



New South Wales

# **Lismore Local Environmental Plan 2012 (Amendment No 20)**

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*.

**CRAIG DISS**

As delegate for the Minister for Planning

## **Lismore Local Environmental Plan 2012 (Amendment No 20)**

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### **1 Name of Plan**

This Plan is *Lismore Local Environmental Plan 2012 (Amendment No 20)*.

### **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 land to which *Lismore Local Environmental Plan 2012* applies.

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

### **[1]    Clause 6.8 Rural landsharing community development**

Omit “an arterial, sub-arterial or collector road” from clause 6.8 (3) (d).

Insert instead “a bitumen sealed public road and each dwelling on that lot will use the same vehicular point of access to and from that public road”.

### **[2]    Clause 6.8 (3) (f)–(j)**

Insert at the end of clause 6.8 (3) (e):

, and

- (f) the development will not impair the use of the land for agriculture or rural industries, and
- (g) the lot will accommodate the on-site disposal and management of sewage for each dwelling, and
- (h) the development will not have an adverse impact on the scenic amenity or character of the rural environment, and
- (i) the development is not likely to cause any land use conflicts with existing agricultural and other rural land uses being undertaken on neighbouring land, and
- (j) appropriate management measures are in place to ensure the protection and enhancement of the biodiversity of the land.

### **[3]    Clause 6.8A**

Insert after clause 6.8:

#### **6.8A    Minimum subdivision lot size for rural landsharing community development**

- (1) This clause applies to land that is being used, before the commencement of this clause, for the purposes of an approved rural landsharing community.
- (2) Subdivision of land to which this clause applies under the *Community Land Development Act 1989* is permitted with development consent.
- (3) The size of any lot resulting from a subdivision of 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:
  - (a) the total number of neighbourhood lots following the subdivision does not exceed the number of dwelling sites approved under the development consent for the approved rural landsharing community that applies to the land being so subdivided, and
  - (b) at least one lot following the subdivision will comprise of association property to be used for the purposes of a recreation area, environmental facility, environmental protection works or agriculture, and
  - (c) there is no more than one dwelling erected on each resulting neighbourhood lot.
- (4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:
  - (a) the subdivision will not impair the use of the land for agriculture or rural industries, and

- (b) the resulting neighbourhood lots will accommodate the on-site disposal and management of sewage for any dwelling on that lot, and
  - (c) the subdivision will not have an adverse impact on the scenic amenity or character of the rural environment, and
  - (d) the subdivision is not likely to cause any land use conflicts with existing agricultural and other rural land uses being undertaken on neighbouring land, and
  - (e) appropriate management measures are in place that will ensure the protection and enhancement of the biodiversity of the land.
- (5) In this clause:
- approved rural landsharing community*** means development for the purposes of 3 or more dwellings and for which development consent has been granted.
- Note.** It is the applicants' responsibility to demonstrate that the development consent has not lapsed.
- association property*** and ***neighbourhood lot*** have the same meanings as they have in the *Community Land Development Act 1989*.