



New South Wales

Grafton Local Environmental Plan 1988 (Amendment No 38)

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*. (G04/00047/PC)

DIANE BEAMER, M.P.,
Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2004 No 715

Clause 1 Grafton Local Environmental Plan 1988 (Amendment No 38)

Grafton Local Environmental Plan 1988 (Amendment No 38)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 38)*.

2 Aims of plan

This plan aims to amend *Grafton Local Environmental Plan 1988*:

- (a) to rezone the land to which this plan applies from Zone No 1 (d) (the Rural (Flood Liable) Zone) to Zone No 2 (a) (the Living Area Zone), and
- (b) to provide that Clarence Valley Council must not grant consent to the carrying out of development on the land unless it is satisfied that filling or regrading works will not adversely affect stormwater flooding characteristics in the vicinity of the land.

3 Land to which plan applies

This plan applies to part of Lot 292, DP 739341, being land fronting Crown Street, Grafton, as shown edged heavy black on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 38)" deposited in the office of Clarence Valley Council.

4 Amendment of Grafton Local Environmental Plan 1988

Grafton Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map*:

Grafton Local Environmental Plan 1988 (Amendment No 38)

[2] Clause 44

Insert after clause 43:

44 Land in Crown Street, Grafton—restriction on development

- (1) This clause applies to land being part of Lot 292, DP 739341, Crown Street, Grafton, as shown edged heavy black on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 38)” deposited in the office of the Council.
- (2) Consent must not be granted for development on land to which this clause applies unless the Council is satisfied that filling or regrading works do not reduce the area below RL 4.2 m AHD available for storage of stormwater flooding as existed during March 1974.