



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Mid-Western Regional Local Environmental Plan 2012 (Amendment No 13)

Your ref: Liz Densley
Our ref: CEG e2015-215.d06

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 be 'D. Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
3 December 2015



New South Wales

Mid-Western Regional Local Environmental Plan 2012 (Amendment No 13)

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

A handwritten signature in black ink, appearing to be 'Brad Cam', with a stylized initial 'B' and a long horizontal stroke.

Brad Cam
General Manager

As a delegate for the Minister for Planning

11/12/2015

Mid-Western Regional Local Environmental Plan 2012 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Mid-Western Regional Local Environmental Plan 2012 (Amendment No 13)*.

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 *Mid-Western Regional Local Environmental Plan 2012* applies.

4 Maps

The maps adopted by *Mid-Western Regional Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Mid-Western Regional Local Environmental Plan 2012

Clause 4.1D

Insert in appropriate order:

4.1D Minimum 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 Zone RU5 Village, Zone R1 General Residential, Zone R2 Low Density Residential or Zone R3 Medium Density Residential, and
 - (b) land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone E3 Environmental Management.
- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the *resulting lots*) if:
 - (a) one of the resulting lots will contain:
 - (i) land in Zone RU5 Village, Zone R1 General Residential, Zone R2 Low Density Residential or Zone R3 Medium Density Residential that has an area that is 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 RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone E3 Environmental Management that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) A dwelling cannot be located on the part of a resulting lot referred to in subclause (3) (a) (ii).

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2015_MIDWR_003_00
Date Sent to DoP&E under s56	
Date considered at LEP Review Panel (if applicable)	
Gateway determination date	9 December 2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	6 March 2015 – 3 April 2015	
Date of public hearing (if held)		
Date sent to PCO seeking Opinion	16 July 2015	
Date Opinion received		
Date Council Resolved to Adopt LEP	15 April 2015	
Date LEP made by GM (or other) under delegation	11 December 2015	
Date sent to DoP&E requesting notification	16 December 2015	

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:

1. The patient is a 45-year-old male with a long history of alcohol abuse, which has led to liver disease and cirrhosis. He has been drinking approximately 100g of alcohol daily for the past 10 years.

2. The patient has a history of chronic pancreatitis, which has led to exocrine and endocrine insufficiency. He has been experiencing abdominal pain and weight loss for the past 5 years.

3. The patient has a history of chronic kidney disease, which has led to azotemia and electrolyte imbalances. He has been experiencing fatigue and weakness for the past 3 years.

4. The patient has a history of chronic heart failure, which has led to pulmonary congestion and peripheral edema. He has been experiencing shortness of breath and swelling for the past 2 years.

5. The patient has a history of chronic lung disease, which has led to chronic cough and sputum production. He has been experiencing difficulty breathing for the past 10 years.

6. The patient has a history of chronic liver disease, which has led to cirrhosis and portal hypertension. He has been experiencing abdominal pain and swelling for the past 5 years.

7. The patient has a history of chronic endocrine insufficiency, which has led to hypothyroidism and hypoparathyroidism. He has been experiencing fatigue and weakness for the past 3 years.

8. The patient has a history of chronic renal insufficiency, which has led to azotemia and electrolyte imbalances. He has been experiencing fatigue and weakness for the past 3 years.

9. The patient has a history of chronic pulmonary insufficiency, which has led to pulmonary congestion and peripheral edema. He has been experiencing shortness of breath and swelling for the past 2 years.

10. The patient has a history of chronic liver insufficiency, which has led to cirrhosis and portal hypertension. He has been experiencing abdominal pain and swelling for the past 5 years.

11. The patient has a history of chronic endocrine insufficiency, which has led to hypothyroidism and hypoparathyroidism. He has been experiencing fatigue and weakness for the past 3 years.

12. The patient has a history of chronic renal insufficiency, which has led to azotemia and electrolyte imbalances. He has been experiencing fatigue and weakness for the past 3 years.

13. The patient has a history of chronic pulmonary insufficiency, which has led to pulmonary congestion and peripheral edema. He has been experiencing shortness of breath and swelling for the past 2 years.

