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Singleton Local Environmental Plan 1996

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Part 3 > Clause 17

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17 On what land in the Rural Zone can a dwelling-house or dual occupancy-attached be erected?

- (1) This clause applies to land within Zone 1 (a).
- (2) A dwelling-house or dual occupancy-attached can be erected only on the following land in Zone 1 (a):
 - (a) an allotment which has an area of 40 hectares or greater,
 - (b) an allotment with an area of less than 40 hectares where the land is the whole of an allotment consented to by the Council on or after 7 January 1966, or
 - (c) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 and comprises the whole of an existing holding, or
 - (d) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 which has an area of not less than 10 hectares and was owned at 17 December 1980 by a person who at that date did not own any lot, portion or parcel of land adjoining or adjacent to the allotment, or
 - (e) an allotment which already contains a dwelling-house where the proposed dwelling-house is intended to wholly replace an existing dwelling-house.
- (3) Additional dwelling-houses may be erected with the consent of the Council on land with an area greater than 40 hectares where the dwelling-houses are to be used by a person or persons engaged in activities permissible on the land and for which consent has been given, if required by this plan.
- (4) Land on which a dual occupancy-attached is erected under this clause must not be subdivided otherwise than in accordance with clause 12.
- (5) In this clause, *existing holding* means any area of adjoining or adjacent land held in the same ownership on and from 7 January 1966 and includes the residue of any such area from which land has been excised only for a public purpose after that date. Adjoining or adjacent land does not cease to be an existing holding only because the land has been transferred as a whole after 7 January 1966.