



New South Wales

# Mid-Western Regional Local Environmental Plan 2012 (Amendment No 3)

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*.

RICHARD PEARSON

As delegate for the Minister for Planning and Infrastructure

## 2013 No 112

Clause 1 Mid-Western Regional Local Environmental Plan 2012 (Amendment No 3)

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# Mid-Western Regional Local Environmental Plan 2012 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Mid-Western Regional Local Environmental Plan 2012 (Amendment No 3)*.

### 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 all the land to which *Mid-Western Regional Local Environmental Plan 2012* applies.

### 4 Maps

Each map adopted by *Mid-Western Regional Local Environmental Plan 2012* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

<b>Column 1</b>	<b>Column 2</b>
<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
Mid-Western Regional Local Environmental Plan 2012 Height of Buildings Map	Mid-Western Regional Local Environmental Plan 2012 Height of Buildings Map (5270_COM_HOB_006_160_20121127)
Mid-Western Regional Local Environmental Plan 2012 Height of Buildings Map (5270_COM_HOB_006C_010_20120619)	Mid-Western Regional Local Environmental Plan 2012 Height of Buildings Map (5270_COM_HOB_006C_010_20130215)

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<b>Column 1</b>	<b>Column 2</b>
<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
Mid-Western Regional Local Environmental Plan 2012 Lot Size Map (5270_COM_LSZ_006_160_20120917)	Mid-Western Regional Local Environmental Plan 2012 Lot Size Map (5270_COM_LSZ_006_160_20130218)
Mid-Western Regional Local Environmental Plan 2012 Lot Size Map (5270_COM_LSZ_006C_010_20120917)	Mid-Western Regional Local Environmental Plan 2012 Lot Size Map (5270_COM_LSZ_006C_010_20130215)
Mid-Western Regional Local Environmental Plan 2012 Land Zoning Map (5270_COM_LZN_006_160_20120619)	Mid-Western Regional Local Environmental Plan 2012 Land Zoning Map (5270_COM_LZN_006_160_20130215)
Mid-Western Regional Local Environmental Plan 2012 Land Zoning Map (5270_COM_LZN_006C_010_20120619)	Mid-Western Regional Local Environmental Plan 2012 Land Zoning Map (5270_COM_LZN_006C_010_20130215)

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## 2013 No 112

Mid-Western Regional Local Environmental Plan 2012 (Amendment No 3)

Schedule 1 Amendment of Mid-Western Regional

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### **Schedule 1 Amendment of Mid-Western Regional Local Environmental Plan 2012**

#### **[1] Clause 4.1C**

Insert after clause 4.1B:

##### **4.1C Exception to minimum subdivision lot sizes around Zone B4**

- (1) The objective of this clause is to enable medium density housing on a range of lots around land in Zone B4 Mixed Use.
- (2) Despite clause 4.1 (3), there is no minimum subdivision lot size for the subdivision of land identified as “Area C” on the Lot Size Map and within 100 metres of land in Zone B4 Mixed Use, if the subdivision is for the purposes of residential accommodation.

#### **[2] Clauses 6.12 and 6.13**

Insert after clause 6.11:

##### **6.12 Development in a designated buffer area**

- (1) The objective of this clause is to protect the operational environment of the sewage treatment plant in Mudgee.
- (2) This clause applies to land identified as “Sewage Treatment Plant Buffer” on the Sewage Treatment Plant Buffer Map.
- (3) Before granting development consent for development on land to which this clause applies, the consent authority must consider the following matters:
  - (a) if the development is for the purposes of residential accommodation—the impact that any odour, noise and other emissions associated with the operation of the Mudgee sewage treatment plant would have on the development,
  - (b) any proposed measures incorporated into the development that limit the impact of such noise and other emissions associated with the existing plant,
  - (c) whether the development would adversely affect the operational environment of the plant.

##### **6.13 Commercial premises on land in Zone B4 and known as Caerleon**

- (1) The objective of this clause is to maintain the commercial hierarchy of Mudgee by encouraging retail development of an appropriate scale on land in Zone B4 Mixed Use and known as Caerleon.

- (2) Development consent may be granted to development for the purposes of retail premises on land in Zone B4 Mixed Use and known as Caerleon if the gross floor area of each individual retail premises does not exceed 1,280 square metres.

**Note.** A building may contain more than 1 retail premises as long as each retail premises individually does not have a gross floor area exceeding 1,280 square metres.

- (3) Before granting development consent to development referred to in subclause (2), the consent authority must consider the economic impact of the development and be satisfied that the development will not have an adverse impact on the commercial hierarchy of Mudgee.

**[3] Dictionary**

Insert in alphabetical order:

*Sewage Treatment Plant Buffer Map* means the Mid-Western Regional Local Environmental Plan 2012 Sewage Treatment Plant Buffer Map.