



New South Wales

# **Narromine Local Environmental Plan 2011 (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*.

**GREG LAMONT, GENERAL MANAGER, NARROMINE SHIRE COUNCIL**  
As delegate for the Minister for Planning

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### **1 Name of Plan**

This Plan is *Narromine Local Environmental Plan 2011 (Amendment No 4)*.

### **2 Commencement**

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

### **3 Land to which Plan applies**

This Plan applies to land in Zone RU1 Primary Production, Zone RU3 Forestry, Zone E2 Environmental Conservation and Zone E3 Environmental Management under *Narromine Local Environmental Plan 2011*.

## **Schedule 1      Amendment of Narromine Local Environmental Plan 2011**

### **Clause 4.2E**

Insert after clause 4.2D:

#### **4.2E      Boundary adjustments in certain rural and environmental protection zones**

- (1) The objective of this clause is to facilitate boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU3 Forestry,
  - (c) Zone E2 Environmental Conservation,
  - (d) Zone E3 Environmental Management.
- (3) Despite clause 4.1 (3), development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:
  - (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
  - (b) the number of dwellings or opportunities for dwellings on each lot after subdivision will remain the same as before the subdivision, and
  - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
  - (d) if the land is in Zone RU1 Primary Production or Zone RU3 Forestry—the subdivision will not have a significant adverse effect on the agricultural viability of the land, and
  - (e) if the land is in Zone E2 Environmental Conservation or Zone E3 Environmental Management—the subdivision will result in the continued protection and long-term maintenance of the land.
- (4) Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following:
  - (a) the existing uses and approved uses of other land in the vicinity of the subdivision,
  - (b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,
  - (c) whether or not the subdivision is likely to be incompatible with a land use on any adjoining land,
  - (d) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,
  - (e) whether or not the subdivision is likely to have a significant adverse impact on the environmental values of the land.
- (5) This clause does not apply:
  - (a) in relation to the subdivision of individual lots in a strata plan or community title scheme, or

- (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.