



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Leeton Local Environmental Plan 2014 (Amendment No 1)

Your ref: Kelly Tyson
Our ref: VH e2015-143-d03

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

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.



(D COLAGIURI)
Parliamentary Counsel
1 July 2015



New South Wales

Leeton Local Environmental Plan 2014 (Amendment No 1)

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~~

A handwritten signature in black ink, appearing to read 'Garry Stoll'.

Garry Stoll

Director Environmental &
Community Services

20/7/2015

Leeton Local Environmental Plan 2014 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Leeton Local Environmental Plan 2014 (Amendment No 1)*.

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 *Leeton Local Environmental Plan 2014* applies.

4 Maps

The maps adopted by *Leeton Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Leeton Local Environmental Plan 2014

[1] Land Use Table

Omit “Places of public worship;” from item 4 of the matter relating to Zone R3 Medium Density Residential.

[2] Land Use Table, Zone R5 Large Lot Residential

Omit “Flood mitigation works;” from item 2.

[3] Clause 4.1 Minimum subdivision lot size

Omit “identified on the Lot Size Map as being within areas marked “W” and “Z”” from clause 4.1 (3A).

Insert instead “within the area identified as “W” on the Lot Size Map”.

[4] Clause 4.1 (3B)

Omit “identified on the Lot Size Map as being within area “Z””.

Insert instead “within the area identified as “Z1” or “Z2” on the Lot Size Map”.

[5] Clause 4.2E

Insert after clause 4.2D:

4.2E Exceptions to minimum lot sizes for certain rural subdivisions

- (1) The objective of this clause is to enable the subdivision of land in Zone RU1 Primary Production to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of dwelling houses or dual occupancies.
- (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 a dwelling house or a dual occupancy) 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 increase rural land use conflict in the locality, and
 - (d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.

[6] Clause 6.7 Development on river front areas

Omit the definition of *river front area* from clause 6.7 (4). Insert instead:

river front area means:

- (a) in Zone RU1 Primary Production—the land within 40 metres of the high bank of the river, or
- (b) in Zone SP2 Infrastructure—the land within 100 metres of the high bank of the river.

[7] Schedule 4 Classification and reclassification of public land

Omit “Nil” from Column 1 in Part 1. Insert in Columns 1 and 2, respectively:

Leeton, 14 Yanco Avenue

Lot 15, Section 57, DP 758606

Environmental Planning and Assessment Act 1979

Leeton Local Environmental Plan 2014 (Amendment No 1)

Leeton Shire Council
23-25 Chelmsford Place
LEETON NSW 2830

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Floor Space Ratio Map FSR_014E	4750_COM_FSR_014E_010_20140131
Height of Buildings Map HOB_014E	4750_COM_HOB_014E_010_20140131
Land Zoning Map LZN_014E	4750_COM_LZN_014E_010_20140131
Lot Size Map LSZ_014B	4750_COM_LSZ_014B_010_20140131
LSZ_014E	4750_COM_LSZ_014E_010_20140131
LSZ_014F	4750_COM_LSZ_014F_010_20140131

The following map sheets are adopted:

Map Sheet	Map Identification Number
Floor Space Ratio Map FSR_014E	4750_COM_FSR_014E_010_20150723
Height of Buildings Map HOB_014E	4750_COM_HOB_014E_010_20150723
Land Zoning Map LZN_014E	4750_COM_LZN_014E_010_20150723
Lot Size Map LSZ_014B	4750_COM_LSZ_014B_010_20150723
LSZ_014E	4750_COM_LSZ_014E_010_20150723
LSZ_014F	4750_COM_LSZ_014F_010_20150723

Certified



Director of Environmental &
Community Services

23/07/2015

Minister for Planning