



New South Wales

# **Leeton Local Environmental Plan 2014 (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*.

**GARRY STOLL, DIRECTOR ENVIRONMENTAL AND COMMUNITY SERVICES,  
LEETON SHIRE COUNCIL**  
As delegate for the Minister for Planning

## **Leeton Local Environmental Plan 2014 (Amendment No 1)**

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Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Leeton Local Environmental Plan 2014 (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**

This Plan applies to the land to which *Leeton Local Environmental Plan 2014* applies.

### **4 Maps**

The maps adopted by *Leeton Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

## **Schedule 1      Amendment of Leeton Local Environmental Plan 2014**

**[1] Land Use Table**

Omit “Places of public worship;” from item 4 of the matter relating to Zone R3 Medium Density Residential.

**[2] Land Use Table, Zone R5 Large Lot Residential**

Omit “Flood mitigation works;” from item 2.

**[3] Clause 4.1 Minimum subdivision lot size**

Omit “identified on the Lot Size Map as being within areas marked “W” and “Z”” from clause 4.1 (3A).

Insert instead “within the area identified as “W” on the Lot Size Map”.

**[4] Clause 4.1 (3B)**

Omit “identified on the Lot Size Map as being within area “Z””.

Insert instead “within the area identified as “Z1” or “Z2” on the Lot Size Map”.

**[5] Clause 4.2E**

Insert after clause 4.2D:

**4.2E Exceptions to minimum lot sizes for certain rural subdivisions**

- (1) The objective of this clause is to enable the subdivision of land in Zone RU1 Primary Production 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.

**[6] Clause 6.7 Development on river front areas**

Omit the definition of *river front area* from clause 6.7 (4). Insert instead:

*river front area* means:

- (a) in Zone RU1 Primary Production—the land within 40 metres of the high bank of the river, or
- (b) in Zone SP2 Infrastructure—the land within 100 metres of the high bank of the river.

**[7] Schedule 4 Classification and reclassification of public land**

Omit “Nil” from Column 1 in Part 1. Insert in Columns 1 and 2, respectively:

Leeton, 14 Yanco Avenue

Lot 15, Section 57, DP 758606