



New South Wales

# **Nambucca Local Environmental Plan 2010 (Amendment No 22)**

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*.

**MICHAEL COULTER, GENERAL MANAGER, NAMBUCCA SHIRE COUNCIL**  
As delegate for the local plan-making authority

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### **1 Name of Plan**

This Plan is *Nambucca Local Environmental Plan 2010 (Amendment No 22)*.

### **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 *Nambucca Local Environmental Plan 2010* applies.

## **Schedule 1      Amendment of Nambucca Local Environmental Plan 2010**

**[1] Land Use Table**

Omit “; Horticulture” from item 2 of Zone R5 Large Lot Residential.

**[2] Land Use Table, Zone R5**

Insert “Horticulture;” in alphabetical order in item 3.

**[3] Clause 4.2D**

Insert after clause 4.2C:

**4.2D Erection of dwellings on land affected by natural disaster or fire**

- (1) The objective of this clause is to enable the replacement and repair of lawfully erected dwellings damaged by a natural disaster or fire.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone E2 Environmental Conservation,
  - (d) Zone E3 Environmental Management.
- (3) Development consent may be granted for the erection or alteration of, or an addition to, a dwelling on land to which this clause applies if the consent authority is satisfied that the development is to replace or repair a lawful dwelling damaged by a natural disaster or fire.

**[4] Schedule 2 Exempt development**

Insert in appropriate order:

**Horticulture in Zone R5**

- (1) Must be on land in Zone R5 Large Lot Residential.
- (2) Must involve a crop with a productive duration of less than 12 months.
- (3) Must remove entire plant during harvest.