



New South Wales

Upper Lachlan Local Environmental Plan 2010 (Amendment No 7)

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*.

COLLEEN WORTHY

As delegate for the Minister for Planning

Upper Lachlan Local Environmental Plan 2010 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Upper Lachlan Local Environmental Plan 2010 (Amendment No 7)*.

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 *Upper Lachlan Local Environmental Plan 2010* applies.

Schedule 1 Amendment of Upper Lachlan Local Environmental Plan 2010

[1] Land Use Table

Omit the matter relating to Zones RU1, RU2, RU3, RU4, RU5, R2 and R5. Insert instead—

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To promote the use of agricultural land for efficient and effective agricultural production.
- To allow for the development of non-agricultural land uses that are compatible with the character of the land.
- To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic value.
- To allow the development of processing, service and other industries that support the economic development of agriculture and primary industry production.
- To minimise the visual impact of development on the rural landscape.
- To protect prime agricultural land from the economic pressure of competing land uses.
- To retain the significant historic and social values expressed in existing landscapes and land use patterns.
- To conserve and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors.

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Aquaculture; Artisan food and drink industries; Cellar door premises; Dwelling houses; Extractive industries; Home industries; Landscaping material supplies; Open cut mining; Plant nurseries; Pubs; Restaurants or cafes; Roadside stalls; Rural workers' dwellings; Secondary dwellings; Self-storage units; Timber yards; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Centre-based child care facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Home occupations (sex services); Industries; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Restricted premises; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic value.
- To encourage development that generates employment opportunities, integrates with tourism and is compatible with, and adds value to, local agricultural production.
- To retain the significant historic and social values expressed in existing landscapes and land use patterns.
- To conserve and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors.

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Aquaculture; Cellar door premises; Dwelling houses; Food and drink premises; Garden centres; Group homes; Hardware and building supplies; Landscaping material supplies; Light industries; Markets; Plant nurseries; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Shop top housing; Timber yards; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Car parks; Caravan parks; Commercial premises; Centre-based child care facilities; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Passenger

transport facilities; Public administration buildings; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies

Zone RU3 Forestry

1 Objectives of zone

- To enable development for forestry purposes.
- To enable other development that is compatible with forestry land uses.

2 Permitted without consent

Uses authorised under the *Forestry Act 2012* or under Part 5B (Private native forestry) of the *Local Land Services Act 2013*

3 Permitted with consent

Aquaculture; Camping grounds; Eco-tourist facilities; Environmental facilities; Environmental protection works; Information and education facilities; Research stations; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone RU4 Primary Production Small Lots

1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic value.
- To retain the significant historic and social values expressed in existing landscapes and land use patterns.
- To conserve, link and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors, and to reduce land degradation affecting the assets.

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Aquaculture; Artisan food and drink industries; Bed and breakfast accommodation; Cellar door premises; Dual occupancies; Dwelling houses; Farm stay accommodation; Garden centres; Home industries; Kiosks; Landscaping material supplies; Plant nurseries; Poultry farms; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Timber yards; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Centre-based child care facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Intensive livestock agriculture; Mortuaries; Passenger transport facilities; Places of public worship; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To ensure the efficient use of land and infrastructure within each village.
- To provide high-amenity residential, commercial, civic and community uses within village areas.
- To conserve and enhance buildings and landscape and streetscape features that contribute to the character and identity of village areas.
- To conserve, link and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors, and to reduce land degradation affecting the assets.
- To encourage the development of tourism assets and the provision of associated services.
- To facilitate a strong and viable village system that provides housing options, business opportunities, adequate transport systems and concentrated community services.

2 Permitted without consent

Bee keeping; Building identification signs; Business identification signs; Environmental protection works; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Home industries; Horticulture; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Secondary dwellings; Self-storage units; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Cellar door premises; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Funeral homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To facilitate the orderly and economic development of land for residential purposes and associated urban activities.
- To facilitate and promote the effective provision of affordable and suitable housing for varying household needs and community preferences.
- To conserve and enhance buildings, landscape features and streetscape features that contribute to the character and identity of village areas.
- To conserve, link and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors, and to reduce land degradation affecting the assets.

- To maintain the built integrity of the area by enabling development that complements existing heritage buildings and features.

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Centre-based child care facilities; Dwelling houses; Group homes; Home industries; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Pond-based aquaculture; Respite day care centres; Restaurants or cafes; Self-storage units; Small bars; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Boat building and repair facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Restricted premises; Rural industries; Rural workers' dwellings; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage subdivision of land that is consistent with the constraints and opportunities of the land.
- To conserve, link and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant

native vegetation and fauna movement corridors, and to reduce land degradation affecting the assets.

- To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic value.

2 Permitted without consent

Building identification signs; Business identification signs; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Business premises; Dwelling houses; Extensive agriculture; Home industries; Horticulture; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Restaurants or cafes; Roadside stalls; Rural supplies; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Caravan parks; Commercial premises; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial retail outlets; Industrial training facilities; Industries; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Restricted premises; Rural industries; Service stations; Serviced apartments; Sewerage systems; Shop top housing; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

[2] Land Use Table

Omit the matter relating to Zones SP1, SP2 and RE1. Insert instead—

Zone SP1 Special Activities

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Industries; Sewerage systems; Waste or resource management facilities; The purpose shown on the Land Zoning Map,

including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Air transport facilities; Aquaculture; Camping grounds; Caravan parks; Industries; Information and education facilities; Sewerage systems; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect and enhance the natural environment generally and ensure that areas of high ecological, scientific, cultural or aesthetic values are maintained or improved.
- To conserve, link and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, high conservation value vegetation, remnant native vegetation and fauna movement corridors.

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Entertainment facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens;

Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Water recreation structures; Water storage facilities; Wharf or boating facilities

4 Prohibited

Any development not specified in item 2 or 3

[3] Land Use Table

Omit the matter relating to Zones C2 and C3. Insert instead—

Zone C2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To facilitate the management of environmentally sensitive land and areas of high environmental value.
- To retain the significant historic and social values expressed in existing landscapes and land use patterns.
- To provide for recreational activities that promote enjoyment and appreciation of, and education about, the natural environment, consistent with the protection of the areas.

2 Permitted without consent

Environmental protection works; Extensive agriculture

3 Permitted with consent

Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Charter and tourism boating facilities; Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm stay accommodation; Flood mitigation works; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Oyster aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Signage; Water recreation structures; Wharf or boating facilities

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Local distribution premises; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone C3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.

- To provide for a limited range of development that does not have an adverse effect on those values.
- To facilitate the management of environmentally sensitive land and areas of high environmental value.
- To retain the significant historic and social values expressed in existing landscapes and land use patterns.
- To minimise the proliferation of buildings in sensitive landscape areas.
- To restrict the use of land to low-impact uses compatible with preserving drinking water catchments and relating to tourist activities or recreation in, or environmental enhancement of, the natural surroundings.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Backpackers' accommodation; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Cellar door premises; Charter and tourism boating facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm stay accommodation; Flood mitigation works; Function centres; Home industries; Information and education facilities; Jetties; Kiosks; Marinas; Mooring pens; Moorings; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Signage; Tank-based aquaculture; Water recreation structures; Wharf or boating facilities

4 Prohibited

Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3