14. The patient has a history of chronic liver insufficiency, which has led to cirrhosis and portal hypertension. He has been experiencing abdominal pain and swelling for the past 5 years.

15. The patient has a history of chronic endocrine insufficiency, which has led to hypothyroidism and hypoparathyroidism. He has been experiencing fatigue and weakness for the past 3 years.

16. The patient has a history of chronic renal insufficiency, which has led to azotemia and electrolyte imbalances. He has been experiencing fatigue and weakness for the past 3 years.

17. The patient has a history of chronic pulmonary insufficiency, which has led to pulmonary congestion and peripheral edema. He has been experiencing shortness of breath and swelling for the past 2 years.

18. The patient has a history of chronic liver insufficiency, which has led to cirrhosis and portal hypertension. He has been experiencing abdominal pain and swelling for the past 5 years.

19. The patient has a history of chronic endocrine insufficiency, which has led to hypothyroidism and hypoparathyroidism. He has been experiencing fatigue and weakness for the past 3 years.

20. The patient has a history of chronic renal insufficiency, which has led to azotemia and electrolyte imbalances. He has been experiencing fatigue and weakness for the past 3 years.

Environmental Planning and Assessment Act 1979

**Mid-Western Regional Local Environmental
Plan 2012 (Amendment No 13)**

Mid-Western Regional Council
86 Market Street, Mudgee
PO Box 2156
MUDGEES NSW 2850

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Land Zoning Map LZN_005C	5270_COM_LZN_005C_010_20150501

Lot Size Map LSZ_005C	5270_COM_LSZ_005C_010_20140122
LSZ_006	5270_COM_LSZ_006_160_20140710

The following map sheets are adopted:

Map Sheet	Map Identification Number
Land Zoning Map LZN_005C	5270_COM_LZN_005C_010_20160114

Lot Size Map LSZ_005C	5270_COM_LSZ_005C_010_20160114
LSZ_006	5270_COM_LSZ_006_160_20160114

Certified

Brad Cam
General Manager



22/01/2016

Minister for Planning

[Date]

Lot Size Map - Sheet LSZ_006

Minimum Lot Size (sq m)

G	450
M	600
L	1000
U	2000
V	3000
W	4000
X	2 ha
Y	10 ha
Z	12 ha
AA	20 ha
AB	40 ha
AC	100 ha
AD	400 ha
AE	

Refer to Clause 4.1 (3A)

Refer to Clause 4.1 C

Cadastre

Cadastre 15/12/2010 © Land and Property Information (LPI)



