



New South Wales

Cabonne Local Environmental Plan 2012 (Amendment No 5)

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*.

STEPHEN HARDING, ACTING GENERAL MANAGER, CABONNE COUNCIL
As delegate for the Minister for Planning

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1 Name of Plan

This Plan is *Cabonne Local Environmental Plan 2012 (Amendment No 5)*.

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:

- (a) Lot 272, DP 750170 at Hill Street, Molong, and an adjacent road reserve, and
- (b) land in the following zones under *Cabonne Local Environmental Plan 2012*:
 - (i) Zone RU1 Primary Production,
 - (ii) Zone RU2 Rural Landscape.

4 Maps

The maps adopted by *Cabonne 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 Cabonne Local Environmental Plan 2012

Clause 4.2B

Insert after clause 4.2A:

4.2B Boundary adjustments in certain rural zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots where 1 or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land but the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in any of the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape.
- (3) Despite clause 4.1, development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where 1 or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:
 - (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
 - (b) the number of dwellings or opportunities for dwellings on each lot after the subdivision will be the same as before the subdivision, and
 - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
 - (d) the agricultural viability of the land will not be adversely affected as a result of the subdivision.