



New South Wales

Dungog Local Environmental Plan 2006 (Amendment No 9)

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*. (10/10384)

GIOVANNI CIRILLO
As delegate for the Minister for Planning

2010 No 400

Clause 1 Dungog Local Environmental Plan 2006 (Amendment No 9)

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1 Name of Plan

This Plan is *Dungog Local Environmental Plan 2006 (Amendment No 9)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the local government area of Dungog.

Schedule 1 Amendment of Dungog Local Environmental Plan 2006

[1] Clause 23 General zoning controls

Insert in alphabetical order of land use in the Table to the clause:

Rural worker's dwellings c x x x x x x x x x x x

[2] Clause 37

Insert after clause 36:

37 Rural worker's dwellings

- (1) The objectives of this clause are as follows:
 - (a) to ensure that a rural worker's dwelling is erected on land in the Rural 1 (a) Zone only if there is a genuine long-term need for the dwelling,
 - (b) to ensure that the erection of a rural worker's dwelling is relevant to the nature of the land uses occurring on the land.
- (2) Development consent must not be granted for the purpose of erecting a rural worker's dwelling on land in Rural 1 (a) Zone unless the consent authority is satisfied of the following:
 - (a) that the existing or approved uses of the land are of a nature and scale that will require the ongoing employment of additional rural workers on a permanent or seasonal basis,
 - (b) that the nature of the existing or approved uses of the land is such that, if workers would be required to live off-site, there would be a significant adverse impact on the relevant rural use of the land,
 - (c) that the proposed rural worker's dwelling is compatible with the nature and scale of existing or approved uses of the land,
 - (d) that the proposed rural worker's dwelling will be located on the same lot as the dwelling-house on the same landholding.

Note. The consent authority must also take into account the matters listed in clause 10 (3) of the *State Environmental Planning Policy (Rural Lands) 2008* when determining whether to grant development consent for a rural worker's dwelling.

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[3] Dictionary

Insert in alphabetical order:

rural worker's dwelling means a dwelling, additional to a dwelling-house on the same landholding, that is occupied by persons engaged in a rural occupation on that land.