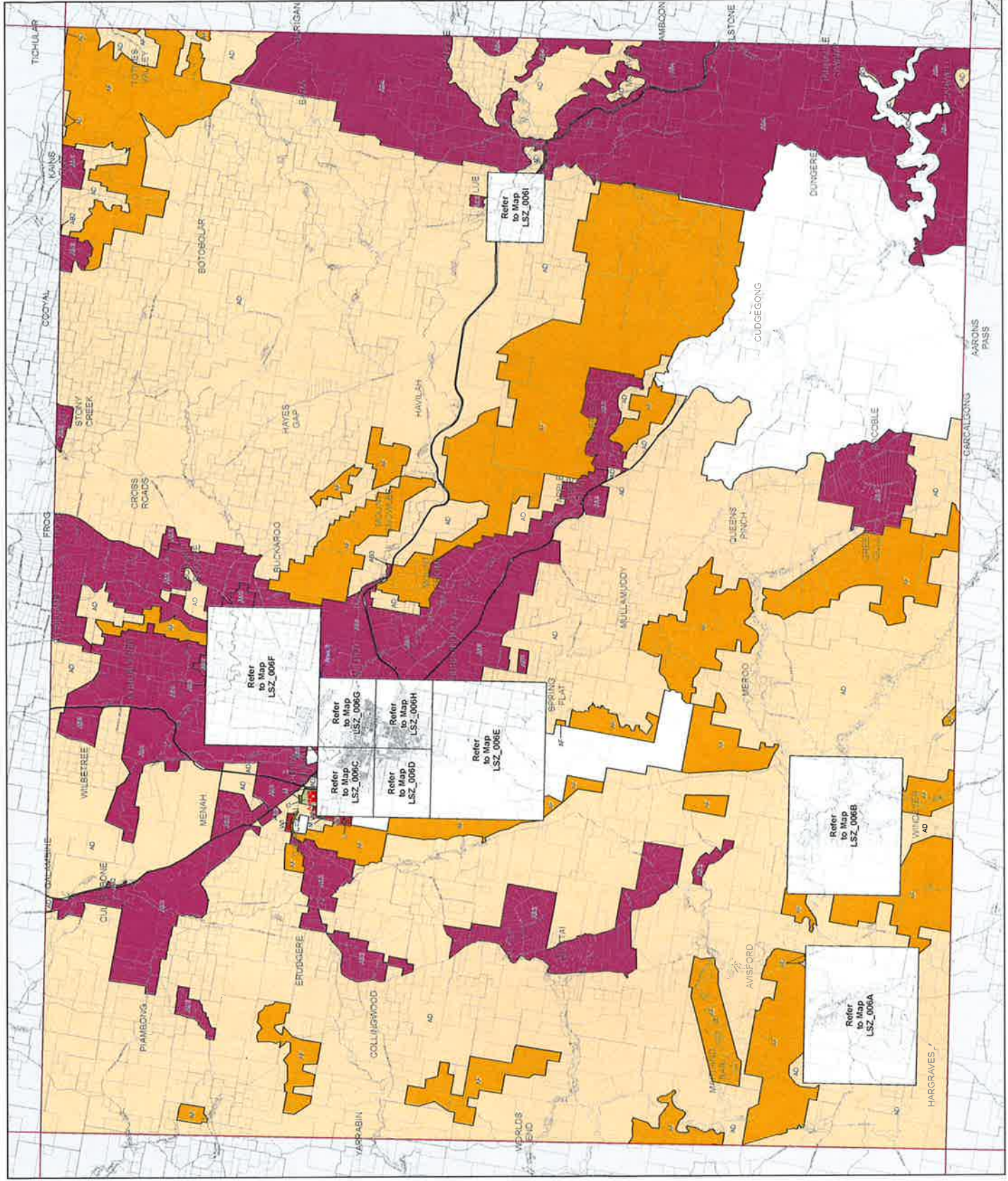
N

0 1,600 3,200 4,800 6,400 Metres

Scale 1:160,000 @ A3

Project: GDA 1994
Map Date: 2012

Map Identification Number: 5370_C006_LSZ_006_160_20120114



Land Zoning Map - Sheet LZN_005C

Zone

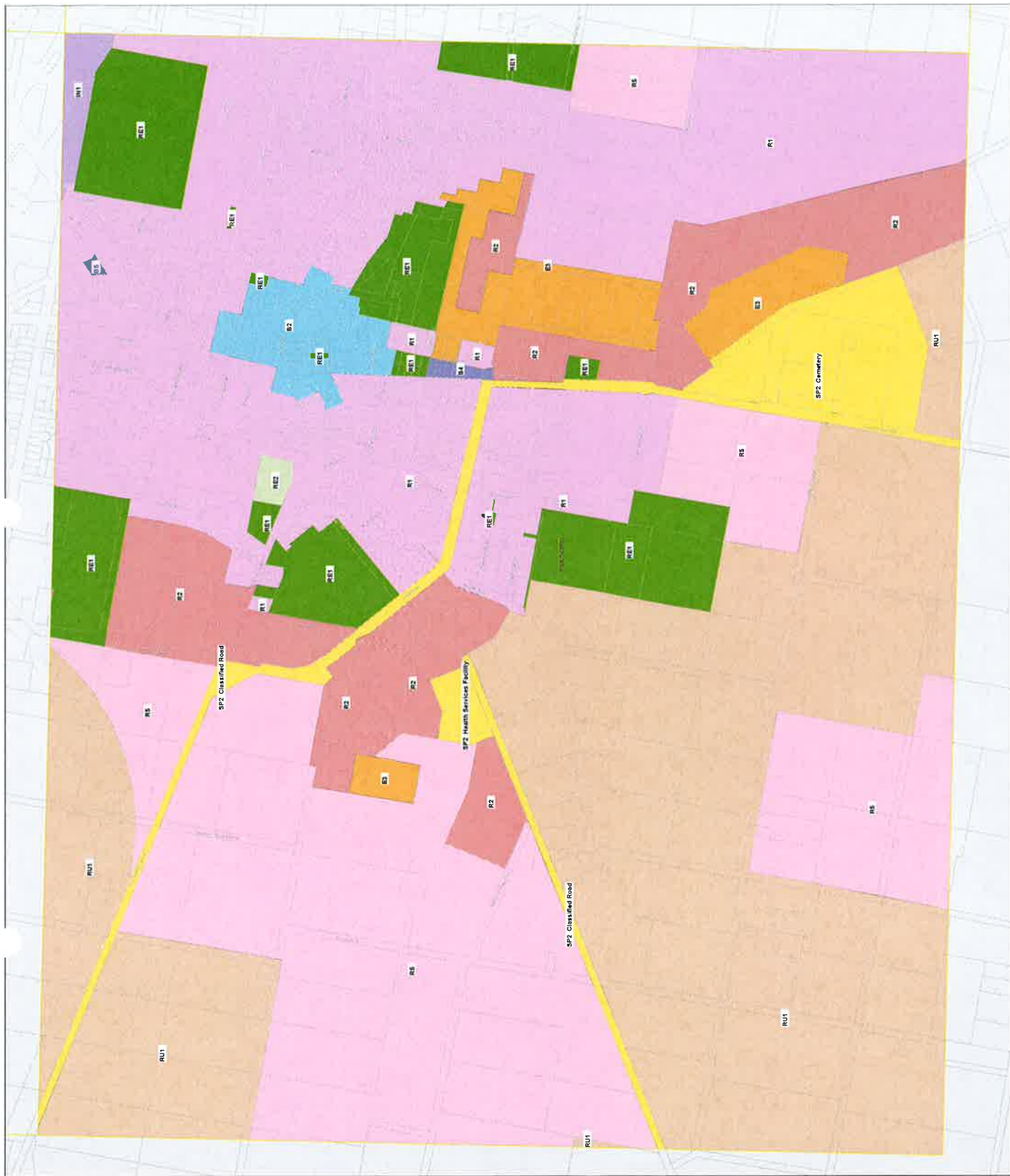
- [B1] Neighbourhood Centre
- [B2] Local Centre
- [B3] Commercial Core
- [E1] Mixed Use
- [E2] Business Development
- [E3] National Parks and Nature Reserves
- [E4] Environmental Management
- [IN1] General Industrial
- [IN2] Light Industrial
- [IN3] Heavy Industrial
- [R1] General Residential
- [R2] Low Density Residential
- [R3] Medium Density Residential
- [R5] Large Lot Residential
- [RE1] Public Recreation
- [RE2] Private Recreation
- [RU1] Primary Production
- [RU3] Forestry
- [RU4] Primary Production Small Lots
- [RU5] Village
- [LSP1] Special Activities
- [SP2] Infrastructure
- [SP3] Tourist

Cadastral

Cadastral 15/12/2010 Land and Property Information (LPI)



0 100 200 300 400 Metres
Scale 1:10,000 @ A3
Projection: GDA 1984
MGA Zone 55



Lot Size Map - Sheet LSZ_005C

Minimum Lot Size (sq m)

G	450
M	600
L	1000
V	2000
V2	3000
V2	4000
P	2 ha
AB1	10 ha
AB2	12 ha
AB3	20 ha
AB4	40 ha
IAD	100 ha
AF	400 ha
Refer to Clause 4.1 (3A)	
Refer to Clause 4.1 C	
Cadastral	

Cadastral 15/12/2010 @ Land and Property Information (LPI)

