



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Albury Local Environmental Plan 2010 (Amendment No 18)

Your ref: Matt Johnson
Our ref: LP e2015-331.d03

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel

23 November 2015



New South Wales

Albury Local Environmental Plan 2010 (Amendment No 18)

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.

Minister for Planning

Albury Local Environmental Plan 2010 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Albury Local Environmental Plan 2010 (Amendment No 18)*.

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 the land to which *Albury Local Environmental Plan 2010* applies.

Schedule 1 Amendment of Albury Local Environmental Plan 2010

Clause 4.1B

Insert after clause 4.1A:

4.1B Minimum subdivision lot sizes for certain split zones

- (1) The objectives of this clause are as follows:
 - (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.
- (2) This clause applies to each lot (an *original lot*) that contains:
 - (a) land in a business, industrial, recreation, residential or special purpose zone, or land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone RU5 Village, and
 - (b) land in Zone RU2 Rural Landscape, Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living or Zone W2 Recreational Waterways.
- (3) Despite clause 4.1, development consent must not be granted to subdivide an original lot to create other lots (the *resulting lots*) unless:
 - (a) one of the resulting lots will contain:
 - (i) land in a business, industrial, recreation, residential or special purpose zone, or land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone RU5 Village, that has an area not less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (ii) all of the land in Zone RU2 Rural Landscape, Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living or Zone W2 Recreational Waterways that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area not less than the minimum size shown on the Lot Size Map in relation to that land.



New South Wales

Albury Local Environmental Plan 2010 (Amendment No 18)

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.

Minister for Planning

23.11.15

**Frank Zaknich
General Manager
AlburyCity Council**

Date

Signed under delegation for AlburyCity Council

As delegate for the Minister for Planning