

## Forbes Local Environmental Plan 2013 (Amendment No 3)

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*.

DANNY GREEN, GENERAL MANAGER, FORBES SHIRE COUNCIL As delegate for the Minister for Planning

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#### 1 Name of Plan

This Plan is Forbes Local Environmental Plan 2013 (Amendment No 3).

#### 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 Forbes Local Environmental Plan 2013 applies.

# Schedule 1 Amendment of Forbes Local Environmental Plan 2013

#### [1] Clause 4.1AA

Omit the clause. Insert instead:

#### 4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows:
  - (a) to encourage housing diversity without adversely impacting on residential amenity,
  - (b) to minimise the fragmentation and isolated development of rural land,
  - (c) to permit medium density development in appropriate zones,
  - (d) to promote infill development.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU4 Primary Production Small Lots,
  - (c) Zone RU5 Village,
  - (d) Zone R1 General Residential,
  - (e) Zone R5 Large Lot Residential,
  - (f) Zone B2 Local Centre,
  - (g) Zone SP3 Tourist,
  - (h) Zone RE2 Private Recreation,
  - (i) Zone E3 Environmental Management.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 1989*) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) Despite subclause (3), the size of any lot resulting from a subdivision of land to which this clause applies may be less than the minimum size shown on the Lot Size Map in relation to that land if:
  - (a) the land is in Zone R1 General Residential or Zone B2 Local Centre and the subdivision is for the purpose of residential accommodation or tourist and visitor accommodation, or
  - (b) the subdivision is for a purpose other than residential accommodation or tourist and visitor accommodation.

## [2] Clause 4.2A Minimum subdivision lot size for strata plan schemes in certain rural, residential, special purpose, recreation and environment protection zones

Omit clause 4.2A (2) (c). Insert instead:

- (c) Zone RU5 Village,
- (d) Zone R5 Large Lot Residential,
- (e) Zone SP3 Tourist,
- (f) Zone RE2 Private Recreation,
- (g) Zone E3 Environmental Management.