



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Cabonne Local Environmental Plan 2012 (Amendment No 5)

Your ref: H. Nicholls
Our ref: MA e2016-332.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 be 'D. Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel

12 January 2017



New South Wales

Cabonne Local Environmental Plan 2012 (Amendment No 5)

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

STEPHEN HARKING, ACTING GENERAL MANAGER

CABONNE COUNCIL

as delegate for the Minister for Planning

19 January 2017

Cabonne Local Environmental Plan 2012 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Cabonne Local Environmental Plan 2012 (Amendment No 5)*.

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:

- (a) Lot 272, DP 750170 at Hill Street, Molong, and an adjacent road reserve, and
- (b) land in the following zones under *Cabonne Local Environmental Plan 2012*:
 - (i) Zone RU1 Primary Production,
 - (ii) Zone RU2 Rural Landscape.

4 Maps

The maps adopted by *Cabonne 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 Cabonne Local Environmental Plan 2012

Clause 4.2B

Insert after clause 4.2A:

4.2B Boundary adjustments in certain rural zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots where 1 or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land but the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in any of the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape.
- (3) Despite clause 4.1, development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where 1 or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:
 - (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
 - (b) the number of dwellings or opportunities for dwellings on each lot after the subdivision will be the same as before the subdivision, and
 - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
 - (d) the agricultural viability of the land will not be adversely affected as a result of the subdivision.

Cabonne Local Environmental Plan 2012 (Amendment No 5)

Cabonne Council
101 Bank Street
Molong NSW 2866

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Land Zoning Map LZN_004A	1400_COM_LZN_004A_020_20121101
Lot Size Map LSZ_004A	1400_COM_LSZ_004A_020_20120903

The following map sheets are adopted:

Map Sheet	Map Identification Number
Land Zoning Map LZN_004A	1400_COM_LZN_004A_020_20170112
Lot Size Map LSZ_004A	1400_COM_LSZ_004A_020_20170112

Certified

by Stephen Harding

Acting General Manager
Cabonne Council

19 January 2017

[Title of Council Delegate]

[Date] Minister for Planning and Environment

[Date]