



New South Wales

Lockhart Local Environmental Plan 2004

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q00/00012/PC)

FRANK SARTOR, M.P.,
Minister for Planning

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Part 1 Preliminary

Lockhart Local Environmental Plan 2004

under the

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Part 1 Preliminary

1 Name of plan

This plan is *Lockhart Local Environmental Plan 2004*.

2 Aims and objectives of plan

- (1) The aims of this plan are:
- (a) to encourage the proper management, development and conservation of natural and artificial resources within the local government area of Lockhart by protecting, enhancing or conserving:
 - (i) prime crop and pasture land, and
 - (ii) functioning agriculture, and
 - (iii) timber, mineral, soil, water and other natural resources, and
 - (iv) areas of significance for nature conservation, and
 - (v) areas of high scenic or recreational value, and
 - (vi) places and buildings of archaeological or heritage significance, including aboriginal relics and places, and
 - (b) to replace the existing planning controls with a single local environmental plan to help facilitate growth and development of the local government area of Lockhart in a manner which is consistent with the objectives specified in paragraph (a) and which:
 - (i) minimises the cost to the community of fragmented and isolated development of rural land, and
 - (ii) facilitates the efficient and effective delivery of amenities and services, and
 - (iii) facilitates a range of residential and employment opportunities in accordance with demand, and
 - (iv) facilitates farm adjustments, and

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- (v) ensures the efficiency of arterial roads is not adversely affected by development on adjacent lands, and
 - (c) to provide for a range of development opportunities which contribute to the social, economic and environmental resources of the area in a manner that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development, and
 - (d) to provide for exempt and complying development within the local government area of Lockhart, and
 - (e) to maintain the opportunity for public involvement and participation in the environmental planning and assessment process, and
 - (f) to reduce the incidence of damage to areas subject to flooding by restricting development in the flood plain and in the floodways, and
 - (g) to ensure new development is sympathetic to and does not detract from the distinctive character of the local government area of Lockhart, its streetscapes and landscapes.
- (2) The objectives of this plan in relation to heritage are:
- (a) to conserve the environmental heritage of the local government area of Lockhart, and
 - (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
 - (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and
 - (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items, and
 - (e) to ensure that the heritage conservation areas throughout the area of Lockhart retain their heritage significance.

3 Land to which plan applies

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

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4 Relationship to other environmental planning instruments

- (1) This plan repeals *Lockhart Local Environmental Plan 1995* and such other local environmental plans and deemed environmental planning instruments as, immediately before the appointed day, applied to the land to which this plan applies.
- (2) This plan does not affect the provisions of *Riverina Regional Environmental Plan Number 1* as they apply to the local government area of Lockhart.

5 Definitions

- (1) In this plan:

alter, in relation to a heritage item or to a building or work within a heritage conservation area, means to:

- (a) make structural changes to the outside of the heritage item, building or work, or
- (b) make a non-structural changes to the details, fabric, finish or appearance of the outside of the heritage item, building or work, not including changes involved in the maintenance of the existing detail, fabric, finish or appearance of the outside of the heritage item, building or work.

appointed day means the day on which this plan takes effect.

animal boarding or training establishment means a building or place used for the commercial boarding, breeding, keeping or training of animals, and includes riding schools and veterinary clinics.

archaeological site means the site of one or more relics.

arterial road means an existing road indicated on the map by heavy broken black lines.

artificial waterbody means a constructed waterway, including a constructed channel, dam or lake, but does not include dry retention basins or evaporation ponds.

caravan park means land used as sites for movable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation, and includes any kiosk or other similar facility situated on the land.

conservation management plan means:

- (a) a plan prepared by the owner of a building, work or relic that makes recommendations for how the building, work or relic may be conserved, or
- (b) a plan approved by the Heritage Council that makes recommendations for how a building, work or relic may be conserved.

contamination of land means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Council means the Lockhart Shire Council.

dam means all works associated with creating an artificial waterbody (including a stormwater retention basin), and includes filling and an excavation involved in the permanent or temporary storage of water on land which alters the shape, natural form or drainage of land.

demolition, in relation to a building or work, includes the damaging, defacing, destruction, pulling down or removal of that building or work, in whole or in part.

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

ecologically sustainable development has the same meaning as in section 6 (2) of the *Protection of the Environment Administration Act 1991*.

existing holding means:

- (a) except as provided by paragraph (b)—the area of a lot, portion or parcel of land as it was at 30 June 1990, or
- (b) where, as at 30 June 1990, a person owned 2 or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were as at 30 June 1990.

flood liable land means land shown as Flood Prone Area on the map.

floor space ratio means the ratio of the total gross floor area of buildings on a site to the site area.

hazardous industry has the same meaning as in *State Environmental Planning Policy No 33—Hazardous and Offensive Development*.

heritage conservation area means land identified as a Heritage Conservation Area on the map.

heritage item means a building, work, relic or place:

- (a) situated on land shown in a distinctive manner on the map to indicate it is or is the site of a heritage item, and
- (b) described in Schedule 1.

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

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housing for older people or people with disabilities means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with a disability, and which may consist of a residential care facility, a hostel or a grouping of two or more self-contained dwellings, or a combination of these, but does not include a hospital.

integrated development has the meaning given by section 91 of the *Environmental Planning and Assessment Act 1979*.

integrated housing means development that consists of:

- (a) the subdivision of land into five or more lots, and
- (b) the erection of a single dwelling-house on each of the lots created by that subdivision.

intensive agriculture means:

- (a) the use of a site predominantly for the cultivation by irrigation of fruit, vegetable crops, flower crops, or like crops which rely on irrigation, or
- (b) the commercial keeping or breeding (or both) of livestock which are substantially dependent upon feed being imported to the property.

intensive livestock keeping means a building or place in which or on which cattle, sheep, goats, poultry or other livestock are held for the purposes of nurturing by a feeding method other than natural grazing and, without limiting the generality of the foregoing, includes:

- (a) feed lots, and
- (b) piggeries, and
- (c) poultry farms, and
- (d) fish farms (including sites used for farming crustaceans and oysters), and
- (e) worm farms,

but does not include an animal boarding or training establishment or a building or place used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the land.

land capability means the ability of land to accept a type and intensity of use permanently or for specified periods under specific management without permanent damage, such as loss of productive capacity or degradation. For example, land may be capable of crop production, grazing or supporting woodland.

land degradation means any decline in the quality of natural land resources caused through improper use of the land by humans and includes a decline in soil fertility, organic matter or structure, adverse changes in salinity, acidity or alkalinity and being affected by toxic chemicals or excessive flooding, the adverse effects of erosion, sedimentation, overgrazing, excess cultivation, overclearing of vegetation, non-rehabilitated extractive industries or increases in noxious plants or animals.

landholder rights has the same meaning given by the *Water Management Act 2000*.

maintenance means the continuous protective care of the fabric of a heritage item and its setting.

offensive industry has the same meaning as in *State Environmental Planning Policy No 33—Hazardous and Offensive Development*.

plantation forest means private forestry involving the establishment of plantations of more than five hectares in area in respect of any one property.

