



New South Wales

Lismore Local Environmental Plan 2012 (Amendment No 21)

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*.

CRAIG DISS

As delegate for the Minister for Planning

Lismore Local Environmental Plan 2012 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Lismore Local Environmental Plan 2012 (Amendment No 21)*.

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 land to which *Lismore Local Environmental Plan 2012* applies, including the following land:

- (a) Lot 193, DP 755686, Lot 381, DP 725859, and Lot 1, DP 806694, being 623, 624 and 634A Bangalow Road, Bexhill, respectively, together being part of the Boatharbour Nature Reserve,
- (b) Lot 1, DP 798966 and Lot 9, DP 755699, being 511 and 563 Tuckurimba Road, East Coraki, respectively,
- (c) Part Lot 3, DP 823632 and part Lot 3, DP 883865, being part 79C and part 116 Fischer Street, Goonellabah, respectively,
- (d) Lot 2, DP 1201176, 9 Club Lane, Lismore,
- (e) Part Lot 1, DP 1201176, part 2 Magellan Street, Lismore,
- (f) land in Loftville, being:
 - (i) part Lot 9, DP 1093668, part 161 Bruxner Highway, and
 - (ii) Lots 1, 11, 3–5, 12 and 6, DP 1093668, being 29, 41, 43, 49, 53, 57 and 61 Krauss Avenue, respectively, and
 - (iii) Lots 21 and 22, DP 1133005, being 35 and 39 Krauss Avenue, respectively, and
 - (iv) Lots 84 and 83, DP 1218917, being 67 and 73 Krauss Avenue, respectively, and
 - (v) Lot 82, DP 1214371, 77 Krauss Avenue and the adjacent Bruxner Highway and Krauss Avenue road reserve,
- (g) SP 30107, 2 Blue Knob Road, Nimbin,
- (h) Lot 1, DP 794891 and Lot 1, DP 118808, being 572 and 582 Humpty Back Road, Pearces Creek, respectively,
- (i) Part Lot 1, DP 1228091, part 6 Bruxner Highway, South Lismore,
- (j) Part Lot 1, DP 122285, part 16 Taylor Street, South Lismore, being part Riverview Park,
- (k) Lot 217, DP 755703, 422 Whian Whian Road, Whian Whian,

- (l) Agnes Street road reserve, Wyrallah,
- (m) Lot 1, DP 731234, 80 Breckenridge Street, Wyrallah,
- (n) Part Lot 1, DP 1160243, part 2A Miriam Street, Wyrallah,
- (o) Part Lot 2, DP 1160243, part 7 McDonald Place, Wyrallah,
- (p) certain rail corridor land.

4 Maps

The maps adopted by *Lismore Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Lismore Local Environmental Plan 2012

[1] Land Use Table, Zones RU1, RU2, RU5, R1, R2, R5, B1, B2, B3, B4, B6, IN1 and IN2

Omit “Home-based child care;” from item 2.

[2] Land Use Table, Zones RU1, RU2, RU5, R2 and R5

Insert “Home-based child care;” in alphabetical order in item 3.

[3] Land Use Table, Zone RU5 Village

Omit “Hardware and building supplies;” from item 4.

[4] Land Use Table, Zones B1, B2 and B3

Omit “Vehicle repair stations;” from item 4.

[5] Clause 4.2C Erection of dual occupancies (detached) in Zone RU1

Omit clause 4.2C (1) (b). Insert instead:

- (b) to protect the primary production potential of the land,
- (c) to ensure development is of a scale and nature that is compatible with the rural character and environmental capabilities of the land.

[6] Clause 4.2D

Omit clause 4.2D. Insert instead:

4.2D Boundary adjustments of land in certain rural, residential and environmental protection zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land but the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone R5 Large Lot Residential,
 - (d) Zone E2 Environmental Conservation,
 - (e) Zone E3 Environmental Management.
- (3) Despite clause 4.1, development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:
 - (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
 - (b) the number of dwellings or opportunities for dwellings on each lot after the subdivision will be the same as before the subdivision, and
 - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
 - (d) the subdivision will not result in any increased bush fire risk to existing buildings, and

- (e) if the land is in Zone RU1 Primary Production or Zone RU2 Rural Landscape, the agricultural viability of the land will not be adversely affected as a result of the subdivision.
- (4) Before granting consent to development to which this clause applies, the consent authority must be satisfied that the subdivision will not compromise the continued protection and long-term maintenance of any land in Zone E2 Environmental Conservation or Zone E3 Environmental Management.

[7] Schedule 5 Environmental heritage

Omit “511” and “Lot 1, DP 798966” from the matter relating to Item no I19 in Part 1.

Insert instead “563” and “Lot 9, DP 755699”, respectively.

[8] Schedule 5, Part 1

Omit “Lot 2, DP 1114333” from the matter relating to Item no I41.

Insert instead “Lot 2, DP 1201176”.