



New South Wales

# **Kyogle Local Environmental Plan 2012 (Amendment No 3)**

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*.

**GREG MEYERS, EXECUTIVE MANAGER,  
PLANNING AND ENVIRONMENT, KYOGLE COUNCIL**  
As delegate for the Minister for Planning

## **Kyogle Local Environmental Plan 2012 (Amendment No 3)**

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### **1 Name of Plan**

This Plan is *Kyogle Local Environmental Plan 2012 (Amendment No 3)*.

### **2 Commencement**

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

### **3 Land to which Plan applies**

- (1) To the extent that this Plan permits dual occupancies (detached) with development consent, the Plan applies to all land in Zone RU1 Primary Production, Zone RU2 Rural Landscape and Zone RU4 Primary Production Small Lots.
- (2) To the extent that this Plan permits dual occupancies with development consent, the Plan applies to all land in Zone R5 Large Lot Residential.
- (3) To the extent that this Plan permits secondary dwellings with development consent, the Plan applies to all land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots, Zone R1 General Residential and Zone R5 Large Lot Residential.
- (4) To the extent that this Plan permits the total floor area of a secondary dwelling to be up to 60% of the area of the principal dwelling, the Plan applies to all land in zones in which a secondary dwelling is permitted with development consent.
- (5) To the extent that this Plan deals with exempt development, the Plan applies to all land to which *Kyogle Local Environmental Plan 2012* applies.

## **Schedule 1      Amendment of Kyogle Local Environmental Plan 2012**

**[1] Land Use Table**

Omit “Dual occupancies (attached);” from item 3 in Zone RU1 Primary Production, Zone RU2 Rural Landscape and Zone RU4 Primary Production Small Lots.

Insert instead “Dual occupancies;”.

**[2] Land Use Table**

Insert “Secondary dwellings;” in alphabetical order in item 3 in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots, Zone R1 General Residential and Zone R5 Large Lot Residential.

**[3] Land Use Table**

Insert “Dual occupancies;” in alphabetical order in item 3 in Zone R5 Large Lot Residential.

**[4] Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain rural zones**

Omit “(attached)” wherever occurring.

**[5] Clause 5.4 Controls relating to miscellaneous permissible uses**

Omit “43%” from clause 5.4 (9) (b). Insert instead “60%”.

**[6] Schedule 2 Exempt development**

Omit all matter relating to “**Charity bins**”, “**Building identification signs**”, “**Business identification signs**”, “**Temporary signs**” and “**Real estate signs**”.