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

property development plan means a written plan that has been prepared by an appropriately qualified consultant, or has been certified to the satisfaction of the Council, and that provides details of such of the following as are relevant to the development proposed by the development application concerned:

(a) **Infrastructure**

- (i) specialised machinery to be used in the proposed agricultural use,
- (ii) specialised handling, processing and storage facilities for the proposed agricultural use,
- (iii) specialised internal fencing suitable for the proposed agricultural use,
- (iv) the adequacy of road access within the lot for the proposed agricultural use,
- (v) the adequacy of the supply of electricity to the site area and the arrangements for its distribution for the proposed agricultural use and for its connection to any proposed dwelling-house,

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- (vi) the location intended for any proposed dwelling-house,
- (b) **Economic function**
 - (i) the current and proposed agricultural use of the lot,
 - (ii) budgets relating to the profit and loss of the proposed agricultural use,
 - (iii) the impact on and from adjoining land uses,
- (c) **Water**
 - (i) the water allocation that has been obtained and how it is appropriate for the proposed agricultural use,
 - (ii) the irrigation system and its likely impact on waterways and aquifers,
 - (iii) drainage works to contain run-off of effluent or chemical residues, or any other substance or material stored or generated on site that is likely to result in the contamination of surface or groundwater,
 - (iv) the impact localised flooding has on the land,
- (d) **Aquifer**
 - (i) the location of any aquifer, dam, river, creek or other water source situated under or on, or passing through, the site area,
 - (ii) the potential impact of the proposed agricultural use on any aquifer, including its impact on ground water levels and water quality,
- (e) **Soils**
 - (i) a soil survey identifying the soil capability of the lot, likely contamination, affected salinity (both on and off-site), and the soil management practices appropriate for the proposed agricultural use, including soil erosion control measures,
 - (ii) the risk of soil erosion and its likely impact upon ground water and surface water quality,
- (f) **Vegetation**
 - (i) the impact vegetation clearance may have on the existing habitat of native fauna,
 - (ii) the risk of bushfire and proposed mitigation measures,
 - (iii) whether the removal of native vegetation will result in irreparable damage to the vegetation system in the locality.

recreation area means:

- (a) a children's playground, or

- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
 - (i) a public authority, or
 - (ii) a body of persons associated for the purposes of the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

relic means any deposit, object or material evidence (terrestrial or underwater) relating to the use or settlement of the local government area of Lockhart which is 50 or more years old.

the map means the 3 sheets of the map marked “Lockhart Local Environmental Plan 2004”, as amended by the maps (or specified sheets of maps) marked as follows:

tree includes a sapling or a shrub.

- (2) In this plan:
 - (a) a reference to the destruction of a tree is a reference to the ringbarking, cutting down, felling, poisoning, topping, lopping, removing or otherwise destroying or injuring of a tree.
 - (b) a reference to a map is a reference to a map deposited in the office of the Council, and
 - (c) a reference to a building or place used for a purpose includes a reference to a building or a place intended to be used for the purpose, and
 - (d) a reference to land within a zone is a reference to land shown on the map as being within the zone in the manner indicated by clause 11.

6 Adoption of Model Provisions

The *Environmental Planning and Assessment Model Provisions 1980* are adopted for the purposes of this plan, except for:

- (a) the definition of **map** (and of any other terms defined in this plan) in clause 4 (1), and
- (b) clauses 7, 8, 15, 16, 19–23.

7 Consent authority

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

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8 Designated development

Despite any other provision of this plan (except clause 10, which allows certain government development without consent) development that is listed as designated development in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000* may be carried out only with development consent.

9 Exempt development and complying development

- (1) Development of minimal environmental impact listed in Schedule 1 to *Development Control Plan No 1* as adopted by the Council on 15 November 1999 is **exempt development**.
- (2) Development listed in Schedule 2 to *Development Control Plan No 1* adopted by the Council on 15 November 1999 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Development Control Plan No 1* as adopted by the Council on 15 November 1999.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Development Control Plan No 1* as adopted by the Council as in force when the certificate is issued.

10 Government development

Nothing in this plan restricts or prohibits, or enables the consent authority to restrict or prohibit, the following:

- (a) the carrying out of development of any description specified in Schedule 2,
- (b) the use of existing buildings of the Crown by the Crown.

Part 2 Zones

11 Zones indicated on the map

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

Zone No 1 (a) (the Agriculture Zone)—edged heavy black and lettered “1 (a)”

Zone No 1 (c) (the Rural Small Holdings Zone)—edged heavy black and lettered “1 (c)”

Zone No 1 (f) (the Forestry Zone)—edged heavy black and lettered “1 (f)”

Zone No 2 (t) (the Township Zone)—edged heavy black and lettered “t”

Zone No 8 (the National Parks and Nature Reserves Zone)—edged heavy black and lettered “8”

12 Zone objectives and development control table

- (1) The objectives of a zone are set out in the Table to this clause under the heading “**Objectives of zone**” appearing in the matter relating to the zone.
- (2) Except as otherwise provided by this plan, in relation to land within a zone specified in the Table to this clause, the development (if any) that:
 - (a) may be carried out without development consent, and
 - (b) may be carried out only with development consent, and
 - (c) is prohibited,
 is specified under the headings “**Without development consent**”, “**Only with development consent**” and “**Prohibited**”, respectively, appearing in the matter relating to the zone.
- (3) Except as otherwise provided by this plan, consent must not be granted to the carrying out of development on land to which this plan applies unless the consent authority is of the opinion that the carrying out of the development is consistent with giving effect to the objectives of the zone within which the development is proposed to be carried out.

Table

Zone No 1 (a) (Agriculture Zone)

1 Objectives of zone

The objectives of the Agriculture Zone are as follows:

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Part 2 Zones

- (a) to ensure the primary role of land within the zone is for carefully managed agricultural pursuits (including agroforestry) and that land within the zone is protected and is not used as an alternative location for residential accommodation,
- (b) to enhance the economic value of land within the zone for agriculture by promoting consolidation and enlargement of holdings,
- (c) to protect that land from inefficiencies posed by excessive and non-productive improvements, reduction in holding size, and conflict between land uses,
- (d) to ensure the use of sustainable natural resource management principles and promote the protection, enhancement and conservation of areas of significance for nature conservation, habitat of threatened species populations and communities and areas of native vegetation,
- (e) to permit agriculturally-based land uses and other rural uses that complement the primary role of the zone,
- (f) to permit rural industries which do not have a significant adverse impact on existing or potential agricultural production on adjoining land,
- (g) to ensure mineral resources are not sterilised by competing land uses,
- (h) to encourage the development of intensive commercial agriculture enterprises which meet sustainable natural resource management principles,
- (i) to protect intensive agriculture enterprises from operational restraints caused by land use conflicts, especially those arising from pressure to maintain a level of amenity more appropriate in a residential or hobby farming area,
- (j) to ensure the use of the following catchment management principles to promote and protect ecological integrity and productivity of agricultural landscapes:
 - (i) use of the natural environment should be ecologically sustainable in the longer term,
 - (ii) the likely anticipated effect on communities, immediately adjacent to the proposed activity and potentially affected by the proposed activity must be considered, when evaluating proposals for land use,

