New South Wales

Cumberland Local Environmental Plan Amendment (Dual Occupancies) 2020

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*.

CHRISTINE GOUGH
As delegate for the Minister for Planning and Public Spaces

Cumberland Local Environmental Plan Amendment (Dual Occupancies) 2020

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1 Name of Plan

This Plan is *Cumberland Local Environmental Plan Amendment (Dual Occupancies) 2020*.

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 in the Cumberland local government area to which *Holroyd Local Environmental Plan 2013* and *Auburn Local Environmental Plan 2010* apply.

4 Maps

The maps adopted by *Holroyd Local Environmental Plan 2013* and *Auburn Local Environmental Plan 2010* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1   Amendment of Holroyd Local Environmental Plan 2013

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

Insert after clause 1.8A(2)—

(3)   If a development application has been made before the commencement of *Cumberland Local Environmental Plan Amendment (Dual Occupancies) 2020* in relation to a matter to which that Plan applies and the application has not been finally determined before that commencement, the application must be determined as if that Plan had not commenced.

[2]   Clause 4.1A, heading

Insert "**subdivision**" after "**minimum**".

[3]   Clause 4.1A(2A)

Insert after clause 4.1A(2)—

(2A)   Development for the subdivision of land for the purpose of a dual occupancy under subclause (2)(a) is subject to the minimum lot size for dual occupancies prescribed under clause 4.1B.

[4]   Clause 4.1B

Insert after clause 4.1A—

4.1B   Minimum lot sizes for dual occupancies

(1)   The objectives of this clause are as follows—

(a)   to achieve planned residential density in certain zones,

(b)   to ensure that lot sizes promote and maintain a low density residential character in existing neighbourhoods.

(2)   Development consent may only be granted for development for the purpose of a dual occupancy if the development will be located on a lot that is at least the minimum size shown on the Lot Size for Dual Occupancy Development Map in relation to that land.

[5]   Dictionary

Insert in alphabetical order—

Lot Size for Dual Occupancy Development Map means the Holroyd Local Environmental Plan 2013 Lot Size for Dual Occupancy Development Map.

Schedule 2   Amendment of Auburn Local Environmental Plan 2010

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

Insert at the end of the clause—

(2)   If a development application has been made before the commencement of *Cumberland Local Environmental Plan Amendment (Dual Occupancies) 2020* in relation to a matter to which that Plan applies and the application has not been finally determined before that commencement, the application must be determined as if that Plan had not commenced.

[2]   Clause 4.1A

Insert after clause 4.1AA—

4.1A   Minimum lot sizes for dual occupancies

(1)   The objectives of this clause are as follows—

(a)   to achieve planned residential density in certain zones,

(b)   to ensure that lot sizes promote and maintain a low density residential character in existing neighbourhoods.

(2)   Development consent may only be granted for development for the purpose of a dual occupancy if the development will be located on a lot that is at least the minimum size shown on the Lot Size for Dual Occupancy Development Map in relation to that land.

[3]   Dictionary

Insert in alphabetical order—

Lot Size for Dual Occupancy Development Map means the Auburn Local Environmental Plan 2010 Lot Size for Dual Occupancy Development Map.