



New South Wales

# **Nambucca Local Environmental Plan 2010 (Amendment No 29)**

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*.

**DANIEL WALSH**

As delegate for the Minister for Planning

## **Nambucca Local Environmental Plan 2010 (Amendment No 29)**

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### **1 Name of Plan**

This Plan is *Nambucca Local Environmental Plan 2010 (Amendment No 29)*.

### **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**

Insert “Residential accommodation;” in alphabetical order in item 3 of the matter relating to Zone RU1 Primary Production.

**[2] Land Use Table, Zone RU1 Primary Production**

Insert the following in alphabetical order in item 4—

- Attached dwellings;
- Boarding houses;
- Co-living housing;
- Group homes;
- Hostels;
- Independent living units;
- Multi dwelling housing;
- Residential flat buildings;
- Semi-detached dwellings;
- Seniors housing;

**[3] Land Use Table, Zone RU1 Primary Production**

Omit “Residential accommodation;” from item 4.

**[4] Land Use Table, Zone RU2 Rural Landscape**

Insert “Residential accommodation;” in alphabetical order in item 3.

**[5] Land Use Table, Zone RU2 Rural Landscape**

Insert the following in alphabetical order in item 4—

- Attached dwellings;
- Boarding houses;
- Co-living housing;
- Hostels;
- Independent living units;
- Multi dwelling housing;
- Residential flat buildings;
- Rural workers’ dwellings;
- Semi-detached dwellings;
- Seniors housing;
- Shop top housing;

**[6] Land Use Table, Zone RU2 Rural Landscape**

Omit “Residential accommodation;” from item 4.

**[7] Land Use Table, Zone R5 Large Lot Residential**

Insert “Residential accommodation;” in alphabetical order in item 3.

**[8] Land Use Table, Zone R5 Large Lot Residential**

Insert the following in alphabetical order in item 4—

- Attached dwellings;
- Boarding houses;
- Co-living housing;
- Independent living units;
- Residential flat buildings;
- Semi-detached dwellings;
- Seniors housing;

**[9] Land Use Table, Zone R5 Large Lot Residential**

Omit “Residential accommodation;” from item 4.

**[10] Land Use Table, Zone B7 Business Park**

Insert “Vehicle sales or hire premises;” in alphabetical order in item 3.

**[11] Land Use Table, Zone C2 Environmental Conservation**

Insert “Residential accommodation;” in alphabetical order in item 3.

**[12] Land Use Table, Zone C2 Environmental Conservation**

Insert the following in alphabetical order in item 4—

- Attached dwellings;
- Boarding houses;
- Co-living housing;
- Dual occupancies (detached);
- Group homes;
- Hostels;
- Independent living units;
- Rural workers’ dwellings;
- Secondary dwellings;
- Semi-detached dwellings;
- Shop top housing;

**[13] Land Use Table, Zone C3 Environmental Management**

Insert “Residential accommodation;” in alphabetical order in item 3.

**[14] Land Use Table, Zone C3 Environmental Management**

Insert the following in alphabetical order in item 4—

- Attached dwellings;
- Boarding houses;
- Co-living housing;
- Dual occupancies (detached);
- Group homes;
- Hostels;

Independent living units;  
Rural workers' dwellings;  
Secondary dwellings;  
Semi-detached dwellings;  
Shop top housing;

**[15] Land Use Table, Zone C4 Environmental Living**

Insert "Residential accommodation;" in alphabetical order in item 3.

**[16] Land Use Table, Zone C4 Environmental Living**

Insert the following in alphabetical order in item 4—

Attached dwellings;  
Boarding houses;  
Co-living housing;  
Group homes;  
Hostels;  
Independent living units;  
Multi dwelling housing;  
Residential flat buildings;  
Rural workers' dwellings;  
Secondary dwellings;  
Semi-detached dwellings;  
Seniors housing;  
Shop top housing;

**[17] Clause 4.2A, heading**

Omit "environmental protection". Insert instead "conservation".

**[18] Clause 4.2A(1)(b)**

Omit "environmental protection". Insert instead "conservation".

**[19] Clause 4.2A(2)(c)–(e)**

Omit clause 4.2A(2)(c) and (d). Insert instead—

- (c) Zone C2 Environmental Conservation,
- (d) Zone C3 Environmental Management,
- (e) Zone C4 Environmental Living.

**[20] Clause 4.2A(3)**

Insert "or use" after "the erection".

**[21] Clause 4.2A(3)**

Omit ", and on which no dwelling house or dual occupancy has been erected,".

**[22] Part 7 Additional local provisions**

Insert at the end of the Part, with appropriate clause numbering—

### Use of moveable dwellings

- (1) This clause applies to a lot in 1 of the following zones—
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone R1 General Residential,
  - (d) Zone R2 Low Density Residential,
  - (e) Zone R3 Medium Density Residential,
  - (f) Zone R4 High Density Residential,
  - (g) Zone R5 Large Lot Residential,
  - (h) Zone C2 Environmental Conservation,
  - (i) Zone C3 Environmental Management,
  - (j) Zone C4 Environmental Living.
- (2) The use of a moveable dwelling is permitted with consent on a lot to which this clause applies.

**Note—** Approval under the *Local Government Act 1993*, section 68, Table, Part A may be required for the installation of the moveable dwelling.
- (3) Development consent must not be granted to the use of a moveable dwelling on a lot to which this clause applies unless—
  - (a) for a lot in a Category A Zone—there will be no more than 2 moveable dwellings on the lot, and
  - (b) for a lot in a Category B Zone—the lot is a lot on which a dwelling house or a dual occupancy may be erected or used under clause 4.2A.
- (4) The use of a moveable dwelling in a caravan park to which an approval under the *Local Government Act 1993*, section 68, Table, Part F, item 2 applies is permitted without consent.
- (5) In this clause—

**Category A Zone** means the following zones—

  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone R2 Low Density Residential,
  - (d) Zone R5 Large Lot Residential,
  - (e) Zone C2 Environmental Conservation,
  - (f) Zone C3 Environmental Management,
  - (g) Zone C4 Environmental Living.

**Category B Zone** means the following zones—

  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone C2 Environmental Conservation,
  - (d) Zone C3 Environmental Management,
  - (e) Zone C4 Environmental Living.