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- (iii) use of the natural environment must recognise and attempt to discharge two duties:
 - (A) duty of care—to ensure that the actions one takes or proposes to take do not diminish, without their agreement, the rights of others to enjoy to an equal extent the environment and its potential, and
 - (B) duty of stewardship—to use the environment so that future generations have the opportunity to use and enjoy the environment and its benefits to at least the same extent as the present,
 - (iv) use of the natural environment should protect biodiversity,
 - (v) any use of the natural environment should involve the implementation of strategies that stabilise current problems and aim to repair degradation,
 - (vi) any use of the natural environment should ensure that the expected economic and social benefit of using a natural resource clearly exceeds the grossed up cost of using that resource,
 - (vii) any use of the natural environment should ensure that the proposed use does not utilise natural systems in ways that exceed the capacity of those systems to sustain that use without degradation occurring.

2 Without development consent

Development for the purpose of:

agriculture (other than dwellings and intensive livestock keeping); forestry (other than ancillary dwellings).

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of:

integrated housing; motor showrooms; residential flat buildings; shops (other than general stores, wineries or craft shops).

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Part 2 Zones

Zone No 1 (c) (Rural Small Holdings Zone)

1 Objectives of zone

The objectives of the Rural Small Holdings Zone are as follows:

- (a) to promote development of land identified as suitable for rural residential or hobby farm development in close proximity to urban areas,
- (b) to protect the rural amenity and character of the area and water quality (ground and surface),
- (c) to minimise conflict with agricultural use,
- (d) to protect the ecological integrity of rural landscapes.

2 Without development consent

Development for the purpose of:

agriculture (other than dwellings and intensive livestock keeping).

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of:

caravan parks; hotels; industries (other than rural, light or home industries); integrated housing; motels; motor showrooms; residential flat buildings; shops (other than general stores).

Zone No 1 (f) (Forestry Zone)

1 Objectives of zone

The objectives of the Forestry Zone are as follows:

- (a) to recognise and define the boundaries of existing State forests, and
- (b) to permit the continued use of State forests for forestry purposes and other uses authorised by the *Forestry Act 1916*.

2 Without development consent

Any development authorised by or under the *Forestry Act 1916*, and any development ordinarily incidental or ancillary to such

development (including roads constructed by or on behalf of the Forestry Commission).

3 Only with development consent

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

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 2 (t) (Township Zone)

1 Objectives of zone

The objectives of the Township zone are as follows:

- (a) to promote development in existing towns and villages in a manner which is compatible with their urban function,
- (b) to enable a range of housing forms and complementary and business uses taking into account the distinct character of each urban area.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of:
extractive industries; hazardous industries; intensive livestock keeping; mines; offensive industries.

Zone No 8 (National Parks and Nature Reserves Zone)

1 Objectives of zone

The objectives of the National Parks and Nature Reserves Zone are as follows:

- (a) to identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*,

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Part 2 Zones

- (b) to allow for the management and appropriate use of that land as provided for by or under the *National Parks and Wildlife Act 1974*.

2 Without development consent

Any development authorised by or under the *National Parks and Wildlife Act 1974* and any land use incidental or ancillary to such development.

3 Only with development consent

Nil.

4 Prohibited

Any development not included in Item 2.

Part 3 Special provisions

13 General considerations for development within rural zones

- (1) Consent must not be granted to development on land within Zones Nos 1 (a) and 1 (c) unless the consent authority has made an assessment of the effect of the carrying out of that development on such of the following as are relevant:
 - (a) the present and potential use of the land for the purposes of agriculture,
 - (b) vegetation, timber production, land capability (including soil resources and soil stability), water resources (including the quality and stability of water courses and ground water storage and basic landholder rights),
 - (c) the future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials,
 - (d) the protection of areas of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including aboriginal relics and places,
 - (e) the cost of providing, extending and maintaining public amenities and services to the site of the development, and
 - (f) future expansion of settlements in the vicinity,and the Council is satisfied that the development will not have an adverse effect on the long-term use for sustained agricultural production of any prime crop and pasture land, and the long-term sustainable use of the land.
- (2) In assessing the effect referred to in subclause (1), the Council must have regard not only to the land the subject of the application but also to other land in the vicinity.

14 Subdivision of land generally

- (1) A person must not subdivide land to which this plan applies except with development consent.
- (2) Consent must not be granted to a subdivision of land within Zone No 1 (a) or 1 (c) unless the consent authority has obtained all relevant information in relation to, and made an assessment of:
 - (a) the primary purpose for which each lot to be created by the subdivision is intended to be used, and
 - (b) whether any lot to be created by the subdivision is intended to be used primarily for the purpose of agriculture, and

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Part 3 Special provisions

- (c) whether a dwelling-house is intended to be erected on any lot to be created by the subdivision and the approximate location of any such dwelling-house, and
- (d) whether any proposed lot contains an existing dwelling-house and the location of any such dwelling-house.

15 Subdivision for the purposes of agriculture in Zone No 1 (a)

Consent may be granted to the creation of a lot of any area in Zone No 1 (a) if the consent authority is satisfied that the lot will be used for the purposes of agriculture.

16 Subdivision for the purpose of intensive agriculture or intensive livestock keeping

- (1) This clause applies to land within Zone No 1 (a).
- (2) Consent must not be granted to a subdivision of land if any lot to be created is to be used primarily for the purpose of intensive agriculture or intensive livestock agriculture unless:
 - (a) each lot to be created has an area of 20 hectares or more, and
 - (b) the consent authority is satisfied by written evidence that:
 - (i) each lot to be created is capable of sustaining a range of intensive agricultural pursuits and that it will be used for that, and
 - (ii) an adequate water supply is available to service a range of pursuits which will be carried out on each lot.

