



# Maclean Local Environmental Plan 2001 (Amendment No 4)

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*. (G01/00162/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

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## 2002 No 370

Clause 1 Maclean Local Environmental Plan 2001 (Amendment No 4)

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# Maclean Local Environmental Plan 2001 (Amendment No 4)

## 1 Name of plan

This plan is *Maclean Local Environmental Plan 2001 (Amendment No 4)*.

## 2 Aims of plan

This plan aims:

- (a) to amend the definitions of *agriculture* and *intensive animal husbandry*, and
- (b) to permit the use of land, with development consent, for the purposes of a livestock keeping establishment only within the 1 (a) Rural (Agricultural Protection) Zone, the 1 (b) Rural (General Rural Land) Zone, the 1 (i) Rural (Investigation) Zone, the 1 (r) Rural (Residential) Zone, the 1 (s) Rural (Small Holdings) Zone and the 1 (t) Rural (Tourist) Zone.

## 3 Land to which plan applies

This plan applies to land within the local government area of MacLean.

## 4 Amendment of Maclean Local Environmental Plan 2001

The *Maclean Local Environmental Plan 2001* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 7 Dictionary

Insert at the end of the definition of *agriculture* in clause 7 (1):

or the use of land solely for keeping or breeding livestock, poultry or bees for personal use or enjoyment by the owner or occupier of the land.

### [2] Clause 7 (1), definition of “intensive animal husbandry”

Insert at the end of the definition:

, but does not include use of livestock keeping establishments.

### [3] Clause 7 (1)

Insert in alphabetical order:

*livestock keeping establishment* means a building or place in which livestock or poultry are kept:

- (a) for the purpose of nurturing by a feeding method other than natural grazing, and
- (b) in a manner that does not involve interference with the amenity of the locality by reason of the generation of traffic or waste or the emission of noise, odour, dust or the like,

and includes poultry farms, horse training and boarding establishments and piggeries, but does not include buildings or places used for keeping livestock or poultry intended solely for personal use or enjoyment by the owners or occupiers of the buildings or places.

### [4] Clause 31 Rural zones applying in this plan, zone objectives and development control table

Insert “livestock keeping establishments;” in appropriate order in the Table to clause 31 under the heading “Only with development consent” in respect of Zones 1 (a), 1 (b), 1 (i), 1 (r), 1 (s) and 1 (t).

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Schedule 1      Amendments

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**[5] Clause 46 Residential, business and industrial zones applying in this plan, zone objectives and development control table**

Insert “livestock keeping establishments;” before “total destination resorts” in the Table to Clause 46 under the heading “Prohibited” in respect of Zone 2 (t).

BY AUTHORITY