



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Albury Local Environmental Plan 2010 (Amendment No 19)

Your ref: Matthew Johnson
Our ref: JF e2016-033.d14

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

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

(D COLAGIURI)
Parliamentary Counsel
12 July 2016



New South Wales

Albury Local Environmental Plan 2010 (Amendment No 19)

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 read 'Tracey Squire', with a long horizontal line extending to the right.

14.7.16

**Tracey Squire
Acting General Manager
AlburyCity Council**

Date

Signed under delegation for AlburyCity Council

As delegate for the Minister for Planning



New South Wales

Albury Local Environmental Plan 2010 (Amendment No 19)

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 read 'Tracey Squire', with a long horizontal flourish extending to the right.

14.7.16

**Tracey Squire
Acting General Manager
AlburyCity Council**

Date

Signed under delegation for AlburyCity Council

As delegate for the Minister for Planning



New South Wales

Albury Local Environmental Plan 2010 (Amendment No 19)

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 19)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Albury Local Environmental Plan 2010 (Amendment No 19)*.

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 following zones under *Albury Local Environmental Plan 2010*:

- (a) Zone R1 General Residential,
- (b) Zone R3 Medium Density Residential,
- (c) Zone B4 Mixed Use.

Schedule 1 Amendment of Albury Local Environmental Plan 2010

Clause 4.1A Exceptions to minimum lot sizes for certain residential development

Omit clause 4.1A (2) and (3). Insert instead:

- (2) This clause applies to land in the following zones:
 - (a) Zone R1 General Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone B4 Mixed Use.
- (3) Despite clause 4.1, development consent may be granted to a single development application for:
 - (a) the erection of 1 or 2 dwellings, and
 - (b) the subdivision of the land into 2 lots that each are less than the minimum size shown on the Lot Size Map in relation to the land but not less than 300 square metres.
- (4) Despite clause 4.1, development consent may be granted to a development application for the subdivision of land into 2 lots that are each less than the minimum size shown on the Lot Size Map if the land contains an existing dual occupancy.
- (5) Despite clause 4.1, development consent may be granted to a single development application for:
 - (a) the erection of an attached dwelling, a semi-detached dwelling or a dwelling house, and
 - (b) the subdivision of the land into 3 or more lots that each are less than the minimum size shown on the Lot Size Map in relation to the land but not less than 300 square metres and each have a frontage to a road.
- (6) Development consent may not be granted under this clause if it results in more than one dwelling on each lot resulting from the subdivision.
- (7) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included when calculating the size of the lot for the purposes of this clause.