



New South Wales

Shoalhaven Local Environmental Plan 2014 (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*.

**GORDON CLARK, STRATEGIC PLANNING MANAGER,
SHOALHAVEN CITY COUNCIL**
As delegate for the local plan-making authority

Shoalhaven Local Environmental Plan 2014 (Amendment No 22)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Shoalhaven Local Environmental Plan 2014 (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 the land to which *Shoalhaven Local Environmental Plan 2014* applies.

Schedule 1 Amendment of Shoalhaven Local Environmental Plan 2014

[1] Clause 4.1E Minimum lot size for certain split zone lots

Omit “that is identified as “Flood Planning Area” on the Flood Planning Area Map” from the definition of *flood prone land* in clause 4.1E (8).

Insert instead “at or below the flood planning level”.

[2] Clause 7.2A

Insert after clause 7.2:

7.2A Stock mounds

- (1) The objective of this clause is to ensure that earthworks for stock mounds will not have a detrimental impact on environmental functions and processes on land at or below the flood planning level or affected by acid sulfate soils.
- (2) This clause applies to land in Zone RU1 Primary Production or Zone RU2 Rural Landscape.
- (3) Despite any other provision of this Plan, development consent is required for earthworks for the purposes of a stock mound on land to which this clause applies if:
 - (a) the land is at or below the flood planning level, or
 - (b) the land is identified as Class 1, Class 2, Class 3 or Class 4 on the Acid Sulfate Soils Map and development consent is not otherwise required for the earthworks under clause 7.1.
- (4) In this clause, *stock mound* means a raised area greater than 100 square metres for stock to move to during a flood event.

[3] Clause 7.3 Flood planning

Omit clause 7.3 (2). Insert instead:

- (2) This clause applies to land at or below the flood planning level.

[4] Clause 7.3 (4)

Omit “clause” where secondly occurring. Insert instead “Plan”.

[5] Clause 7.3 (5)

Omit the subclause.

[6] Dictionary

Omit the definition of *Flood Planning Area Map*.

[7] Dictionary

Insert in alphabetical order:

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.