



New South Wales

## **Richmond River Local Environmental Plan 1992 (Amendment No 25)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G01/00109/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

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## Richmond River Local Environmental Plan 1992 (Amendment No 25)

### 1 Name of plan

This plan is *Richmond River Local Environmental Plan 1992 (Amendment No 25)*.

### 2 Aims of plan

- (1) One of the aims of this plan is to rezone the land to which this plan applies from Zone No 1 (a) (the Rural (Prime Agricultural Land) Zone) to Zone No 1 (c) (the Rural Residential Zone) under *Richmond River Local Environmental Plan 1992 (the 1992 plan)*.

This is done by amending the definition of **THE MAP** in clause 5 (1) of the 1992 plan.

The zoning map supporting the 1992 plan currently comprises 13 sheets (identified consecutively as Map 1 to Map 13).

The effect of amending the definition of **THE MAP** is to allow for the replacement of the sheet identified as “MAP 6 of 13”. The new sheet will incorporate the new zoning of the relevant land.

- (2) This plan also amends Division 2 of Part 3 (Rural development) of the 1992 plan:
- (a) by deleting the Rural Residential Zone from the list of Zones in which clause 11 permits subdivision, and
  - (b) by amending clause 11 to allow for the creation of an allotment of any size, but not less than 1 hectare, provided the allotment is created as part of a clause 11A (Rural Residential) subdivision and comprises primarily the remainder of the parcel, and
  - (c) by inserting clause 11A, which provides for the subdivision of land within the Rural Residential Zone while maintaining the existing standards for the land identified on the map as Hillside Drive, Araluen Heights and Sherwood Park, and

- (d) by amending clause 14 (1) (a) to permit a dwelling-house to be erected on any allotment created in accordance with clause 11 or 11A.

**3 Land to which plan applies**

- (1) To the extent that this plan rezones land, it applies to part Lot 2 DP 853175, Reardons Lane, Swan Bay, Parish of Bungawalbin, as shown edged heavy black and lettered “1 (c)” on Sheet 1 of 2 of the map marked “Richmond River Local Environmental Plan 1992 (Amendment No 25)” deposited in the office of Richmond Valley Council.
- (2) To the extent that this plan amends Division 2 of Part 3, it applies to all land within Zone No 1 (a), 1 (b1), 1 (b2), 1 (c), 1 (d), 1 (e), 7 (a), 7 (b), 7 (c) and 7 (f) under the 1992 plan.

**4 Amendment of Richmond River Local Environmental Plan 1992**

*Richmond River Local Environmental Plan 1992* is amended as set out in Schedule 1.

**2003 No 441**

Richmond River Local Environmental Plan 1992 (Amendment No 25)

Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 4)

**[1] Clause 5 Definitions**

Insert at the end of the definition of *THE MAP* in clause 5 (1):

MAP 6—replaced by Richmond River Local Environmental Plan 1992 (Amendment No 25)

**[2] Clause 11 Subdivision of land in Zones Nos 1 (a), 1 (b1), 1 (b2), 1 (d), 1 (e), 7 (a), 7 (b), 7 (c) and 7 (f)**

Omit “1 (c),” from clause 11 (1).

**[3] Clause 11 (2) (d)**

Omit the paragraph.

**[4] Clause 11 (4)**

Omit the subclause. Insert instead:

- (4) If a parcel of land that is partly within Zone No 1 (c) is subdivided under clause 11A and the residue of the parcel, being land to which this clause applies, is less than the minimum standard required by subclause (2), an allotment having an area that is less than the minimum standard required by subclause (2) may be created where it:
  - (a) has an area not less than 1 hectare, and
  - (b) comprises the consolidation of the residue of the parcel.
- (4A) An allotment may be created under subclause (4) even if it excludes from any consolidation any allotments that:
  - (a) have a lawfully erected dwelling on them, or
  - (b) could have a dwelling erected on them subject to clause 14.

**[5] Clause 11A**

Insert after clause 11:

**11A Subdivision of land in Zone No 1 (c)**

- (1) This clause applies to land within Zone No 1 (c).
- (2) Land to which this clause applies must not be subdivided unless:
  - (a) the land is identified on the map as “Hillside Drive”, “Araluen Heights” or “Sherwood Park” and:
    - (i) each allotment to be created has an area of not less than 0.5 hectare, and
    - (ii) the average area of allotments is greater than 1.25 hectares, or
  - (b) each allotment to be created has an area of not less than 1 hectare.
- (3) In calculating the average area of allotments referred to in subclause (2) (a) (ii), allotments having an area in excess of 4 hectares are to be excluded.

**[6] Clause 14 Dwelling-houses in Zones Nos 1 (a), 1 (b1), 1 (b2), 1 (c), 1 (d), 1 (e), 7 (a), 7 (b), 7 (c) and 7 (f)**

Insert “or 11A” after “clause 11” in clause 14 (1) (a).