



New South Wales

Maitland Local Environmental Plan 2011 (Amendment No 26)

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*.

TIM HURST

As delegate for the Minister for Planning and Public Spaces

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1 Name of Plan

This Plan is *Maitland Local Environmental Plan 2011 (Amendment No 26)*.

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 Anambah Urban Release Area, as identified on the Maitland Local Environmental Plan 2011 Urban Release Area Map.

4 Maps

The maps adopted by *Maitland Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

5 Amendment of Maitland Local Environmental Plan 2011

Clause 7.8

Insert after clause 7.7—

7.8 Subdivision of land in Zone R1 in Anambah Urban Release Area

- (1) This clause applies to development on land in Zone R1 General Residential in the Anambah Urban Release Area identified on the Urban Release Area Map.
- (2) Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies to create a lot with a size less than the minimum subdivision lot size shown on the Lot Size Map in relation to those lots, if the consent authority is satisfied that—
 - (a) the subdivision will result in 2 or more lots equal to or greater than 200 square metres, and
 - (b) the subdivision will not result in any lot being more than 200 metres from a community facility, recreation area or commercial premises, and
 - (c) the subdivision will not result in more than 450 lots on land to which this clause applies with a lot size of 450 square metres or less.

- (3) Development consent must not be granted to the subdivision of land that would result in more than 1200 lots being on the land to which this clause applies unless the consent authority is satisfied that—
 - (a) persons residing on the land will have suitable and safe road access to the New England Highway via Wyndella Road, and
 - (b) the road will be appropriately located and above the flood planning level within the meaning of clause 7.3.