



New South Wales

Greater Hume Local Environmental Plan 2012 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

STEVEN PINNUCK, GENERAL MANAGER, GREATER HUME SHIRE COUNCIL
As delegate for the Minister for Planning and Infrastructure

Greater Hume Local Environmental Plan 2012 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Greater Hume Local Environmental Plan 2012 (Amendment No 1)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

- (1) To the extent that this Plan permits, with development consent, function centres in Zone RU1 Primary Production and Zone RU4 Primary Production Small Lots, this Plan applies to all land in those zones.
- (2) To the extent that this Plan permits, with development consent, certain subdivisions of land in Zone RU1 Primary Production, this Plan applies to all land in that zone.
- (3) To the extent that this Plan introduces matter relating to flood planning, this Plan applies to land at or below the flood planning level (within the meaning of clause 6.1A of *Greater Hume Local Environmental Plan 2012*, as inserted by this Plan).

Schedule 1 Amendment of Greater Hume Local Environmental Plan 2012

[1] Land Use Table

Insert “Function centres;” in alphabetical order in item 3 of the matter relating to Zone RU1 Primary Production.

[2] Land Use Table, Zone RU4 Primary Production Small Lots, item 3

Insert “Function centres;” in alphabetical order.

[3] Clause 4.2AA

Insert after clause 4.2:

4.2AA Exceptions to minimum lot sizes for certain rural subdivisions

- (1) The objective of this clause is to enable the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of dwelling houses or dual occupancies.
- (2) This clause applies to land in Zone RU1 Primary Production.
- (3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than a dwelling house or a dual occupancy) permitted under the existing development consent for the land.
- (4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:
 - (a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and
 - (b) the subdivision is necessary for the ongoing operation of the permissible use, and
 - (c) the subdivision will not increase rural land use conflict in the locality, and
 - (d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.

[4] Clause 6.1A

Insert after clause 6.1:

6.1A Flood planning

- (1) The objectives of this clause are as follows:
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to land at or below the flood planning level.

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
- (a) is compatible with the flood hazard of the land, and
 - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause, ***flood planning level*** means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.