



New South Wales

# **Guyra Local Environmental Plan 2012 (Amendment No 3)**

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*.

**PETER STEWART, GENERAL MANAGER, GUYRA SHIRE COUNCIL**  
As delegate for the Minister for Planning

## **Guyra Local Environmental Plan 2012 (Amendment No 3)**

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### **1 Name of Plan**

This Plan is *Guyra 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 the land to which *Guyra Local Environmental Plan 2012* applies.

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

### **[1] Land Use Table**

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

Insert instead “Dual occupancies;”.

### **[2] Clause 4.2C**

Insert after clause 4.2B:

#### **4.2C Boundary adjustments in Zone RU1**

- (1) The objective of this clause is to permit the boundary between 2 or more lots to be adjusted in certain circumstances to give landowners a greater opportunity to achieve the objectives of a zone.
- (2) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots being land in Zone RU1 Primary Production if the subdivision will not result in:
  - (a) an increase in the number of lots, or
  - (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots.
- (3) In determining whether 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 subdivision,
  - (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, heritage vistas or landscapes or agricultural viability of the land.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or a community title scheme.