



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Greater Taree Local Environmental Plan 2010 (Amendment No 9)

Your ref: Jade Smilanic
Our ref: AE e2016-184.d11

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.

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

(D COLAGIURI)
Parliamentary Counsel
24 January 2017



New South Wales

Greater Taree Local Environmental Plan 2010 (Amendment No 9)

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

Greater Taree Local Environmental Plan 2010 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Greater Taree Local Environmental Plan 2010 (Amendment No 9)*.

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 *Greater Taree Local Environmental Plan 2010* applies.

4 Maps

The maps adopted by *Greater Taree Local Environmental Plan 2010* 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 Greater Taree Local Environmental Plan 2010

[1] Clause 4.1C

Insert after clause 4.1B:

4.1C Exceptions to minimum subdivision lot size for land in Zone RU1 or E2

- (1) The objective of this clause is to improve the management of land affected by acid sulfate soils to achieve an environmental benefit.
- (2) This clause applies to each lot (an *original lot*) that contains:
 - (a) land identified as “Bonus development area” on the Big Swamp Area Map (*the Map*), and
 - (b) land identified as “Environmentally sensitive area” on the Map.
- (3) Despite clause 4.1, development consent may be granted for the subdivision of an original lot to create other lots (the *resulting lots*) if the consent authority is satisfied that:
 - (a) if a resulting lot contains land identified as “Bonus development area” on the Map, it will contain at least 5 hectares of that land, and
 - (b) if a resulting lot contains land identified as “Exclusion area” on the Map, that lot will also contain at least 5 hectares of land identified as “Bonus development area” on the Map, and
 - (c) if a resulting lot contains land identified as “Environmentally sensitive area” on the Map, suitable arrangements have been, or will be, made for the conservation and management of that land.
- (4) Despite any other provision of this Plan, development consent may be granted for the erection of a dwelling house on land that has been subdivided under this clause if the land is identified as “Bonus development area” on the Map.

[2] Schedule 5 Environmental heritage

Omit “Lot 1, DP 758285” from the matter relating to Item no I22 in Part 1.

Insert instead “Lots 1, 3 and 4, DP 758285”.

[3] Schedule 5, Part 1

Omit the matter relating to Item no I243. Insert in appropriate order:

Wingham WR Maitland Building 28–38 Bent Street Lot 20, DP 801981 Local I243

[4] Schedule 5, Part 1

Omit “Lot 1, DP 780647” from the matter relating to Item no I249.

Insert instead “Lot 7303, DP 1143888 and Lot 16, Section 10, DP 758546”.

[5] Schedule 5, Part 1

Omit the matter relating to Item no I282.

[6] Schedule 5, Part 3

Insert in appropriate order:

Bohnock Literary Institute 13 Bohnock Road Lot 176, DP 753149 Local A282

[7] Dictionary

Insert in alphabetical order:

Big Swamp Area Map means the Greater Taree Local Environmental Plan 2010 Big Swamp Area Map.