



New South Wales

## PARLIAMENTARY COUNSEL

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### *Opinion*

Environmental Planning and Assessment Act 1979  
Proposed Yass Valley Local Environmental Plan 2013 (Amendment No 1)

Your ref: Liz Makin  
Our ref: JF e2016-095.d11

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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  
9 August 2016



New South Wales

## Yass Valley Local Environmental Plan 2013 (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 "D. Rowe".

9.8.2016

DAVID ROWE  
GENERAL MANAGER  
YASS VALLEY COUNCIL

Signed under delegation for Yass Valley Council  
as delegate for the Minister for Planning

## **Yass Valley Local Environmental Plan 2013 (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Yass Valley Local Environmental Plan 2013 (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 land in the following zones under *Yass Valley Local Environmental Plan 2013*:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU4 Primary Production Small Lots,
- (d) Zone E3 Environmental Management,
- (e) Zone E4 Environmental Living.

## **Schedule 1      Amendment of Yass Valley Local Environmental Plan 2013**

### **[1]    Clause 4.1B Subdivision using average lot sizes**

Omit clause 4.1B (3). Insert instead:

- (3) Despite clause 4.1, development consent may be granted to subdivide land in Zone RU1 Primary Production or Zone RU2 Rural Landscape if:
  - (a) the average area of all the lots created will be at least 40 hectares, and
  - (b) none of the lots created will have an area of less than 20 hectares, and
  - (c) none of the lots created will have an area greater than 70 hectares.

**Note.** Under clause 4.1, a subdivision can create a lot with an area greater than 70 hectares.

### **[2]    Clause 4.1C**

Insert after clause 4.1B:

#### **4.1C    Additional requirements for subdivision in certain rural zones**

- (1) The objectives of this clause are to enable appropriate subdivision of land to which this clause applies having regard to topographical constraints, agricultural productivity, biodiversity values and environmental impact.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU4 Primary Production Small Lots.
- (3) 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 pattern of lots created by the subdivision and the location of any future buildings on the land are not likely to have a detrimental impact on any riparian land, watercourses or biodiversity values, or exacerbate existing erosion or salinity processes, and
  - (b) the subdivision layout has regard to protecting areas of remnant vegetation and will minimise the need for clearing vegetation for any future buildings, accessways, fences and any associated asset protection zones, and
  - (c) the pattern of lots will not significantly increase access to a watercourse for stock and domestic purposes, and
  - (d) the subdivision will not adversely affect the use of the land and surrounding land for agriculture.

### **[3]    Clause 4.2B Erection of dwelling houses and dual occupancies on land in certain rural and environment protection zones**

Insert after clause 4.2B (6):

- (7) Despite subclauses (3) and (6), development consent may be granted for the erection of a dwelling house to create a dual occupancy on land to which this clause applies if there is a lawfully erected dwelling house on the land.

Environmental Planning and Assessment Act 1979

Yass Valley Local Environmental Plan 2013  
(Amendment No 1)

Yass Valley Council

209 Comur Street

Yass NSW 2582

Map Cover Sheet

The following map sheets are revoked:

| Map Sheet    | Map Identification Number      |
|--------------|--------------------------------|
| Lot Size Map |                                |
| LSZ_001      | 8710_COM_LSZ_001_160_20130423  |
| LSZ_001A     | 8710_COM_LSZ_001A_020_20130423 |
| LSZ_001B     | 8710_COM_LSZ_001B_020_20130423 |
| LSZ_001C     | 8710_COM_LSZ_001C_020_20130423 |
| LSZ_001D     | 8710_COM_LSZ_001D_020_20130423 |
| LSZ_001E     | 8710_COM_LSZ_001E_020_20130423 |
| LSZ_001F     | 8710_COM_LSZ_001F_020_20130423 |
| LSZ_001G     | 8710_COM_LSZ_001G_020_20130423 |
| LSZ_001H     | 8710_COM_LSZ_001H_020_20130423 |
| LSZ_002      | 8710_COM_LSZ_002_160_20130423  |
| LSZ_002A     | 8710_COM_LSZ_002A_020_20130423 |
| LSZ_002B     | 8710_COM_LSZ_002B_020_20130423 |
| LSZ_003      | 8710_COM_LSZ_003_160_20130423  |
| LSZ_004      | 8710_COM_LSZ_004_160_20130423  |
| LSZ_005      | 8710_COM_LSZ_005_160_20130423  |
| LSZ_005A     | 8710_COM_LSZ_005A_020_20130423 |
| LSZ_005B     | 8710_COM_LSZ_005B_020_20130423 |
| LSZ_005C     | 8710_COM_LSZ_005C_020_20130423 |
| LSZ_005D     | 8710_COM_LSZ_005D_020_20130423 |
| LSZ_005E     | 8710_COM_LSZ_005E_020_20130423 |
| LSZ_005F     | 8710_COM_LSZ_005F_020_20130423 |
| LSZ_006      | 8710_COM_LSZ_006_160_20130423  |

The following map sheets are adopted:

| Map Sheet    | Map Identification Number      |
|--------------|--------------------------------|
| Lot Size Map |                                |
| LSZ_001      | 8710_COM_LSZ_001_160_20160801  |
| LSZ_001A     | 8710_COM_LSZ_001A_020_20160801 |
| LSZ_001B     | 8710_COM_LSZ_001B_020_20160801 |
| LSZ_001C     | 8710_COM_LSZ_001C_020_20160801 |
| LSZ_001D     | 8710_COM_LSZ_001D_020_20160801 |
| LSZ_001E     | 8710_COM_LSZ_001E_020_20160801 |
| LSZ_001F     | 8710_COM_LSZ_001F_020_20160801 |
| LSZ_001G     | 8710_COM_LSZ_001G_020_20160801 |
| LSZ_001H     | 8710_COM_LSZ_001H_020_20160801 |
| LSZ_002      | 8710_COM_LSZ_002_160_20160801  |
| LSZ_002A     | 8710_COM_LSZ_002A_020_20160801 |
| LSZ_002B     | 8710_COM_LSZ_002B_020_20160801 |
| LSZ_003      | 8710_COM_LSZ_003_160_20160801  |
| LSZ_004      | 8710_COM_LSZ_004_160_20160801  |
| LSZ_005      | 8710_COM_LSZ_005_160_20160801  |
| LSZ_005A     | 8710_COM_LSZ_005A_020_20160801 |
| LSZ_005B     | 8710_COM_LSZ_005B_020_20160801 |
| LSZ_005C     | 8710_COM_LSZ_005C_020_20160801 |
| LSZ_005D     | 8710_COM_LSZ_005D_020_20160801 |
| LSZ_005E     | 8710_COM_LSZ_005E_020_20160801 |
| LSZ_005F     | 8710_COM_LSZ_005F_020_20160801 |
| LSZ_006      | 8710_COM_LSZ_006_160_20160801  |

*Certified*

*General Manager:*



*Date:* 9 August 2016

*Minister for Planning:*

*Date:*