



New South Wales

Canterbury Local Environmental Plan 2012 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

MALCOLM McDONALD

As delegate for the Minister for Planning and Public Spaces

Canterbury Local Environmental Plan 2012 (Amendment No 16)

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1 Name of Plan

This Plan is *Canterbury Local Environmental Plan 2012 (Amendment No 16)*.

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 certain land to which *Canterbury Local Environmental Plan 2012* applies, including land in the following zones:

- (a) Zone R2 Low Density Residential,
- (b) Zone R3 Medium Density Residential,
- (c) Zone R4 High Density Residential.

Schedule 1 Amendment of Canterbury Local Environmental Plan 2012

[1] Clause 1.8A Savings provision relating to development applications

Insert at the end of the section:

- (2) A development application made (but not finally determined) before the commencement of *Canterbury Local Environmental Plan 2012 (Amendment No 16)* for development on land to which that Plan applies is to be determined and have effect as if that Plan had not been made.

[2] Clause 4.1C

Insert after clause 4.1B:

4.1C Minimum lot sizes for boarding houses

- (1) The objectives of this clause are as follows:
 - (a) to ensure that lots for boarding houses are of sufficient size to accommodate boarding houses, setbacks to adjoining residential land, private open space and landscaped areas, driveways and vehicle manoeuvring areas,
 - (b) to minimise any likely adverse impact of the development on the amenity of the area,
 - (c) to require the consolidation of 2 or more lots, where an existing lot is inadequate in terms of its area or width.
- (2) Despite any other provision of this Plan, development consent must not be granted to development for the purpose of a boarding house on a lot in a zone specified in Column 1 of the table to this subclause unless:
 - (a) the area of the lot is equal to or greater than the area specified for that zone in Column 2, and
 - (b) the width of the lot at the front building line is equal to or greater than the width specified for that zone in Column 3.

Column 1	Column 2	Column 3
Zone R2 Low Density Residential	1,200 square metres	20 metres
Zone R3 Medium Density Residential	1,000 square metres	20 metres
Zone R4 High Density Residential	1,000 square metres	20 metres

- (3) In this clause:

front building line means:

 - (a) for a lot that has only one road frontage—the line the consent authority is satisfied is the minimum setback a building should be from the road alignment, or
 - (b) for a lot that has more than one road frontage—the shortest of the lines (excluding an access handle or right of way for access) that can be calculated under paragraph (a).

[3] Schedule 1 Additional permitted uses

Omit clause 1 (2). Insert instead:

- (2) Development for the purpose of residential accommodation is permitted with development consent, but only if:
 - (a) the development is part of a mixed use development, and
 - (b) in the case of development for the purpose of a boarding house—the area of the lot is equal to or greater than 5,000m².