



Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W02/00010/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 757

Clause 1 Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 16)

Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 16)*.

2 Aims of plan

This plan aims to amend *Eurobodalla Local Environmental Plan 1999*:

- (a) to rezone certain land in the locality of Catalina and Long Beach from the 2g Residential—General zone to the 6a1 Public Open Space zone, and
- (b) to rationalise planning controls over development in the vicinity of roads, and
- (c) to enable kiosks to be developed in public reserves, and
- (d) to protect the amenity of low density residential areas by removing villa houses as a permissible land use in the 2g Residential—General zone, and
- (e) to encourage compatible, consistent and responsive building design of residential flat building in the 2t Residential—Tourism zone, and
- (f) to remove villa houses as a defined land use under the plan.

3 Land to which plan applies

This plan applies:

- (a) in relation to the aim referred to in clause 2 (a), to Lot 694 DP 249461, Sandpiper Place, Lot 3 DP 860533, Sanctuary Place and Lot 147 DP 882164, Hakea Place, Parish of Bateman and Lot 134 DP 1005193, Blairs Road, Part Lot 58 DP 880731, Blairs Road, DP 880731, Beatrice Place, Part Lot 133 DP 1021712, Blairs Road, DP 1005193, Michener Court, DP 849895, Sandy Place and DP 849895, Sandy Place,

Parish of Benandarah, as shown edged heavy black on the maps marked “Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 16)”, and

- (b) in relation to the aims referred to in clause 2 (b)–(e), to all land to which *Eurobodalla Urban Local Environmental Plan 1999* applies.

4 Amendment of Eurobodalla Urban Local Environmental Plan 1999

Eurobodalla Urban Local Environmental Plan 1999 is amended as set out in Schedule 1.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 15 What development may be carried out in the 2g Residential—General zone

Omit the bullet point relating to villa houses from clause 15 (2).

[2] Clause 17 What development may be carried out in the 2t Residential—Tourism zone?

Omit the bullet point relating to villa houses from clause 17 (2).

[3] Clause 21 What controls apply to non-residential development in the residential zones?

Omit “villa houses;” from clause 21 (1).

[4] Clause 22A

Insert after clause 22:

22A What matters must Council consider when assessing applications for residential flat buildings in the 2t Residential—Tourism zone?

- (1) This clause applies to development comprising residential flat buildings in the 2t Residential—Tourism zone.
- (2) The objectives of this clause are:
 - (a) to ensure that the style and design of new development is compatible and consistent with the character, scale and density of existing residential development in the immediate vicinity and surrounding locality, and
 - (b) to encourage responsive building design and architecture that has regard to the existing built and natural environments, and the streetscape.
- (3) In determining an application for consent for development to which this clause applies, the Council must consider:
 - (a) the bulk, scale and style of the proposed development and its compatibility with the existing built and natural environments, and
 - (b) the building form and materials, and the building’s appearance from adjoining property, including any public road or reserve, and

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- (c) how the design responds to the amenity of the immediate neighbourhood, including surrounding buildings, the landscape and the street, and
 - (d) how the design addresses adjoining development in terms of visual privacy, views, noise, sunlight access, drainage and landscaping.

[5] Clause 25 What development may be carried out in the 3a Business zone

Omit the bullet point relating to villa houses from clause 25 (3).

[6] Clause 30 What development may be carried out in the 4a Industrial zone?

Omit the bullet point relating to villa houses from clause 30 (3).

[7] Clause 52 Can development allowed in the adjoining zone be carried out near zone boundaries?

Insert “, 5b Arterial Road zone, 5b1 Local Road zone or 5c Main Road zone” after “zone” in clause 52 (2).

[8] Clause 63 What general controls apply to land near major roads?

Insert after clause 63 (3):

- (3A) This clause does not apply to development for the purposes of a dwelling-house or dual occupancy on land to which this clause applies and referred to in subclause (3) (c).

[9] Clause 63 (4) (h)

Insert at the end of clause 63 (4) (g):

, and

- (h) existing and predicted traffic impacts, including vehicular noise, are considered in the design and location of the development.

[10] Dictionary

Insert at the end of the definition of *Land use map*:

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Schedule 1 Amendments

[11] Dictionary, definition of “Residential flat building”

Omit “villa houses or”.

[12] Dictionary, definition of “Restaurant”

Omit the definition. Insert instead:

Restaurant means a building, place or structure used principally for the sale of food and refreshments for consumption on the premises or on the land where it is located.

[13] Dictionary, definition of “Villa house”

Omit the definition.

BY AUTHORITY
