



New South Wales

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 60)

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*.

LUCY WALKER

As delegate for the Minister for Planning and Public Spaces

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 60)

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1 Name of Plan

This Plan is *Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 60)*.

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 *Port Macquarie-Hastings Local Environmental Plan 2011* applies.

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

[1] Clause 5.9

Insert after clause 5.8—

5.9 Dwelling house or secondary dwelling affected by natural disaster

- (1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwellings that have been damaged or destroyed by a natural disaster.
- (2) This clause applies to land in the following zones—
 - (a) RU1 Primary Production,
 - (b) RU2 Rural Landscape,
 - (c) RU5 Village,
 - (d) R1 General Residential,
 - (e) R2 Low Density Residential,
 - (f) R3 Medium Density Residential,
 - (g) R4 High Density Residential,
 - (h) R5 Large Lot Residential,
 - (i) B1 Neighbourhood Centre,
 - (j) B2 Local Centre,
 - (k) E4 Environmental Living.
- (3) Despite the other provisions of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—
 - (a) the dwelling house or secondary dwelling was lawfully erected, and
 - (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.