



New South Wales

Inverell Local Environmental Plan 1988 (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. (S99/00503/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 212

Clause 1 Inverell Local Environmental Plan 1988 (Amendment No 5)

**Inverell Local Environmental Plan 1988
(Amendment No 5)**

1 Name of plan

This plan is *Inverell Local Environmental Plan 1988 (Amendment No 5)*.

2 Aims of plan

This plan aims to provide for the creation of an integrated community on the land to which the plan applies, subject to the consent of Inverell Council.

3 Land to which plan applies

This plan applies to Lot 2, DP 840398.

4 Amendment of Inverell Local Environmental Plan 1988

Inverell Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clause 39

Insert after clause 38:

39 Development of an integrated Bruderhof community

(1) In this clause:

integrated community means a collection of buildings that are used for the purpose of accommodating and providing support services and employment for a group of no more than 400 people where:

- (a) those people live together in a community that operates on a communal basis, and
- (b) there is no individual ownership, or entitlement to ownership, of separate parts of the land involved.

survey plan means the plan of survey numbered 13,627/5 prepared by Registered Surveyor J I Noad & Co on 17 June 2001 and held in the offices of the Council.

- (2) This clause applies to Lot 2, DP 840398.
- (3) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development of the land identified with the letter "A" on the survey plan for the purposes of any or all of the following:
 - (a) the construction of buildings as part of an integrated community,
 - (b) the provision of services as part of an integrated community,
 - (c) the construction of infrastructure as part of an integrated community.
- (4) The Council must not determine any application for development consent referred to in subclause (3) unless:
 - (a) the Council has consulted the Director-General of the Department of Agriculture in relation to:

2002 No 212

Inverell Local Environmental Plan 1988 (Amendment No 5)

Schedule 1 Amendment

- (i) the creation and operation of the effluent irrigation area associated with the development, and
 - (ii) the content of any plan of management relating to the development, and
 - (b) has taken into consideration any opinions expressed by that Director-General.
- (5) The Council must not determine any application for development consent referred to in subclause (3) unless the Council has forwarded written notice of the lodgment of the application to the owners of the land adjoining land consolidated under subclause (8) (a) and has taken into consideration any submissions received from those landowners as a result of the notice. The notice must include:
- (a) a copy of any plans accompanying the application that show the external configuration of any proposed buildings or other structures, and
 - (b) advice that if the landowner so wishes the landowner may inspect the development application at the Council's offices and make a written submission to the Council on the application within a period of 14 days of the notice being issued.
- (6) In considering any application for development consent referred to in subclause (3), the Council must take into consideration the following matters:
- (a) the proposed means of ownership of the land concerned,
 - (b) the location of the proposed development and its impact on prime crop and pasture land,
 - (c) the likely impact of the development on the viability of the better classes of agricultural land within the land consolidated under subclause (8) (a) or adjoining land in the same ownership,
 - (d) the likely impact of the development, including any associated light industry, on nearby agricultural land, including the need for separation and buffers to avoid land-use conflict with existing and proposed agricultural development on nearby land,

-
- (e) the need for any development for community use that is supplementary to the agricultural use of the land consolidated under clause 8 (a),
 - (f) the design and siting of buildings for living, working and congregating,
 - (g) the proposed means of access to the land concerned from the adjoining Gwydir Highway,
 - (h) the availability of a water supply to the land concerned for domestic, agricultural and fire-fighting purposes and the likely effect of such supply on nearby land owners,
 - (i) provisions for, or the availability of facilities for, the disposal of both solid and liquid wastes, whether on the land or not,
 - (j) the impact on the vegetation cover of the land concerned and any measures proposed for environmental protection, site rehabilitation or reforestation,
 - (k) the adequacy of any measures proposed to protect occupants, buildings, roads, service installations and land adjoining the development from bush fires,
 - (l) the visual impact of the development on nearby land, including the impact of night lighting,
 - (m) the impact of the development on any heritage item, relic or site or on the curtilage of any heritage item, relic or site on land to which this clause applies,
 - (n) the effect of the proposed development on the quality of water resources in the vicinity.
- (7) The Council must not grant any application for development consent referred to in subclause (3) unless the Council has considered whether or not the development is consistent with a plan of management of the proposed development that makes adequate provision for the following matters:
- (a) the on-going operation and management of the land consolidated under clause 8 (a) for agricultural purposes so as to ensure the viability of agriculture operations and to improve environmental outcomes compared to the previous management regime,

2002 No 212

Inverell Local Environmental Plan 1988 (Amendment No 5)

Schedule 1

Amendment

- (b) facilities for the collection and storage of water, whether on the land or not,
 - (c) water management, including monitoring,
 - (d) waste management, including independent monitoring of the effluent field, whether on the land or not,
 - (e) the prevention, control and management of soil erosion,
 - (f) bush fire management,
 - (g) flora and fauna management, including the control of noxious weeds and noxious animals and the management of domestic pets,
 - (h) the provision and maintenance of internal roads and access roads, including any proposed upgrading,
 - (i) boundary fences,
 - (j) the provision of an annual report to the Council outlining:
 - (i) the activities undertaken on the land and the actions taken to ensure that the principles outlined in the plan of management are being adhered to, and
 - (ii) the results of environmental monitoring,
 - (k) the continuing integration of the land identified with the letter "A" on the survey plan with the agricultural activities on the balance of the land consolidated under subclause (8) (a),
 - (l) any other issue considered necessary by the Council.
- (8) The Council must not grant any application for development consent referred to in subclause (3) unless:
- (a) the whole of the land to which this clause applies is to be consolidated with Lots 3 and 4, DP 1002820 into a single title, and
 - (b) the proposed development will have no additional impact on the water regime of Swan Brook Creek, and
 - (c) riparian and ground water use in relation to the proposed development is proposed to be monitored, and

Inverell Local Environmental Plan 1988 (Amendment No 5)

Amendment

Schedule 1

- (d) any residential buildings associated with the integrated development are proposed to be erected more than 300 metres from the land consolidated under subclause (8) (a).

BY AUTHORITY
