



New South Wales

Bega Valley Local Environmental Plan 2013 (Amendment No 36)

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*.

**CECILY HANCOCK, ACTING MANAGER, PLANNING & SUSTAINABILITY
BEGA VALLEY SHIRE COUNCIL**
As delegate for the local plan-making authority

Bega Valley Local Environmental Plan 2013 (Amendment No 36)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Bega Valley Local Environmental Plan 2013 (Amendment No 36)*.

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 *Bega Valley Local Environmental Plan 2013* applies.

Schedule 1 Amendment of Bega Valley Local Environmental Plan 2013

[1] Land Use Table

Insert “Secondary dwellings;” in alphabetical order in item 3 of Zone RU1.

[2] Land Use Table, Zone RU2 Rural Landscape

Insert “Secondary dwellings;” in alphabetical order in item 3.

[3] Clause 4.2A Erection of dwelling houses on land in certain rural, residential and environment protection zones

Insert “and dual occupancies” and “or dual occupancy” after “dwelling houses” and “dwelling house”, respectively, wherever occurring.

[4] Clause 4.2D Erection of dual occupancies (detached) in Zone RU1 and Zone RU2

Insert at the end of clause 4.2D(1)(b)—

and adjoining land,

- (c) to provide an optimal layout of dwellings as follows—
 - (i) in relation to the aspect and slope of the land,
 - (ii) that minimises the potential for land use conflicts,
 - (iii) that minimises the risk of natural hazards that may affect the site,
 - (iii) that protects the biodiversity and Aboriginal cultural heritage of the land.

[5] Clause 4.2D(2)(c)

Omit “100 metres”. Insert instead “250 metres”.

[6] Clause 5.5

Omit the clause. Insert instead—

5.5 Controls relating to secondary dwellings on land in a rural zone

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—

- (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—
 - (i) 60 square metres,
 - (ii) 30% of the total floor area of the principal dwelling, and
- (b) the distance between the secondary dwelling and the principal dwelling must not exceed 250 metres.