17 Dwellings on land used for intensive agriculture

- (1) A dwelling may be erected on land used or intended to be used primarily for intensive agriculture but only with consent and only if it is a dwelling-house.
- (2) Such a consent must not be granted to the erection of a dwelling-house on a lot of land unless the consent authority is satisfied that:
 - (a) the lot is being, or is intended to be, used for the purpose of sustainable intensive agriculture consistent with a property development plan, and
 - (b) use of the dwelling-house will be ancillary to the use of the lot for that purpose, and
 - (c) the dwelling-house will be occupied by persons employed or engaged in that intensive agriculture on the lot, and
 - (d) the dwelling-house will be the only dwelling on the lot, and

- (e) the dwelling-house will be erected within a building envelope approved by the Council and in a location that:
 - (i) has been approved by the Council for the disposal of household effluent and has appropriate capability for soil conservation and vegetation conservation, and
 - (ii) has a reasonable access to a road and to a power supply, and
 - (iii) will minimise adverse effects on the efficient use of the lot and adjoining lots, and
 - (iv) has a setback to a public road of a least 20 metres, and
- (f) an irrigation system is in place for use in the intensive agriculture proposed to be carried out on the land, or
- (g) such of the following as are appropriate for the proposed development have already been or will be provided in conformity with a property development plan for the lot:
 - (i) specialised machinery suitable for the proposed agricultural use,
 - (ii) specialised handling, processing and storage facilities available for the proposed agricultural use,
 - (iii) specialised internal fencing on the lot suitable for the proposed agricultural use,
 - (iv) adequate road access to and within the lot, taking into account its use for intensive agriculture and for the proposed dwelling-house,
 - (v) an adequate electrical distribution system providing electricity for the proposed agricultural use.

18 Subdivision for other purposes in Zone No 1 (a)

- (1) Consent must not be granted to a subdivision of land within Zone No 1 (a) if the consent authority is satisfied that any lot to be created by the subdivision is to be used primarily otherwise than for the purpose of agriculture or a dwelling-house, unless in the opinion of the consent authority:
 - (a) the lot will not comprise prime crop and pasture land, and
 - (b) the area of each lot to be created by the subdivision is appropriate, having regard to the purpose for which it is being created.
- (2) Nothing in subclause (1) prevents consent being granted to a subdivision of land to create a lot the consent authority is satisfied will be used primarily otherwise than for the purpose of agriculture or a dwelling-house if the consent authority is satisfied that:

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Part 3 Special provisions

- (a) the purpose for which the lot is to be used involves the supply of goods or services for which there is a demand in the locality, and
- (b) no other land in the locality could reasonable be used for that purpose, and
- (c) the level of demand for the goods or services that are to be supplied from the lot and the extent to which that lot is proposed to be used to meet that demand justify the creation of the lot despite its agricultural value.

19 Subdivision for the purposes of dwellings in Zone No 1 (c)

Consent may be granted to a subdivision of land within Zone No 1 (c) if the consent authority is satisfied that each proposed lot to be used for the purpose of a dwelling will be:

- (a) connected to the sewer or suitable for on-site disposal of effluent arising from the use of that land, and
- (b) provided with a permanent water supply adequate for domestic and fire fighting purposes, and
- (c) provided with adequate drainage, and
- (d) accessed by a sealed road from the nearest town, and
- (e) capable of providing at least a 150 metre buffer to land used for agriculture, and
- (f) provide a variety of lot sizes generally unavailable within Zone No 2 (t), and
- (g) at least 2 hectares but not more than 10 hectares in area, and
- (h) a suitable shape for the construction of a dwelling, and the average of the areas of all such lots is 2 hectares or more.

20 Dwelling-houses within Zone No 1 (c)

All dwellings within Zone No 1 (c) must be provided with a permanent water supply for household, fire fighting and garden purposes and be either connected to the town sewer system or be provided with a tertiary treatment system approved by the Council.

21 Subdivision of land in Zone No 2 (t)

- (1) Consent is not to be granted to a subdivision of land within Zone No 2 (t) to create a lot that the consent authority is satisfied will be used for the purpose of a dwelling-house unless the lot has an area of 450 square metres or more (in the case of parts of the local government area of Lockhart serviced by sewer) and 2,000 square metres or more (in the case of parts of the local government area of Lockhart not serviced by the sewer).

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- (2) The shape and frontage of the lot is to be to the satisfaction of consent authority, having regard to its use as a dwelling site.
 - (3) Before granting consent to a subdivision for dwelling purposes in Zone No 2 (t) the consent authority must have regard to:
 - (a) the nature and topography of the land to be subdivided in relation to the density of the lots proposed to be created,
 - (b) the desirability of providing a range and mixture of lot sizes,
 - (c) whether the design of each lot to be created by the subdivision is satisfactory for the economic provision of services, and
 - (d) the impact of the subdivision on the future development of the township.

22 Dwelling-houses in Zones Nos 1 (a) and 1 (c)

- (1) Consent is not to be granted to a dwelling-house on vacant land within Zone No 1 (a) or 1 (c) unless:
 - (a) the land has an area of 650 hectares or more, in the case of land within Zone No 1 (a), or 2 hectares or more, in the case of land within Zone No 1 (c), or
 - (b) the land comprises:
 - (i) a lot created in accordance with this plan otherwise than for the purpose of agriculture, or
 - (ii) a lot created for the purpose of a dwelling-house in accordance with a consent granted before the appointed day.
- (2) Consent may be granted to the erection of a dwelling-house on land within Zone No 1 (a) where the consent authority is satisfied that:
 - (a) use of the dwelling-house will be ancillary to the primary use of the land which is otherwise than for the purpose of agriculture, and
 - (b) the primary use of the land could not reasonably be carried out on the land without the erection of that dwelling-house.

23 Development along arterial roads

- (1) Consent must not be granted to development on land which has frontage to an arterial road unless, in the opinion of the consent authority:
 - (a) access to that land is provided by a road other than the arterial road, wherever practicable, and
 - (b) the safety and efficiency of the arterial road will not be adversely affected by:
 - (i) the design of the access to the proposed development, or

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Part 3 Special provisions

- (ii) the emission of smoke or dust from the proposed development, or
 - (iii) the nature, volume or frequency of vehicles using the arterial road to gain access to the proposed development.
- (2) Consent must not be granted to any development listed in Schedule 3 on land within Zone No 1 (a) or 1 (c) if the development will have direct vehicular access to:
 - (a) an arterial road, or
 - (b) a road connecting an arterial road if access to the land is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the arterial road.

24 Flood liable land

- (1) A person must not erect a building or carry out a work for any purpose on flood liable land except with development consent.
- (2) Consent must not be granted to the erection of a building or the carrying out of a work on flood liable land if, in the opinion of the consent authority, the carrying out of the development is likely:
 - (a) to impede the flow of flood waters on that land or adjacent land, or
 - (b) to imperil the safety of persons on that land or adjacent land in the event of the land being inundated with flood water, or
 - (c) to aggravate the consequences of flood waters flowing on that land or adjacent land with regard to erosion, siltation or the destruction of vegetation, or
 - (d) to have an adverse effect on the water table of that land or adjacent land.

25 Land forming

- (1) A person must not carry out land forming which affects the flow of water across property boundaries or risks land degradation, without development consent.
- (2) Consent must not be granted for land forming, unless the consent authority has made an assessment of:
 - (a) the flood liability of the land, and
 - (b) the likely effect of flooding, on adjoining land and other land in the locality, as a result of the proposed land forming or use of the land, and
 - (c) the risk of soil erosion or other degradation, and

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- (d) any likely loss of significant vegetation systems or native wildlife habitats, and
 - (e) any need to allow for suitable water distribution to and from flood dependent environments.

