



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Kyogle Local Environmental Plan 2012 (Amendment No 8)

Your ref: PP_2016_KYOGL_001_00
Our ref: MA e2016-284.d05

In my opinion the attached draft environmental planning instrument may legally be made.



(D COLAGIURI)
Parliamentary Counsel
8 December 2016



New South Wales

Kyogle Local Environmental Plan 2012 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

Manfred Boldy 10 January 2017

MANFRED BOLDY

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES

SIGNED UNDER DELEGATION FOR KYOGLE COUNCIL
AS DELEGATE FOR THE MINISTER FOR PLANNING.

Kyogle Local Environmental Plan 2012 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Kyogle Local Environmental Plan 2012 (Amendment No 8)*.

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 in the following zones under *Kyogle Local Environmental Plan 2012*:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RE2 Private Recreation,
- (d) Zone RU5 Village and Zone R3 Medium Density Residential (being zones in which development for the purposes of residential accommodation is permitted with development consent).

Schedule 1 Amendment of Kyogle Local Environmental Plan 2012

[1] Clause 6.6

Insert after clause 6.5:

6.6 Temporary workers' accommodation

- (1) The objectives of this clause are as follows:
 - (a) to enable development for the purposes of temporary workers' accommodation only if there is a foreseeable need to accommodate the workers due to the nature of their work or the location of the land on which the work is carried out,
 - (b) to ensure that temporary workers' accommodation is appropriately located,
 - (c) to minimise the impact of temporary workers' accommodation on the locality in which it is situated.
- (2) Development consent must not be granted to development for the purposes of temporary workers' accommodation unless the consent authority is satisfied of the following:
 - (a) the development is necessary considering the nature of the relevant agriculture or rural industry, or because of the remote or isolated location of the land on which the agriculture or rural industry is, or is to be, carried out,
 - (b) the development will not prejudice the subsequent carrying out of development for the purposes of agriculture,
 - (c) water reticulation systems, sewerage systems and local roads will adequately meet the requirements resulting from the development,
 - (d) the development will not result in the erection of any building (other than associated amenities or infrastructure), or the habitation of any building, on a permanent basis,
 - (e) the development will not result in an adverse impact on any of the following:
 - (i) the amenity of residential accommodation on adjoining land,
 - (ii) an Aboriginal object or Aboriginal place of heritage significance,
 - (iii) the environmental values of the land on which the development is to be carried out.
- (3) In this clause:
temporary workers' accommodation means a building or place used predominantly as a place of residence by persons working on a short-term basis for the purposes of agriculture or a rural industry.

[2] Schedule 1 Additional permitted uses

Omit "(When this Plan was made this Schedule was blank)". Insert instead:

1 Temporary workers' accommodation in Zones RU1, RU2 and RE2

- (1) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,

- (c) Zone RE2 Private Recreation.
- (2) Development for the purposes of temporary workers' accommodation (within the meaning of clause 6.6) is permitted with development consent.