



New South Wales

## **Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(W00/00118/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## 2001 No 591

Clause 1 Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)

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# Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)

## 1 Name of plan

This plan is *Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)*.

## 2 Aims of plan

This plan aims:

- (a) to limit the concept of an *existing parcel* of land to land in Zone No 1 (a), 1 (a1), 7 (f1) or 7 (f2) under *Eurobodalla Rural Local Environmental Plan 1987*, and
- (b) to permit, with development consent, bed and breakfast establishments on land in Zones Nos 1 (a), 1 (a1), 1 (c), 5 (c), 5 (f), 7 (f1) and 10 under that plan, and
- (c) to require development consent for telecommunications facilities on all land in the Eurobodalla local government area, and
- (d) to permit the subdivision of certain land in the locality of Tilba.

## 3 Land to which plan applies

- (1) In relation to the aims referred to in clause 1 (a), (b) and (c), this plan applies to all land to which *Eurobodalla Rural Local Environmental Plan 1987* applies.
- (2) In relation to the aim referred to in clause 1 (d), this plan applies to Lots 1 and 2, DP 32408, Lots 142 and 316, DP 752155 and Lot 10, DP 806254, Parish of Narooma, as shown edged heavy black on the map marked "Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)" held at the office of the Council.

## 4 Amendment of Eurobodalla Rural Local Environmental Plan 1987

*Eurobodalla Rural Local Environmental Plan 1987* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 9 Interpretation

Insert in alphabetical order in clause 9 (1):

*bed and breakfast establishment* means a lawfully erected dwelling-house that is used (in addition to its use as a principal place of residence) for the provision of temporary accommodation for not more than 6 tourists or travellers at any one time in not more than 3 bedrooms.

*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 for use, in or in connection with a telecommunications network,

but does not include facilities listed in the Schedule to the *Telecommunications (Low Impact Facilities) Determination 1997* of the Commonwealth, a copy of which is held at the office of the Council.

### [2] Clause 9 (1), definition of “existing parcel”

Omit the definition.

### [3] Clause 9 (1), definition of “tourist accommodation”

Insert at the end of the definition:

, but does not include a bed and breakfast establishment.

### [4] Clause 11 Zone objectives and development control table

Insert “bed and breakfast establishments,” in alphabetical order in Item 3 of the matter relating to Zones No 1 (a), 1 (a1) and 7 (f1) in the Table to the clause.

## 2001 No 591

Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)

Schedule 1      Amendments

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### [5] Clause 11, Table

Insert “telecommunications facilities,” in alphabetical order in Item 3 of the matter relating to Zones Nos 1 (a), 1 (a1), 6 (a), 7 (a), 7 (f1), 7 (f2) and 8.

### [6] Clause 13 Subdivision of land within Zone No 1 (a), 1 (a1), 7 (f1) or 7 (f2)

Insert after clause 13 (6):

(7) *existing parcel* means the total area of a parcel of adjoining or adjacent land:

- (a) that was owned by the same person or persons on 9 August 1963, and
- (b) that is still owned by the same person or persons whether or not being the person or persons referred to in paragraph (a),

and includes any such parcel of land to which additional adjoining or adjacent land has been added since 9 August 1963.

### [7] Clause 14 Dwelling-houses within Zone No 1 (a), 1 (a1) or 7 (f1)

Insert at the end of clause 14 (10):

*existing parcel* means the total area of a parcel of adjoining or adjacent land:

- (a) that was owned by the same person or persons on 9 August 1963, and
- (b) that is still owned by the same person or persons whether or not being the person or persons referred to in paragraph (a),

and includes any such parcel of land to which additional adjoining or adjacent land has been added since 9 August 1963.

**[8] Clause 30E**

Insert after clause 30D:

**30E Development of certain land at Tilba**

- (1) This clause applies to Lots 1 and 2, DP 32408, Lots 142 and 316, DP 752155 and Lot 10, DP 806254, Parish of Narooma, as shown edged heavy black on the map marked “Eurobodalla Rural Local Environmental Plan 1987 (Amendment No 34)”.
- (2) Nothing in clause 14 or 16 prevents the Council from granting consent to the subdivision of the whole of the land to which this clause applies into 2, but not more than 2, lots.
- (3) The minimum size of one of the lots so created is to be not less than 1 hectare.
- (4) Clause 16 does not apply to the lots so created.
- (5) The lots so created must be capable of sustainable on-site effluent management to the satisfaction of the Council.