



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Cessnock Local Environmental Plan 2011 (Amendment No 5)

Your ref: 10/24469 Vincent Ramos
Our ref: AE e2013-171-d05

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

The draft environmental planning instrument adopts the maps identified in map cover sheet 1720_COM_MCS_20130923.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

(D COLAGIURI)
Parliamentary Counsel

26 September 2013

Cessnock Local Environmental Plan 2011 (Amendment No 5)

Cessnock City Council
62-78 Vincent Street
CESSNOCK NSW 2325

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Lot Size Map LSZ_009A	1720_COM_LSZ_009A_040_20111206
Land Zoning Map LZN_009A	1720_COM_LZN_009A_040_20130321
Urban Release Area Map URA_009A	1720_COM_URA_009A_040_20130411

The following map sheets are adopted:

Map Sheet	Map Identification Number
Lot Size Map LSZ_009A	1720_COM_LSZ_009A_040_20130614
Land Zoning Map LZN_009A	1720_COM_LZN_009A_040_20130815
Urban Release Area Map URA_009A	1720_COM_URA_009A_040_20130614

Certified

[Title of Council Delegate]

[Date] Minister for Planning and Infrastructure [Date]



New South Wales

Cessnock Local Environmental Plan 2011 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

Minister for Planning and Infrastructure

Cessnock Local Environmental Plan 2011 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Cessnock Local Environmental Plan 2011 (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 the land to which *Cessnock Local Environmental Plan 2011* applies.

4 Maps

Each map adopted by *Cessnock Local Environmental Plan 2011* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Cessnock Local Environmental Plan 2011 Land Zoning Map (1720_COM_LZN_009A_040_20130321)	Cessnock Local Environmental Plan 2011 Land Zoning Map (1720_COM_LZN_009A_040_20130815)
Cessnock Local Environmental Plan 2011 Lot Size Map (1720_COM_LSZ_009A_040_20111206)	Cessnock Local Environmental Plan 2011 Lot Size Map (1720_COM_LSZ_009A_040_20130614)
Cessnock Local Environmental Plan 2011 Urban Release Area Map (1720_COM_URA_009A_040_20130411)	Cessnock Local Environmental Plan 2011 Urban Release Area Map (1720_COM_URA_009A_040_20130614)

Schedule 1 Amendment of Cessnock Local Environmental Plan 2011

Clause 4.1B

Insert after clause 4.1A:

4.1B Minimum lot sizes for certain split zones

- (1) The objectives of this clause are:
 - (a) to provide for the subdivision of lots that are within more than one zone and cannot be subdivided under clause 4.1, and
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land uses and development.
- (2) This clause applies to each lot (an *original lot*) that only contains:
 - (a) land in a residential, business or industrial zone, and
 - (b) land in Zone E2 Environmental Conservation.
- (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 a residential, business or industrial zone 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 E2 Environmental Conservation 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.