



New South Wales

# **Clarence Valley Local Environmental Plan 2011 (Amendment No 54)**

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*.

**JEREMY GRAY**

As delegate for the Minister for Planning and Public Spaces

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### **1 Name of plan**

This plan is *Clarence Valley Local Environmental Plan 2011 (Amendment No 54)*.

### **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 *Clarence Valley Local Environmental Plan 2011* applies.

### **4 Maps**

The maps adopted by *Clarence Valley Local Environmental Plan 2011* 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 Clarence Valley Local Environmental Plan 2011

### [1] Land Use Table

Omit “Crematoria;” from Zone E4, item 4.

### [2] Clause 4.2D Erection of dual occupancies (detached) and secondary dwellings in Zones RU1, RU2, and R5

Omit clause 4.2D(2)(c). Insert instead—

- (c) the development will be—
  - (i) co-located as close as possible to the principal dwelling, or
  - (ii) if significant agricultural or environmental constraints prevent co-location—the minimum distance required from the principal dwelling to avoid the constraint.

### [3] Clause 5.5 Controls relating to secondary dwellings on land in a rural zone

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) 18% of the total floor area of the principal dwelling, and
- (b) [Not adopted]

### [4] Schedule 5 Environmental heritage

Omit “Lot 7308” from Part 1, item no I1029. Insert instead “Lot 7307”.

### [5] Schedule 5, Part 1, item nos I1091, I1092, I1093, I1095 and I1096

Insert in appropriate order—

|           |                                   |  |                        |       |       |
|-----------|-----------------------------------|--|------------------------|-------|-------|
| Chambigne | Sandstone culverts and box drains | Old Glen Innes Road                                | Road reserve           | Local | I1092 |
| Dalmorton | Cunglebung Homestead Complex      | Nymboida National Park                             | Nymboida National Park | State | I1096 |
| Grafton   | Dwelling house                    | 90 Victoria Street                                 | Lot 1, DP 981946       | Local | I1095 |
| Iluka     | Iluka Obelisk                     | Corner of Ken Leeson Oval and Iluka Nature Reserve | Lot 92, DP 822843      | Local | I1091 |
| Maclean   | Stone kerb and guttering          | McIntyres Lane                                     | Road reserve           | Local | I1093 |