26 Storm water drainage

- (1) A person must not carry out a work that will result in the disposal of stormwater into any stream except with development consent.
- (2) Consent may be granted to a work that will result in the disposal of stormwater into a river or stream only if the water will be subjected to measures, satisfactory to the consent authority, designed to reduce litter, suspended solids, nutrients and other substances that might adversely affect the river or stream.

27 Bushfire hazard

Nothing in this plan affects any requirement made by or under the *Rural Fires Act 1997*.

28 Access

A person (other than the Council) must not construct a road which has access to an existing public road except with development consent.

29 Applications that must be advertised

Development specified in Schedule 4 is advertised development for the purposes of the Act.

30 Consultation with Department of Environment and Conservation

- (1) Consent must not be granted to the development of land that adjoins land in Zone No 8 unless a copy of the development application has been referred to the Director-General of the Department of Environment and Conservation.
- (2) Where a copy of an application for consent has been forwarded to the Director-General of the Department of Environment and Conservation pursuant to subclause (1), the consent must not be granted until:
 - (a) the consent authority has received and considered advice with respect to the application from that Director-General, or
 - (b) the consent authority has been notified that that Director-General does not wish to submit any advice with respect to the application, or
 - (c) 28 working days have elapsed after the date on which the application was referred to that Director-General.

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31 Heritage items

- (1) A person must not, in respect of a building, work, relic or place that is a heritage item:
 - (a) demolish or alter that building or work, or
 - (b) damage or despoil that relic or place, or any part of that relic or place, or
 - (c) excavate any land for the purpose of exposing or removing that relic, or
 - (d) erect a building on the land on which that building, work or relic is situated or the land which comprises that place, or
 - (e) subdivide the land on which that building, work or relic is situated or the land which comprises that place, or
 - (f) damage any tree on land which forms part of the curtilage of the building, work or relic or is situated on land which comprises that place,except with development consent.
- (2) A consent required by subclause (1) must not be granted unless the consent authority has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the item and any of its stylistic or horticultural features and its setting.

32 Development in the vicinity of heritage items

Consent must not be granted to development in the vicinity of a heritage item unless the consent authority has made an assessment of the affect which the carrying out of that development will have on the heritage significance of the item and its setting.

33 Heritage conservation area

- (1) A person must not, in respect of a heritage conservation area:
 - (a) demolish, extend or change the outside of a building or work within that area, including make any change to the outside of the building or work that involve the repair of the painting, plastering or other decoration to the outside of the building or work, or
 - (b) damage or despoil a relic or part of a relic within that area, or
 - (c) excavate any land for the purpose of exposing or removing a relic within that area, or
 - (d) erect a building within that area, or
 - (e) subdivide any land within that area,except with development consent.

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- (2) A consent required by subclause (1) must not be granted unless the consent authority has made an assessment of:
- (a) the extent to which the carrying out of the development in accordance with the consent would affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the heritage conservation area, and
 - (b) whether a refusal to grant consent would result in a danger to the users or occupiers of land or the public.
- (3) A consent required by subclause (1), being consent to the erection of a new building or to the alteration of the exterior of an existing building, must not be granted unless the consent authority has made an assessment of:
- (a) the pitch and form of the roof, and
 - (b) the style, size, proportion and position of the openings for windows and doors, and
 - (c) whether the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building are compatible with the materials used in the existing buildings in the heritage conservation area, and
 - (d) any other architectural feature characteristic of other existing buildings in the heritage conservation area.

34 Advertising of heritage applications

- (1) The following development is advertised development for the purposes of the Act:
- (a) the demolition of a building or work that is a heritage item,
 - (b) the demolition of a building or work within a heritage conservation area,
 - (c) development allowed to be carried out by clause 35 (Conservation incentives relating to heritage items).
- (2) Consent to the demolition of a heritage item that is shown in Schedule 1 to be of State significance must not be granted unless the consent authority:
- (a) has notified the Heritage Council of its intention to grant the consent, and
 - (b) has taken into account any written response received by it from the Heritage Council within 28 days of the date of notification.
- (3) Subclause (1) does not apply to the partial demolition of a building or work where, in the opinion of the Council, the partial demolition is of a minor nature and does not adversely affect the heritage significance of

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Clause 35 Lockhart Local Environmental Plan 2004

Part 3 Special provisions

the building or work as part of the environmental heritage of the local government area of Lockhart.

35 Conservation incentives relating to heritage items

- (1) Nothing in this plan prevents the Council from granting consent to:
 - (a) the use for any purpose of a building that is a heritage item or of the land on which any such building is erected, or
 - (b) the use for any purpose of a building of heritage significance within a heritage conservation area or of the land on which any such building is erected,if the consent authority is satisfied that:
 - (c) the use would have little or no adverse effect on the amenity of the locality, and
 - (d) conservation of the building depends on consent being granted in pursuance of this subclause.
- (2) Before granting consent to the erection of a building on land on which there is a building which is a heritage item, the consent authority may exclude from its calculation of the floor space of the buildings erected on the land the floor space of the heritage item:
 - (a) for the purpose of determining the floor space ratio, and
 - (b) for the purpose of determining the number of parking spaces to be provided on the site,but only if it is satisfied that the conservation of the building depends upon the exclusion.

36 Dual occupancy

Consent may be granted to the erection of one, but only one, additional dwelling-house on land within Zone No 1 (c) or 2 (t) (or to the alteration of an existing dwelling-house to create two dwellings on any such land) where:

- (a) no additional access to a public road will be required from the land because of the additional dwelling, and
- (b) separate ownership of the land on which the additional dwelling is located would require consent for a subdivision, and
- (c) in the opinion of the consent authority, the dwelling to be erected or created on the land will not interfere with the primary purpose for which the land is being lawfully used, and
- (d) the consent authority has considered an assessment of the additional demand on surface or ground water non-potable water supply.

37 Integrated housing development within Zone No 2 (t)

- (1) Integrated housing may, with development consent, be carried out on a lot of land within Zone No 2 (t).
- (2) Consent must not be granted consent for integrated housing on a lot of land within Zone No 2 (t) unless the consent authority is satisfied that:
 - (a) each lot on which it is proposed to carry out that development has an area of 232 square metres or more, and
 - (b) the development makes adequate provision with respect to the privacy of each proposed dwelling-house and any existing dwellings in the vicinity, and
 - (c) the development makes adequate provision with respect to access to natural light for each proposed dwelling-house, and
 - (d) the floor space ratio of the buildings will not exceed 0.5 to 1, and
 - (e) adequate arrangements will be made for the provision of water and sewerage and drainage services, for each proposed dwelling-house, and
 - (f) the design of the dwelling-houses facilitates solar access to the proposed dwellings, and
 - (g) the accumulated residential density in the immediate vicinity of the proposed development is acceptable.

