



New South Wales

Weddin Local Environmental Plan 2002 (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*. (S03/03340/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 484

Clause 1 Weddin Local Environmental Plan 2002 (Amendment No 1)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Weddin Local Environmental Plan 2002 (Amendment No 1)*.

2 Aims of plan

The aims of this plan are:

- (a) to vary the objectives and provisions relating to the distinction between prime and non-prime agricultural land for the purposes of dwellings in Zone No 1 (a) (Agricultural Zone) and Zone No 1 (cii) (Small Farm Zone) under *Weddin Local Environmental Plan 2002*, and
- (b) to clarify the role of the consent authority for clearing of land in Zone No 2 (t) (Township Zone) and Zone No 2 (v) (Village Zone) under that plan.

3 Land to which plan applies

This plan applies to all land to which *Weddin Local Environmental Plan 2002* applies.

4 Amendment of Weddin Local Environmental Plan 2002

Weddin Local Environmental Plan 2002 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 10 Zone objectives and development control table

Omit “prime” from paragraph (a) of the matter relating to Zone No 1 (a) (Agricultural Zone) in clause 10 (1).

Insert instead “all forms of”.

[2] Clause 10 (1)

Omit “prime” from paragraph (c) of the matter relating to Zone No 1 (cii) (Small Farm Zone).

[3] Clause 22 Dwellings—Zone No 1 (a)

Omit clause 22 (1). Insert instead:

- (1) Consent must not be granted to the erection of a dwelling on land within Zone No 1 (a) unless:
 - (a) the dwelling is ancillary to, and necessary for, the use of the land for the purpose of agriculture, and
 - (b) the land is, or will be consolidated into, a single allotment that has an area of not less than 400 hectares.

[4] Clause 22 (2)

Omit “which is prime agricultural land”.

[5] Clause 22 (3)

Omit “which is prime agricultural land if”.

Insert instead “if the consent authority is satisfied that”.

[6] Clause 22 (3) (a) and (b)

Omit “, to the satisfaction of the consent authority,” wherever occurring.

[7] Clause 22 (3) and (4)

Insert at the end of clause 22 (3) (c):

- , and
- (d) the dwelling is ancillary to, and necessary for, the use of the land for the purpose of intensive agriculture, and

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Schedule 1 Amendments

- (e) a condition is imposed on that consent that prohibits the erection of the dwelling before the commencement of the use of the land for the purpose of the approved intensive agriculture.
- (4) In this clause:
intensive agriculture means an intensive animal establishment, an intensive horticultural establishment, a market garden or a nursery.

[8] Clause 29 Clearing

Insert at the end of clause 29 (6) (b):

- , or
- (c) the land is zoned 2 (t) (Township Zone) or 2 (v) (Village Zone), except where the land is identified as core koala habitat or potential koala habitat in accordance with *State Environmental Planning Policy 44—Koala Habitat Protection* or subject to a plan of management prepared under that environmental planning instrument.

BY AUTHORITY
