



New South Wales

Lockhart Local Environmental Plan 2012 (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*.

BRETT WHITWORTH

As delegate for the Minister for Planning

Lockhart Local Environmental Plan 2012 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Lockhart 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 all of the land to which *Lockhart Local Environmental Plan 2012* applies.

4 Maps

The maps adopted by *Lockhart Local Environmental Plan 2012* 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 Lockhart Local Environmental Plan 2012

[1] Clause 2.1 Land use zones

Insert after “R5 Large Lot Residential”:

Industrial Zones

IN1 General Industrial

[2] Land Use Table

Insert after the matter relating to Zone R5 Large Lot Residential:

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Rural industries; Rural supplies; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Child care centres; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industries; Home-based child care; Home occupations (sex services); Information and education facilities; Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation

[3] Clause 4.1A

Insert after clause 4.1AA:

4.1A Subdivision of land in Zone R5 using average lot sizes

- (1) The objective of this clause is to ensure that lot sizes and subdivision patterns for residential accommodation conserve and provide protection for the environmental values of the land by encouraging buildings to be appropriately sited.

- (2) This clause applies to the land in Zone R5 Large Lot Residential identified as “Area B”, “Area C” or “Area D” on the Lot Size Map.
- (3) Despite clause 4.1, development consent may be granted to subdivide land to which this clause applies, whether or not the subdivision is under the *Community Land Development Act 1989*, if:
 - (a) the minimum area of each lot resulting from the subdivision will not be less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (b) the average size of all the lots resulting from the subdivision of the land identified as “Area B” on the Lot Size Map will not be less than 3 hectares, and
 - (c) the average size of all the lots resulting from the subdivision of the land identified as “Area C” on the Lot Size Map will not be less than 4 hectares, and
 - (d) the average size of all the lots resulting from the subdivision of the land identified as “Area D” on the Lot Size Map will not be less than 5 hectares.
- (4) Despite subclause (3), land to which this clause applies may, with development consent, be subdivided under this clause if the consent authority is satisfied that the land could have been subdivided under this clause had it not been affected by any of the following:
 - (a) a minor alignment of its boundaries that did not create an additional lot,
 - (b) a subdivision creating or widening a public road or public reserve or for another public purpose,
 - (c) a consolidation with an adjoining public road or public reserve or for another public purpose.
- (5) Development consent must not be granted to the subdivision of land to which this clause applies unless the number of lots to be created will not exceed the number of lots that could have been created under this clause had the land not been affected by a matter referred to in subclause (4) (a), (b) or (c).