



New South Wales

Dubbo Regional Local Environmental Plan 2022 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**TIM HOWLETT, MANAGER GROWTH PLANNING
DUBBO REGIONAL COUNCIL**
As delegate for the local plan-making authority

Dubbo Regional Local Environmental Plan 2022 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Dubbo Regional Local Environmental Plan 2022 (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 land to which *Dubbo Regional Local Environmental Plan 2022* applies.

Schedule 1 Amendment of Dubbo Regional Local Environmental Plan 2022

[1] Land Use Table

Insert “Dual occupancies (detached);” in appropriate order in Zone R5, item 3.

[2] Land Use Table, Zone R5, item 4

Omit “Dual occupancies (detached);”.

[3] Land Use Table, Zone C3, item 3

Insert “Information and education facilities;” in appropriate order.

[4] Clause 4.2D

Insert after clause 4.2C—

4.2D Exceptions to minimum subdivision lot sizes for split zones

- (1) The objectives of this clause are as follows—
 - (a) to permit the creation of lots that support urban development in planned urban growth areas,
 - (b) to provide for the subdivision of lots that are within more than 1 zone but cannot be subdivided under clause 4.1,
 - (c) to ensure that the subdivision occurs in a way that promotes suitable land uses and development.
- (2) This clause applies to each lot (an *original lot*) that contains—
 - (a) land in 1 or more of the following zones—
 - (i) Zone RU5 Village,
 - (ii) a residential, employment or mixed use zone, and
 - (b) land in 1 or more relevant zones.
- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the *resulting lots*) if—
 - (a) 1 of the resulting lots will contain all of the land in a relevant zone that was in the original lot, and
 - (b) each of the other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map for the land.
- (4) A resulting lot created under subclause (3)(a) may be smaller than the minimum lot size shown on the Lot Size Map for the land.
- (5) Development consent must not be granted for the erection of a dwelling house on a resulting lot created under subclause (3)(a).
- (6) A resulting lot created under subclause (3)(b) must not be subject to more than 1 minimum lot size as shown on the Lot Size Map.
- (7) In this clause—

relevant zone means the following—

 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU3 Forestry,
 - (d) Zone RU4 Primary Production Small Lots,

- (e) Zone C1 National Parks and Nature Reserves,
- (f) Zone C2 Environmental Conservation,
- (g) Zone C3 Environmental Management.