38 Development on travelling stock routes

- (1) The consent authority must, before granting consent to carry out development on land that is part of a travelling stock reserve, within the meaning of the *Rural Lands Protection Act 1989*, refer a copy of the application to the Rural Lands Protection Board established under that Act for the district in which the land is located.
- (2) The consent authority must not grant a consent referred to in subclause (1) unless:
 - (a) it has received a written representation in respect of the application from the Rural Lands Protection Board and has taken that representation into consideration, or
 - (b) the Board has notified the consent authority in writing that the Board does not wish to make a representation in respect of the application, or
 - (c) 21 days have elapsed after the day on which the copy of the application was referred to the Board.

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Clause 39 Lockhart Local Environmental Plan 2004

Part 3 Special provisions

39 Forestry

- (1) This clause applies to land within a State forest, timber reserve or other Crown-timber lands within the meaning of the *Forestry Act 1916*.
- (2) Development may be carried out on land to which this clause applies without development consent:
 - (a) by the Forestry Commission, if the development is authorised by or under the *Forestry Act 1916*, or
 - (b) by any person, if the development is authorised by a licence or any other authority granted or issued under that Act by the Forestry Commission.

40 Classification and reclassification of public land as operational land

- (1) This clause aims to identify land vested in or under the control of the Council that should be kept for use by the general public (community land) and other land which need not be retained for use by the general public (operational land).
- (2) The land specified in Part 1 of Schedule 5 was classified or reclassified as community land for the purposes of the *Local Government Act 1993* before the commencement of this plan.
- (3) The land specified in Part 2 of Schedule 5 was classified or reclassified as operational land for the purposes of the *Local Government Act 1993* before the commencement of this plan.

Schedule 1 Heritage items

(Clause 5 (1))

Galore Hill Nature Reserve, Lockhart, Reserve No 86660 for Public Recreation

The Rock Nature Reserve, Nature Reserve No 24

Brookong Cemetery, Part Portion 5, Parish of Brookong

Ashcroft Cemetery, Plan within the Dealing No A687550

Lutheran Church and Cemetery, Milbrulong, Part Portion 70, Parish of Lockhart

Old Urangeline Woolshed, Portion 198, Parish of Urangeline, DP 528687

Grandstand and Public Bar, Lockhart Showground

Lutheran Church and Cemetery, Pleasant Hills

Mittagong Church, Portion 109, Parish of Mundawaddery

Catholic Church, Yerong Creek

The Rock Railway Station Building and Yard Group, as recorded under the *Heritage Act 1977* in the State Heritage Register (item of State significance)

Chinese Crossing, Noske Lane, Yerong Creek

The Pleasant Hills Community Hotel

St Marys Catholic Church, Lockhart

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Schedule 2 Development that does not require consent

Schedule 2 Development that does not require consent

(Clause 10 (a))

Development by public authorities

- 1 The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:
 - (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
 - (b) the erection within the limits of a railway station of buildings for any purpose,but excluding:
 - (c) the construction of new railways, railway stations and bridges over roads, and
 - (d) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration so as materially to affect the design thereof of railway stations or bridges, and
 - (e) the formation or alteration of any means of access to a road, and
 - (f) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.

- 2 The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings, that is to say:
 - (a) development of any description at or below the surface of the ground,
 - (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,
 - (c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected, including the installation in an electrical transmission line of

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- substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
- (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
 - (e) the erection of service reservoirs on land acquired or in process of being acquired for the purposes thereof before the appointed day, provided reasonable notice of the proposed erection is given to the council,
 - (f) any other development except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect the design or external appearance thereof, of buildings, or
 - (ii) the formation or alteration of any means of access to a road.
- 3** The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
- 4** The carrying out by persons carrying on public utility undertakings, being wharf or river undertakings, on land comprised in their undertakings, of any development required for the purposes of shipping or in connection with the embarking, loading, discharging or transport of passengers, livestock or goods at a wharf or the movement of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant for those purposes, except:
- (a) the construction of bridges, the erection of any other buildings, and the reconstruction or alteration of bridges or of buildings so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
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Schedule 2 Development that does not require consent

- 5** The carrying out by persons carrying on public utility undertakings, being air transport undertakings, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, including the construction, reconstruction, alterations, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
- 6** The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
- 7** The carrying out by the owner or lessee of a mine (other than a mineral sands mine), on the mine, of any development required for the purposes of a mine, except:
- (a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or extension of buildings, so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
- 8** The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.
- 9** The carrying out of any forestry work by the Forestry Commission or school forest trust empowered under relevant Acts to undertake afforestation, roading, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.

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- 10** The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or purposes thereof,
 - (b) any development designed to change the use or purpose of any such reserve.
- 11** The carrying out or causing to be carried out by a council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Act 1912*, the *Soil Conservation Act 1938*, the *Farm Water Supplies Act 1946*, the *Rivers and Foreshores Improvement Act 1948* or the *Water Management Act 2000*, except:
- (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof,
 - (b) the formation or alteration of any means of access to a road.

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Schedule 3 Restricted development fronting arterial roads

Schedule 3 Restricted development fronting arterial roads

(Clause 23 (2))

Development for the purpose of:

bulk stores
car repair stations
caravan parks
clubs
commercial premises
education establishments
hospitals
hotels
industries (other than home or rural industries)
institutions
junk yards
liquid fuel depots
mines
motels
places of public assembly
places of public worship
recreation establishments
recreation facilities
refreshment rooms
retail plant nurseries
roadside stalls
saw mills
service stations
stock and sales yards
transport terminals
warehouses

Schedule 4 Development which must be advertised

(Clause 29)

Development for the purpose of:

boarding houses

bulk stores

car repair stations

caravan parks

commercial premises

drive in take-away food shops

generating works

industries

light industries

liquid fuel depots

motels

motor showrooms

residential flat buildings

road transport terminals

sawmills

service stations

subdivisions of rural/residential land

tourist facilities

transport terminals

units for aged persons

utility installations

warehouses

Demolition of a heritage item or a building, work, tree or place in a conservation area

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Schedule 5 Public land

Schedule 5 Public land

(Clause 40 (2) and (3))

