



New South Wales

Blayney Local Environmental Plan 2012 (Amendment No 11)

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*.

ROSS EARL, INTERIM GENERAL MANAGER
BLAYNEY SHIRE COUNCIL
As delegate for the local plan-making authority

Blayney Local Environmental Plan 2012 (Amendment No 11)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Blayney Local Environmental Plan 2012 (Amendment No 11)*.

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 *Blayney Local Environmental Plan 2012* applies.

4 Maps

The maps adopted by *Blayney Local Environmental Plan 2012* 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 Blayney Local Environmental Plan 2012

Clauses 4.1B and 4.1C

Insert after clause 4.1A—

4.1B Exceptions to minimum lot sizes for certain land near Browns Creek Road in Zone R5 Large Residential

- (1) The objective of this clause is to ensure that lot sizes and subdivision patterns promote a mix of lot sizes and efficient use of land.
- (2) Development consent may be granted to the subdivision of land identified as “Area A” on the Lot Size Map if the consent authority is satisfied—
 - (a) the land to be subdivided is proposed to be used for the purposes of dwellings, and
 - (b) each resulting lot will be greater than or equal to 2 hectares, and
 - (c) the average size of all lots resulting from the subdivision will not be less than the minimum size shown on the Lot Size Map for the land, and
 - (d) the development addresses constraints on the land, including—
 - (i) the environmental attributes of the land and its surrounds, including site slope, and
 - (ii) land use conflicts with land used for extractive industries, gas pipelines or agriculture.
- (3) Development consent to the subdivision of land must not be granted under this clause if 1 or more lots of the land to be subdivided resulted from a subdivision of land for which development consent was previously granted under this clause.

4.1C Exceptions to minimum lot sizes for land in Zone R1 General Residential in Blayney urban area

- (1) The objective of this clause is to allow for the subdivision of land in Zone R1 General Residential in the urban area of Blayney on which a dual occupancy is situated without increasing housing density.
- (2) This clause applies to land identified as “Area B” on the Lot Size Map.
- (3) Despite any other provision of this Plan, development consent may be granted to the subdivision of land to which this clause applies if—
 - (a) there is a lawfully erected dual occupancy on the land, and
 - (b) each resulting lot is greater than or equal to 300m², and
 - (c) each resulting lot will contain a single dwelling.