



New South Wales

# **Walcha Local Environmental Plan 2012 (Amendment No 1)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**JACK O'HARA, GENERAL MANAGER, WALCHA COUNCIL**  
As delegate for the local plan-making authority

## **Walcha Local Environmental Plan 2012 (Amendment No 1)**

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### **1 Name of Plan**

This Plan is *Walcha 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**

This Plan applies to land in the following zones under *Walcha Local Environmental Plan 2012*:

- (a) Zone RU1 Primary Production,
- (b) Zone RU4 Primary Production Small Lots,
- (c) Zone RE1 Public Recreation,
- (d) Zone E1 National Parks and Nature Reserves,
- (e) Zone E2 Environmental Conservation,
- (f) Zone E4 Environmental Living.

### **4 Maps**

The maps adopted by *Walcha Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

## **Schedule 1      Amendment of Walcha Local Environmental Plan 2012**

**[1] Land Use Table**

Omit “(attached)” from item 3 of the matter relating to Zone RU1 Primary Production.

**[2] Land Use Table, Zone RU4**

Omit “(attached)” from item 3.

**[3] Land Use Table, Zone RE1**

Omit “Building identification signs; Business identification signs;” from item 3.

Insert in alphabetical order “Signage;”.

**[4] Clause 4.2D**

Insert after clause 4.2C:

### **4.2D Boundary adjustments in certain rural zones**

- (1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU4 Primary Production Small Lots.
- (3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots, being land to which this clause applies, if the subdivision will not result in any of the following:
  - (a) an increase in the number of lots,
  - (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots.
- (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 use referred to in paragraph (a) or (b),
  - (d) whether or not the subdivision is likely to be incompatible with a use of land in any adjoining zone,
  - (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),
  - (f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,
  - (g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.

- (5) This clause does not apply:
  - (a) in relation to the subdivision of individual lots in a strata plan or a community title scheme, or
  - (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.