



New South Wales

# Lake Macquarie Local Environmental Plan 2014 (Amendment No 15)

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*.

APPROVED AS DELEGATE OF MINISTER FOR PLANNING AND PUBLIC SPACES	
Signature	
Designation	Dan Simpkins, Director, Central Coast and Hunter
Date	17 / 12 / 2020

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### **1 Name of Plan**

This Plan is *Lake Macquarie Local Environmental Plan 2014 (Amendment No 15)*.

### **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 the land to which *Lake Macquarie Local Environmental Plan 2014* applies.

## Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2014

### [1] Part 7 Additional local provisions

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

#### Short-term rental accommodation

- (1) The objective of this clause is to require development consent for the temporary use of a dwelling containing 5 or more bedrooms as short-term rental accommodation.
- (2) Despite any other provision of this Plan, development consent is required for the use of a dwelling containing 5 or more bedrooms as short-term rental accommodation.

**Note 1.** Schedule 2 provides that the use of a dwelling containing 4 or fewer bedrooms as short-term rental accommodation is exempt development if it meets the standards for the development contained in that Schedule.

**Note 2.** The short-term rental accommodation industry is regulated by Part 4, Division 4A of the *Fair Trading Act 1987* and by Part 2A of the *Fair Trading Regulation 2019*, which declares a *Code of Conduct for the Short-term Rental Accommodation Industry*.

### [2] Schedule 2 Exempt development

Insert in appropriate order—

#### Short-term rental accommodation

**Note 1.** If the subject dwelling is located on bush fire prone land, a bush fire safety authority, within the meaning of section 100A of the *Rural Fires Act 1997*, must be obtained before the dwelling is used as short-term rental accommodation—see section 100B of the *Rural Fires Act 1997*.

**Note 2.** The short-term rental accommodation industry is regulated by Part 4, Division 4A of the *Fair Trading Act 1987* and by Part 2A of the *Fair Trading Regulation 2019*, which declares a *Code of Conduct for the Short-term Rental Accommodation Industry*.

- (1) Must be located in a zone where dwellings are permitted with development consent.
- (2) The dwelling must not contain more than 4 bedrooms.
- (3) Signage, being no more than 1m<sup>2</sup> in size, must be clearly displayed on the land to which the sign relates and contain the name and telephone number, including an after hours telephone number, of the owner or property manager.

### [3] Dictionary

Insert in alphabetical order—

***short-term rental accommodation*** means a dwelling, or part of a dwelling, used for the purpose of tourist and visitor accommodation, other than bed and breakfast accommodation, farm stay accommodation or hotel and motel accommodation, that is available for rent for a period of not more than 3 months at any one time.