



Lismore Local Environmental Plan 2000 (Amendment No 10)

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*. (G02/00048/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

2002 No 835

Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 10)

Lismore Local Environmental Plan 2000 (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 10)*.

2 Aims of plan

This plan aims to amend *Lismore Local Environmental Plan 2000 (the 2000 plan)* in the following manner:

- (a) to introduce a definition of **market** into the 2000 plan and to permit markets, with Lismore City Council's consent, as advertised development in Zones Nos 2 (v), 3 (a), 3 (f), 4 (a), 5 (b), 6 (a) and 6 (b) and to prohibit markets in Zones Nos 1 (a), 1 (b), 1 (c), 1 (r), 2 (a) and 2 (f) under the 2000 plan,
- (b) to amend the definition of **warehouse** in the 2000 plan to permit the storage of goods, merchandise or materials pending their sale and distribution to any person, not just to persons engaged in the retail trade,
- (c) to permit **motels**, with the Council's consent, as advertised development in the General Rural Zone under the 2000 plan,
- (d) to permit **places of public worship**, with the Council's consent, as advertised development in the Private Recreation Zone under the 2000 plan,
- (e) to permit **bed and breakfast establishments**, with the Council's consent, as advertised development in the Environment Protection (Habitat) Zone under the 2000 plan in respect of dwellings lawfully erected and used before the commencement of this plan,
- (f) to change the land within the Village Zone under the 2000 plan:
 - (i) by rezoning certain flood prone land from the Village Zone to the Riverlands Zone under the 2000 plan, and

- (ii) by including all of the land comprising the Nimbin School within the Village Zone, and
- (iii) by including certain land within the Village Zone, being land identified as being suitable for village, industrial or commercial uses,
- (g) to rezone certain land to allow residential development in accordance with the Council's adopted urban development strategy,
- (h) to rezone certain land (being land under the care and control of the National Parks and Wildlife Service) to the National Parks and Nature Reserves Zone under the 2000 plan,
- (i) to rationalise the boundary between the Investigation Zone and the Village Zone under the 2000 plan in respect of certain land,
- (j) to rezone certain land from Special Uses (Church) to the Riverlands Zone under the 2000 plan,
- (k) to rezone certain land from the Recreation Zone to the Residential Zone under the 2000 plan.

3 Land to which plan applies

This plan applies:

- (a) in respect of the aims set out in clause 2 (a)–(e)—to all the land to which the 2000 plan applies, and
- (b) in respect of the aim set out in clause 2 (f) (i)—to land at Silky Oak Drive and Thorburn Street, Nimbin, as shown edged heavy black on Sheet 1 of the map marked “Lismore Local Environmental Plan 2000 (Amendment No 10)” deposited in the office of Lismore City Council, and
- (c) in respect of the aim set out in clause 2 (f) (ii)—to Lot 21, DP 836128, Nimbin, as shown edged heavy black on Sheet 1 of that map, and
- (d) in respect of the aim set out in clause 2 (f) (iii)—to 36 Sibley Street, Nimbin, being Lot 10, DP 785239, as shown edged heavy black on Sheet 1 of that map, and
- (e) in respect of the aim set out in clause 2 (g)—to part of Lot 1, DP 255203, Blue Hills Avenue, Goonellabah, as shown edged heavy black on Sheet 2 of that map, and
- (f) in respect of the aim set out in clause 2 (h)—to the Bungabbee Nature Reserve and the Mucklewee Mountain Nature

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Reserve, Bentley, Lot 559, DP 47475, the Wilson Park Rainforest Reserve, East Lismore and Lot 147, DP 755691 and Lot 137, DP 755720, the Tucki Tucki Nature Reserve, Green Forest, as shown edged heavy black on Sheets 3–5, respectively, of that map, and

- (g) in respect of the aim set out in clause 2 (i)—to Lot 382, DP 867394, Clunes, as shown edged heavy black on Sheet 6 of that map, and
- (h) in respect of the aim set out in clause 2 (j)—to 33 Tweed Street, North Lismore, as shown edged heavy black on Sheet 7 of that map, and
- (i) in respect of the aim set out in clause 2 (k)—to 30, 32 and 34 Ravenswood Drive, Goonellabah, as shown edged heavy black on Sheet 8 of that map.

4 Amendment of Lismore Local Environmental Plan 2000

Lismore Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 30 Zone No 1 (a) (General Rural Zone)

Insert in alphabetical order in item 30.4 (Only with development consent—advertised development) in the Table to the clause:

- motels

[2] Clause 30, Table, item 30.5

Insert in alphabetical order:

- markets

[3] Clause 31 Zone No 1 (b) (Agricultural Zone)

Insert in alphabetical order in item 31.5 (Prohibited) in the Table to the clause:

- markets

[4] Clause 32 Zone No 1 (c) (Rural Residential Zone)

Insert in alphabetical order in item 32.5 (Prohibited) in the Table to the clause:

- markets

[5] Clause 35 Zone No 1 (r) (Riverlands Zone)

Insert in alphabetical order in item 35.5 (Prohibited) in the Table to the clause:

- markets

[6] Clause 48 Zone No 2 (a) (Residential Zone)

Insert in alphabetical order in item 48.5 (Prohibited) in the Table to the clause:

- markets

[7] Clause 49 Zone No 2 (f) (Residential (Flood Liable) Zone)

Insert in alphabetical order in item 49.5 (Prohibited) in the Table to the clause:

- markets

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Schedule 1 Amendments

[8] Clause 50 Zone No 2 (v) (Village Zone)

Insert in alphabetical order in item 50.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[9] Clause 58 Zone No 3 (a) (Business Zone)

Insert in alphabetical order in item 58.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[10] Clause 60 Zone No 3 (f) (Services Business (Flood Liable) Zone)

Insert in alphabetical order in item 60.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[11] Clause 63 Zone No 4 (a) (Industrial Zone)

Insert in alphabetical order in item 63.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[12] Clause 66 Zone No 5 (b) (Special Uses (Technology Park) Zone)

Insert in alphabetical order in item 66.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[13] Clause 67 Zone No 6 (a) (Recreation Zone)

Insert in alphabetical order in item 67.4 (Only with development consent—advertised development) in the Table to the clause:

- markets

[14] Clause 68 Zone No 6 (b) (Private Recreation Zone)

Insert in alphabetical order in item 68.4 (Only with development consent—advertised development) in the Table to the clause:

- markets
- places of public worship

[15] Clause 78 Zone No 7 (b) (Environment Protection (Habitat) Zone)

Omit “Nil.” from item 78.4 (Only with development consent—advertised development) in the Table to the clause.

Insert instead:

Development for the purpose of:

- bed and breakfast establishments in dwellings lawfully erected and used before the commencement of *Lismore Local Environmental Plan 2000 (Amendment No 10)*.

[16] Clause 78, Table, item 78.5

Omit “or 78.3”. Insert instead “, 78.3 or 78.4”.

[17] Schedule 7 Definitions

Insert in alphabetical order:

market means a temporary outlet for the sale of local crafts and goods, a large proportion of which are not available through normal commercial outlets, and:

- (a) which operates on one day of the week only, and
- (b) which does not require the erection of permanent structures.

[18] Schedule 7, definition of “the map”

Insert in appropriate order:

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[19] Schedule 7, definition of “warehouse”

Omit “to persons engaged in the retail trade”.