



New South Wales

Kyogle Local Environmental Plan No 14

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*. (G94/00090/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 257

Clause 1 Kyogle Local Environmental Plan No 14

Kyogle Local Environmental Plan No 14

1 Name of plan

This plan is the *Kyogle Local Environmental Plan No 14*.

2 Aims of plan

This plan aims to allow, with Kyogle Council's consent, the subdivision of land to which this plan applies, and the carrying out of development on that land for the purposes of a veterinary hospital, a workshop for agricultural engineering, and of any trade, business or profession supporting the rural industry.

3 Land to which plan applies

This plan applies to land within the local government area of Kyogle, being lot 672, DP 785923, Summerland Way, Kyogle.

4 Amendment of Interim Development Order No 1—Shire of Kyogle

This plan amends *Interim Development Order No 1—Shire of Kyogle* as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 27 Development of certain land—Summerland Way, Kyogle

Omit clause 27 (2). Insert instead:

- (2) Nothing in this Order prevents a person, with the consent of the Council, from carrying out development on land to which this clause applies for the purposes of any of the following:
 - (a) a produce and agricultural supplies store,
 - (b) a veterinary hospital,
 - (c) an agricultural engineering workshop,
 - (d) a trade, business or profession supporting the rural industry.
- (3) Nothing in this Order prevents a person, with the consent of the Council, from carrying out subdivision on land to which this clause applies if each allotment created by the subdivision has an area of not less than 2000 square metres.
- (4) In considering any application to carry out development on land to which this clause applies, the Council must have regard to the provisions of any relevant flood evacuation plan for the land.
- (5) The Council may consent to the carrying out of development on land to which this clause applies only if it is satisfied that:
 - (a) the development will provide for flood storage, and
 - (b) a flood evacuation plan will be prepared in relation to the development, and
 - (c) buildings or works will be constructed of flood compatible materials, and
 - (d) the floor level of any building will be located at least 0.5 metres above the level of the 1 in 20 year Average Recurrence Interval (ARI) flood event for the area in which the land is situated.

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(6) In this clause, *flood compatible materials* means building materials and surface finishes capable of withstanding prolonged immersion in water.

[2] Clause 28 Veterinary hospitals

Insert after clause 28 (3):

(4) Subclause (3) does not apply to the carrying out of development for the purpose of a veterinary hospital on lot 672, DP 785923, Summerland Way, Kyogle.

BY AUTHORITY