Part 1 Community land

Name of land	Location	Title reference	Size
Yerong Creek Cemetery	Osborne—Yerong Creek Road	Lot 1–8 and unnumbered lots in Parish Grubben	4.04 ha
The Rock Racecourse and Showground	The Rock/Lockhart Road west of the township, The Rock	Lot 12 DP 754554 (Reserve 48476)	40.47 ha
Burkes Creek Park	Old Trunk Rd, The Rock	Lot 104, 105 and 106 DP 754555	3036.00m ²
Burkes Creek Park	Old Trunk Rd, The Rock	Lot 107/111 DP 754555	5059.00m ²
Burkes Creek Park	Old Trunk Rd, The Rock	Lot 112 and 113 DP 754555	2024.00m ²
Lockhart Showground and Racecourse	Treasure St, Lockhart	Lots 7006/7 DP 756429 Lot AA (includes Portions 72, 121 and 122) (Reserve R81453)	41.58 ha
Hospital Triangle	Galore St/Reid St/Wagga Rd, Lockhart	Lot 158 DP 314165	6425.00m ²
Lockhart Lawn Cemetery	Off Wagga Rd East of Lockhart	Lot 141 DP 627043	1.53 ha
Wal Alexander Park (Trust)	Cnr Green and Day Sts, Lockhart	Lot 157 DP 728322 (Reserve R220023)	961.50m ²
The Pleasant Hills Public Hall	Manson St, Pleasant Hills	Lot 5 Section 11 (Reserve R220024)	0.20 ha
The Rock Stock Pound	Adjacent To Railway, Yerong St, The Rock	Stock Pound (Reserve 52957)	390.20m ²
Yerong Creek Recreation Ground	Cole St, Yerong Creek	Reserve R620064 Lot 1 DP 325208	6.64 ha
Lockhart Recreation Ground	Hebden St, Lockhart	Lot 701 DP 758621 being Sec 12 (Reserve R28847)	4.88 ha
Lockhart Cemetery	Lockhart Cemetery Rd	Reserve 25313	6.40 ha

Name of land	Location	Title reference	Size
The Rock Recreation Ground (Football and Netball area)	Wilson St, The Rock	Part Reserve R85412	4.30 ha
The Rock Recreation Ground Westernmost Portion used by The Pony Club	Off Wilson St, The Rock	Reserve 65412	2.60 ha
The Rock Swimming Pool	Wilson St, The Rock	Part Reserve R85412	2024.00m ²
The Rock Cemetery and Lawn Cemetery	Lodge Rd, The Rock	Reserve 26386 and 26387	4.00 ha
Burkes Creek Park	Between Queen and Ford Sts, The Rock	Crown Land	1.32 ha
The Rock Nightsoil and Garbage Depot	Off The Rock/Lockhart Rd, The Rock	Reserve R83543	4.16 ha
Yerong Creek Nightsoil and Garbage Depot	Osborne/Yerong Creek Road	Lot 105 DP 2844 (Reserve 48786)	4.05 ha
Pleasant Hills Bush Fire Shed	Forcks Lane (South-west of P/Hills on southern side of road at entrance to "Allambee")	Road Reserve—Forcks Lane	
Milbrulong Recreation Ground	Roberts/Hope St, Milbrulong	Lot 701 DP 758678 Sec 11 (Reserve R34051)	4.88 ha
Milbrulong Nightsoil and Garbage Depot	Lynch St, Milbrulong	Reserve 64063 Lot 7002 DP 754536	4.87 ha
Osborne Recreation Ground	Osborne/Yerong Creek Roads	DP 756403 (Reserve R85934)	4.68 ha
Bidgeemia Hall and Recreation Ground	Junction of Urana Bidgeemia P/Hills Rd and Soldier Settlement Rd, Bidgeemia	Lot 137 DP 756445 (Reserve R45034)	3.24 ha
Woodend Recreation Ground and Tennis Courts	Woodend—Five Ways Road	Lot 157 DP 754560 Reserve 81318	2024.00m ²
Tootool Recreation Ground	South off The Rock/Lockhart Road	Lot 701 DP 758987 (Reserve R52256)	4.05 ha
Mundawaddera Tennis Courts and Recreation Ground	Munyapla Boundary Road	Lot 117 DP 726222	0.40 ha

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Schedule 5 Public land

Name of land	Location	Title reference	Size
Brookong Reserve	Lockhart/Urana Road	Lot 95 (Reserve 60434)	2.00 ha
The Birdcage Reserve	Olympic Highway south of Yerong Creek	Reserve 85312 DP 754574	
The Rock P.W.P.	Nicholas Street, The Rock	Reserve 15045	9.00 ha

Part 2 Operational land

Name of land	Location	Title reference	Size
Milbrulong—Bush Fire Shed	Station Street, Milbrulong	Lot 1 DP 758678 Section 1	2023.00m ²
Land Stock—Non Residential	21 Davidson Street, The Rock	Lot 18 DP 9082	1612m ²
Sewer Pump Station No 2	Day Street, The Rock	Lot 1 DP 628834	60.86m ²
Developed Land Stock	Emily Street, The Rock	Lots 1/6 DP 1003720	6828.2m ²
Land Stock—Non Residential	Mangoplah Rd, The Rock	Lot 4 DP 668421	7.896 ha
Sewerage Pump Station	Green Street, Lockhart	Lot 2 DP 1038370	7.83m ²
Vacant Land (ex Blakemore)	Nicholas Street, The Rock	Lot 2 DP 758971 Section 14	2023.00m ²
The Rock Public Hall	140 Urana Street, The Rock	Lot 5 and Part Lot 6 DP 9082	872.60m ²
SES and Rescue Group HQ	Urana Street, The Rock	Lot 11 and Lot 12 DP 9082	1498.00m ²
Bush Fire Brigade Station	Urana Street, The Rock	Lot 13 and Lot 14 DP 9082	1295.80m ²
Agency Office	Urana Street, The Rock	Lot 15 DP 301242	531.10m ²
Coronation Park	105/107 Urana Street, The Rock	Lot 1 DP 819602 Section 12	1371.00m ²
Land Stock—Residential	Urana Street, The Rock	Lot 12 DP 832666	1012m ²
Sewer Pump Station No 3	Wilson Street, The Rock	Lot 1 DP 628835	67.4m ²

Name of land	Location	Title reference	Size
Quarry Reserve (Singes)	Ryan Stock Route	Lot 1 DP 877332 (QR49284) Parish Edgehill	4.05 ha
Quarry (Yerong Creek)	Osborne-Yerong Creek Road	Lot 1 DP 91991 (PWP298)	11.69 ha
The Rock Works Depot	Hanging Rock Parish	Lot 1 DP 45496	2928.00m ²
The Rock Sewerage Treatments Work	Hanging Rock Parish	Lots 1 and 2 DP 628836	2.063 ha
Benders Dam and Access	Near Lockhart Sewerage Works	Part Lot 112 DP 756422	5.64 ha
Sewerage Treatment Works	Lockhart Parish—Urana Rd, Lockhart	Lot 2 DP 560200	9.16 ha
Young Persons Flats	Drummond Street, Lockhart	Lot 2 DP 595106 Section 49	1840.00m ²
Land ex Housing Corporation	Drummond Street, Lockhart	Lots 3 and 4 DP 758621 Sec 49 and Lots 1 and 4 DP 846994	8096.00m ²
Land ex Warr—Vacant for Housing	Drummond Street, Lockhart	Lot 1 DP 593723 Section 48	1012.00m ²
Land ex McPherson—Vacant for House	Drummond Street, Lockhart	Lot 2 DP 593723 Section 48	1012.00m ²
Vacant Land ex Smith	6 Drummond Street, Lockhart	Lot 3 DP 758621	
Staff Cottage	1 Ferrier Street, Lockhart	Lot 43 DP 609021 Section 52	1012.00m ²
Staff Cottage	68 Ferrier Street, Lockhart	Lot 13 DP 758621 Section 2	1012.00m ²
Staff Cottage	10 Galore Street, Lockhart	Lot 22 DP 609023 Section 52	1012.00m ²
Staff Cottage	51 Galore Street, Lockhart	Lot 4 DP 758621 Section 55	853.60m ²
Vacant Housing land	Galore Street, Lockhart	Lot 12 DP 709134	5992.00m ²
Dental Surgery	79 Green Street, Lockhart	Lot 2 DP 598332 Section 1	192.00m ²
Memorial Hall	71 Green Street, Lockhart	Lot 11 DP 758621	1012.00m ²

