



New South Wales

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

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*.

**PAUL HENRY, GENERAL MANAGER, INVERELL SHIRE COUNCIL**  
As delegate for the Minister for Planning and Infrastructure

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

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### **1 Name of Plan**

This Plan is *Inverell 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**

- (1) To the extent that this Plan creates an exception to the minimum lot size for certain residential development, this Plan applies to all land in Zone R1 General Residential under *Inverell Local Environmental Plan 2012*.
- (2) To the extent that this Plan creates an exception to the minimum lot size for land to permit boundary changes, this Plan applies to all land in Zone RU1 Primary Production under *Inverell Local Environmental Plan 2012*.

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

### **Clauses 4.1D and 4.1E**

Insert after clause 4.1C:

#### **4.1D      Exceptions to minimum lot sizes for certain residential development in Zone R1**

Despite clause 4.1 (3), the size of any lot resulting from a subdivision of land in Zone R1 General Residential may be less than the minimum lot size shown on the Lot Size Map in relation to that land, but not less than 300 square metres, if development consent has been granted in respect of the subdivision for the purposes of any of the following:

- (a) dual occupancies,
- (b) multi dwelling housing,
- (c) residential flat buildings,
- (d) semi-detached dwellings.

#### **4.1E      Boundary changes between lots in Zone RU1**

- (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 of a zone.
- (2) This clause applies to land in Zone RU1 Primary Production.
- (3) Despite clause 4.1 (3), the size of any lot resulting from a subdivision of 2 or more adjoining lots, on land to which this clause applies, may be less than the minimum lot size shown on the Lot Size Map in relation to that land 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 that may be erected on any of the lots.
- (4) In determining whether or not to grant development consent 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 on 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 in relation to a subdivision under the *Community Land Development Act 1989*, the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*.