



New South Wales

# **Shoalhaven Local Environmental Plan 2014 (Amendment No 42)**

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 42)**

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### **1 Name of Plan**

This Plan is *Shoalhaven Local Environmental Plan 2014 (Amendment No 42)*.

### **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 Lot 3, DP 846470, Jervis Bay Road, Falls Creek, Shoalhaven.

### **4 Maps**

The maps adopted by *Shoalhaven Local Environmental Plan 2014* 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 Shoalhaven Local Environmental Plan 2014

### Clause 7.29

Insert after clause 7.28—

#### 7.29 Subdivision of land at Jervis Bay Road, Falls Creek

- (1) This clause applies to land identified as “Cl 7.29” on the Clauses Map, being Lot 3, DP 846470, Jervis Bay Road, Falls Creek (the *original lot*).
- (2) Despite any other provision of this Plan, development consent may be granted to subdivide the original lot under the *Community Land Development Act 1989* into a maximum of 14 lots (the *resulting lots*) if—
  - (a) one of the resulting lots will—
    - (i) comprise association property, within the meaning of the *Community Land Development Act 1989*, and
    - (ii) contain all of the land in Zone E2 Environmental Conservation that was in the original lot, and
    - (iii) be reserved and maintained for the purposes of conserving native flora and fauna habitat, and
  - (b) all other resulting lots will—
    - (i) together contain all of the land in Zone R5 Large Lot Residential that was in the original lot, and
    - (ii) each have an area of at least 4,000 m<sup>2</sup>.
- (3) Despite any other provision of this Plan, a dwelling must not be located on or erected on the lot comprising association property.