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Schedule 5 Public land

Name of land	Location	Title reference	Size
Shire Office	69 Green Street, Lockhart	Lot 9 DP 758621 Section 2	1012.00m ²
Vacant Land—BMX Track/Old Saleyard	Green St West, Lockhart (Adj Aviary)	Lot 2 DP 592771	1.00 ha
Caravan Park and Hodgson Park (Aviary)	Green St West, Lockhart	Lot 13 DP 4749 and Lot 1 DP 592771	1.86 ha
Lockhart Bushfire Shed	Laneway off Green St West, Lockhart	Lot 13 DP 4749 Section 1	
Historical Society Museum and Craft	Cnr Green St West and Urana St, Lockhart	Lots 1–5 DP 4749 Section 1	2276.00m ²
Land Stock—Future Housing Projects	Green St West, Lockhart	Lot 90 DP 756417	1.012 ha
Magnolia Lodge— Self Care Aged and Disabled Home Units Stage II	Green St West, Lockhart	Lot 2 DP 812924	1376.00m ²
Magnolia Lodge— Self Care Aged and Disabled Home Units Stage I	186 Green St West, Lockhart	Lot 1 DP 812924	1.89 ha
Vacant Land for Future Residential Development—ex Davis	194 Green Street West, Lockhart	Lot 6 DP 233325	1.63 ha
Sewer Pump Station	Green St West, Lockhart	Lot 1 DP 546679	360.40m ²
House	59 Hebden Street, Lockhart	Lot 2 DP 230301	682.90m ²
Woodhaven Aged Care Hostel	57 Hebden Street, Lockhart	Lot 1 DP 230301 Section 8	1,334.00m ²
Woodhaven Aged Care Hostel	Hebden St, Lockhart	Lot 1 DP 726186 Section 9	1,266.00m ²
Doctors Residence and Surgery	47 Hebden St, Lockhart	Lot 1 DP 983838 (Part Lot 8 Section 9)	1,012.00m ²
Vacant Land for Future Residential Development (ex Scott Smith)	Hebden St, Lockhart	Lots 5–8 DP 758621 Section 50	8,094.00m ²

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Public land

Schedule 5

Name of land	Location	Title reference	Size
Land Stock— Residential	Hebden St, Lockhart	Lots 5–8 DP 758621 Section 50	4,047.00m ²
Medical Centre	9 Matthews St, Lockhart	Lot B DP 329968	1,005.30m ²
Vacant Land	Cnr East and Reid Sts, Lockhart	Lot 5 DP 758621 Section 23	2,023.00m ²
Works Depot	Reid St, Lockhart	Lots 1–8 DP 758621 Section 24 and Lot 1 DP 45413	1.62 ha
Walter Day Park and Cowin Gardens and Swimming Pool	Urana and Halliday Streets, Lockhart	Section 54 (Reserve R60312)	1.62 ha
Old Milbrulong School Site	Milbrulong Parish—Cnr Benders Lane	Lot 89 DP 754558	8,094.00m ²
Pleasant Hills Garbage Depot	Munyabla Parish	Lot 81 DP 756434	4.15 ha
Lockhart Garbage Depot	Off Spanish Ave S/W of Town, Lockhart	Lot 1 DP 226165 Parish Osborne	5.37 ha
Old UFWA Hall Site At Urangeline East	Ross Parish	Lot 47 DP 17939	1,012.00m ²
Quarry (Bidgeemia)	Urana-Bidgeemia-P/Hills Road	Lot 163 DP 756445	3.97 ha
French Park Recreation Ground	Off The Rock/Lockhart Rd, French Park	Portions 149, 150, 161 and 173 DP 754566 (Reserve R82289)	4.38 ha
Hunters Gravel Pit	Yerong Parish	Lot 1 DP 834366	1.99 ha
Drainage Reserve Yerong Creek	Cox Street, Yerong Creek	Lot 15 DP 857823	204.70m ²
Vacant Land (Ex Hagen)	Cole Street, Yerong Creek	Lot 3 DP 580665 Section 9	3,035.00m ²
Yerong Creek Recreation Ground Part	Hay St, Yerong Creek	Lot 4, 5, 6 DP 5972 Section 8 and Lot 2,3,4 DP 216250 Section 9	7,322.00m ²
Shop (ex-Taylor)	Plunkett St, Yerong Creek	Lot 1 Section A DP 6047	1,107.00m ²
Vacant Land (ex Taylor)	Plunkett St, Yerong Creek	Lot 2 Section A DP 6047	2,593.00m ²
Galvin Park	Plunkett St, Yerong Creek	Lot 2 DP 325740	3,611.00m ²

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Schedule 5 Public land

Name of land	Location	Title reference	Size
Yerong Creek Works Depot	Plunkett St, Yerong Creek	Lot 1 DP 562265	2,276.00m ²
Land Stock—Non Residential	Plunkett St, Yerong Creek	Lot 8 DP 6047	1,088.00m ²
Yerong Creek Bushfire Brigade Station	Plunkett St, Yerong Creek	Lot 11 Section A DP 6047	1,214.00m ²
Yerong Creek Public Hall	Plunkett St, Yerong Creek	Lot 1 DP 970990, Lot 1 DP 441153, Part 28 and Lot 25 Section 1 DP 6346	1,473.00m ²
Galore Hill Reserve	Off Lockhart/Narrandera Rd nth of Lockhart	Plan DP 756417 (Reserve R88530)	7.89 ha
Community Forest	Lockhart Golf Course	Reserve R620047	5.64 ha
Part of Old Pound Paddock (being residue after road resumption)	Intersection Narrandera Rd and Green St West, Lockhart	Part Portion 65	0.80 ha
Pleasant Hills Recreation Ground	Crawford St, Pleasant Hills	Lot 7001 DP 756434 (Reserve R88530)	5.26 ha
Pleasant Hills Tank	Crawford St, Pleasant Hills	PWP 763	
Osborne Recreation Ground Water Supply Dams	Adjoins Recreation Reserve, Osborne	Lot 12 DP 719930	5.47 ha
Bidgeemia Bushfire Brigade Station	South side of Urana-Bidgeemia-P/Hills Rd at Village	Portion 143 (Reserve R83230)	1.28 ha
Munyaplah Tennis Courts and Recreation Ground	Parish Wallendoon	Reserve R69046	

BY AUTHORITY