



New South Wales

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 29)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**JEFFERY SHARP, DIRECTOR, STRATEGY AND GROWTH,
PORT MACQUARIE-HASTINGS COUNCIL**
As delegate for the local plan-making authority

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 29)

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1 Name of Plan

This Plan is *Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 29)*.

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 all the land to which *Port Macquarie-Hastings Local Environmental Plan 2011* applies and, in particular, to the following:

- (a) land at Town Beach, William Street, Port Macquarie, being part of Lot 7065, DP 1060070 shown as “Item 7” on the Additional Permitted Uses Map,
- (b) land shown as “Coastal Erosion Risk” on the Coastal Erosion Map,
- (c) part of Lot 2, DP 811601 and part of Lot 3, DP 634929, Ocean Drive (with frontage to St Lucia Place), Bonny Hills,
- (d) parts of Lots 107–109, DP 1160740, 25–29 St Lucia Place, Bonny Hills,
- (e) parts of Lots 202 and 203, DP 1209602, St Lucia Place and Ocean Drive, Bonny Hills,
- (f) certain properties with frontage to Graham Street, Comboyne Street and Albert Street, Kendall,
- (g) parts of properties fronting Crestwood Drive between Horizons Parkway and Puccini Place, Port Macquarie,
- (h) Lot 1, DP 1177586, 1 Lindfield Park Road, Port Macquarie,
- (i) part of Lot 1, and Lot 2, DP 1239943, 3 Lindfield Park Road, Port Macquarie,
- (j) parts of Lots 66–67 and 71, DP 1224835, Majestic Drive, Port Macquarie,
- (k) Lot 31, DP 1089272, Oxley Highway, Port Macquarie,
- (l) Lots 9–12, DP 32244 and Lots 14 and 15, DP 560259, Pacific Drive, Port Macquarie,
- (m) Lots 7–11, DP 1137444, corner Pacific Highway, Oxley Highway and Sovereign Drive, Thrumster,
- (n) Lot 12, DP 800428, 1 Cedar Close, Wauchope.

4 Maps

The maps adopted by *Port Macquarie-Hastings Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Port Macquarie-Hastings Local Environmental Plan 2011

[1] Clause 4.1A Exceptions to minimum lot sizes for certain residential development

Insert “clause” after “this” in clause 4.1A (3).

[2] Clause 7.6 Coastline hazard

Omit clause 7.6 (5). Insert instead:

- (5) Land shown as “Coastal Erosion Risk” on the Coastal Erosion Map is identified as being or affected by a coastal erosion hazard for the purposes of clause 1.19 (1) (f) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note. Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* prevents complying development specified for certain complying development codes from being carried out on land identified by an environmental planning instrument as being or affected by a coastal erosion hazard.

[3] Schedule 1 Additional permitted uses

Insert “or an emergency services facility” after “cafe” in clause 7 (2).

[4] Schedule 3 Complying development

Omit the Schedule. Insert instead:

Schedule 3 Complying development

(Clause 3.2)

Note. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy.

Part 1 Types of development

Part 2 Complying development certificate conditions

Note. Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan.

General conditions

Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.