

A. SUBJECT: EASEMENT OVER TRAVELLING STOCK ROUTE – ABATTOIR ROAD

**FROM: SENIOR GOVERNANCE OFFICER
Greg Roberts**

Moved Councillor Hall

RECOMMENDATION:

- 2) That Council authorise the Mayor and General Manager to affix the Council Seal to the Section 88B Instrument which is necessary to maintain the right of public access over the currently constructed Abattoir Road.
- 3) That following the completion of Abattoir Road on the correct alignment, the General Manager be authorised to execute the Transfer Releasing Easement or other document that may be required by the Australian meat Company.

Seconded Councillor Taylor

CARRIED

**B. SUBJECT DENILQUIN LOCAL ENVIRONMENTAL PLAN 2013
(AMENDMENT No 2)**

**FROM: DIRECTOR TECHNICAL SERVICES
Mark Dalzell**

Moved Councillor Fogarty

RECOMMENDATION/S:

DIVISION

In accordance with the requirements of the Local Government Act, it is necessary for Council to call a division when voting of any resolution that involves making a planning decision.

That Council:

1. In accordance with section 59(2) of the Environmental Planning and Assessment Act make the proposed Deniliquin Local Environmental Plan 2013 (Amendment 2); and

2. Upon signing of the proposed Deniliquin Local Environmental Plan 2013 (Amendment 2) by Council's delegate, that the Department of Planning and Environment be notified of its decision.

Seconded Councillor Shand

CARRIED

Division				
Name	For	Against	Abstain	Absent
Cr P Connell	X			
Cr P Fogarty	X			
Cr A Hall	X			
Cr A Howley	X			
Cr J Shand	X			
Cr S Taylor	X			
Cr L Renwick	X			



New South Wales

Deniliquin Local Environmental Plan 2013 (Amendment No 2)

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


DESMOND JOHN BILSKE
GENERAL MANAGER
DENILIQUIN COUNCIL
2.12.2014.

Deniliquin Local Environmental Plan 2013 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Deniliquin Local Environmental Plan 2013 (Amendment No 2)*.

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 Zone RU1 under *Deniliquin Local Environmental Plan 2013*.

4 Amendment of Deniliquin Local Environmental Plan 2013

Clause 4.1B

Insert after clause 4.1A:

4.1B Exceptions to minimum subdivision lot sizes for certain rural subdivisions

- (1) The objective of this clause is to permit the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of residential accommodation.
- (2) This clause applies to land in Zone RU1 Primary Production.
- (3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than residential accommodation) permitted under the existing development consent for the land.
- (4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:
 - (a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and
 - (b) the subdivision is necessary for the ongoing operation of the permissible use, and
 - (c) the subdivision will not cause or increase rural land uses conflict¹
 - (d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Deniliquin Local Environmental Plan 2013 (Amendment No 2)

Your ref: Julie Rogers
Our ref: MA e2014-287-d03

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

A handwritten signature in black ink, appearing to read 'D. Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
24 October 2014

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to Table 2 to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2014_DENIL_002_00
Date Sent to Department under s56	28/8/2014
Date considered at LEP Review Panel	Considered by Ministers Delegate and did not go to Panel
Gateway determination date	16/9/2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	22.9.14 - 7.10.14	
Date of public hearing (if held)	—	
Date sent to PCO seeking Opinion	14.10.14	
Date Opinion received	24.10.14	
Date Council Resolved to Adopt LEP	26.11.14	
Date LEP made by GM (or other) under delegation	2.12.14	
Date sent to DP&I requesting notification	2.12.14	

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	05/12/14

Additional relevant information: