



New South Wales

Newcastle Local Environmental Plan 2012 (Amendment No 12)

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*.

DAVID ROWLAND

As delegate for the Minister for Planning

Newcastle Local Environmental Plan 2012 (Amendment No 12)

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1 Name of Plan

This Plan is *Newcastle Local Environmental Plan 2012 (Amendment No 12)*.

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 land to which *Newcastle Local Environmental Plan 2012* applies.

Schedule 1 Amendment of Newcastle Local Environmental Plan 2012

[1] Clause 4.1AA Minimum subdivision lot size for community title schemes

Insert after clause 4.1AA (2) (k):

- (ka) Zone E2 Environmental Conservation,
- (kb) Zone E3 Environmental Management,

[2] Clause 4.1B

Insert after clause 4.1A:

4.1B Minimum subdivision lot sizes for certain split zones

- (1) The objectives of this clause are as follows:
 - (a) to provide for the subdivision of lots that are within more than one zone but that cannot be subdivided under clause 4.1,
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development while protecting environmental attributes of the land.
- (2) This clause applies to each lot (an *original lot*) that contains:
 - (a) land in a residential, business or industrial zone, and
 - (b) land in Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.
- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the *resulting lots*) if:
 - (a) one of the resulting lots will contain:
 - (i) land in a residential, business or industrial zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (ii) all of the land in Zone E2 Environmental Conservation, Zone E3 Environmental Management or E4 Environmental Living that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.