court House	Sloane Street	Yes	Yes	No	RoNE Registered/NT Classified

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
Police Station (at old Court House)	Sloane Street	Yes	Yes	No	RoNE Registered/NT Classified
Railway Barracks	Sloane Street	No	Yes	No	NT Recorded
Existing Police Station	Sloane Street	Yes	Yes	No	AHC/NT Recorded
Connolly's Old Mill and Swimming Baths	Sloane Street	Yes	Yes	No	HC/NT Recorded/IAS
RJ Sidney Craig Funeral Directors	Sloane Street	No	Yes	No	NT Recorded
Terraces	310-312 Sloane Street	No	Yes	No	NT Recorded

Building	Site Address	Landmark Site	Heritage Site	Complementary Building	Comments
St Claire Museum	318 Sloane Street	Yes	Yes	No	AHC/HC/NT Classified
RC Bishop's Residence and Presbytery	36 Verner Street	Yes	Yes	No	NT Classified/RAIA
St Peter and St Paul Cathedral	Corner Verner and Bourke Streets	Yes	Yes	No	NT Recorded/AHC

