



## **Parkes Local Environmental Plan 1990 (Amendment No 4)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S00/01676/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 783

Clause 1 Parkes Local Environmental Plan 1990 (Amendment No 4)

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# Parkes Local Environmental Plan 1990 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Parkes Local Environmental Plan 1990 (Amendment No 4)*.

## 2 Aims of plan

The aims of this plan are:

- (a) to provide for 2 new zones to which land may be zoned under *Parkes Local Environmental Plan 1990* (the *principal plan*), being Zone No 4 (a) (Industrial “Hub” Zone) (which provides for an industrial area adjoining rail and road networks) and Zone No 6 (a) (Service Corridor Zone) (which facilitates the development of an arterial road network for heavy vehicles and regional traffic), and
- (b) to rezone certain land from Zone No 1 (a) (Rural “A” Zone) to Zone No 4 (a) or 6 (a) under the principal plan, and
- (c) to ensure that development around Zones Nos 4 (a) and 6 (a) is compatible with the use of those zones, and
- (d) to allow for the economic growth of the town of Parkes.

## 3 Land to which plan applies

- (1) To the extent to which this plan rezones land:
  - (a) from Zone No 1 (a) to Zone No 4 (a), it applies to the land shown edged heavy black and marked “4 (a)” on the map marked *Parkes Local Environmental Plan 1990 (Amendment No 4)* deposited in the office of Parkes Shire Council, and
  - (b) from Zone No 1 (a) to Zone No 6 (a), it applies to the land shown edged heavy black and marked “6 (a)” on that map.
- (2) Otherwise this plan applies to all land situated within the local government area of Parkes Shire Council.

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**4 Amendment of Parkes Local Environmental Plan 1990**

*Parkes Local Environmental Plan 1990* is amended as set out in Schedule 1.

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

#### [1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Parkes Local Environmental Plan 1990 (Amendment No 4)

#### [2] Clause 8 Zones indicated on the map

Insert after the matter relating to Zone No 4:

Zone No 4 (a) (Industrial “Hub” Zone)—black edging and marked “4 (a)”.

#### [3] Clause 8

Insert after the matter relating to Zone No 6:

Zone No 6 (a) (Service Corridor Zone)—black edging and marked “6 (a)”.

#### [4] Clause 9 Zone objectives and development control table

Insert after Item 4 of the matter relating to Zone No 4 in the Table to clause 9:

##### **Zone No 4 (a) (Industrial “Hub” Zone)**

###### **1 Objectives of zone**

The objectives of this zone are:

- (a) to recognise the Parkes “Hub” as a special industrial enterprise area, specifically to nurture a multi-modal freight and transport interchange, and
- (b) to designate land for the accommodation of key industrial uses which are linked to the freight logistics industry, and
- (c) to encourage the growth of the freight logistics industry and capture consequent economic benefits for Parkes, and
- (d) to enable the continuation of agricultural land use within the zone.

**2 Without consent**

Agriculture (other than ancillary dwellings and intensive livestock keeping establishments).

**3 Only with consent**

Any purpose other than a purpose included in Item 2 or 4.

**4 Prohibited**

Boarding-houses; cemeteries; child care centres; churches; clubs; community centres; dwelling-houses; educational establishments; general stores; health care professionals; home industries; home occupations; hospitals; hotels; motels; motor showrooms; picnic grounds; places of public worship; reception establishments; recreation facilities; recreational establishments; retail plant nurseries; roadside stalls; shops; tourist facilities; units for aged persons; veterinary hospitals.

**[5] Clause 9, Table**

Insert after Item 4 of the matter relating to Zone No 6:

**Zone No 6 (a) (Service Corridor Zone)**

**1 Objectives of zone**

The objectives of this zone are:

- (a) to provide for the future construction of an arterial road network that efficiently links Parkes to other regions, and
- (b) to provide land for utility services, passive recreation and urban beautification works, and
- (c) to identify, protect and enhance habitat for flora and fauna and avoid negative impacts on adjoining natural areas.

**2 Without consent**

Works (other than buildings) for the purpose of landscaping, gardening or bushfire hazard reduction.

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### 3 Only with consent

Buildings for the purpose of landscaping, gardening or bushfire hazard reduction; forestry (other than ancillary dwellings and pine plantations); picnic grounds; purposes associated with roads; recreation areas; utility installations; any other purpose which in the opinion of the council is appropriately located in a service corridor zone.

### 4 Prohibited

Any purpose other than a purpose included in Item 2 or 3.

### [6] Clause 13 Subdivision of land within Zone No 1 (a)

Insert at the end of clause 13 (4) (d):

, and

- (e) the allotment will be located at least 1 kilometre from any land within Zone No 4 (a).

### [7] Clause 15A

Insert after clause 15:

#### 15A Development on land within Zone No 4 (a)

- (1) The consent authority must not consent to the erection of buildings or the carrying out of works on land within Zone No 4 (a) unless:
  - (a) it has approved a development control plan incorporating a structure plan for the land, and
  - (b) it has considered the following:
    - (i) any noise impacts likely to be generated by the development,
    - (ii) any air quality impacts likely to be generated by the development,
    - (iii) any impacts due to the need for night lighting and illumination,
    - (iv) a soil and water management plan for construction and post construction phases of the development,
    - (v) a waste management plan for the development,

- (vi) the likely effects of the development on existing vegetation and opportunities for revegetation of suitable areas,
  - (vii) the need to protect items or sites of Aboriginal heritage significance (being items or sites of cultural significance to indigenous inhabitants of New South Wales),
  - (viii) the adequacy of utility services,
  - (ix) the relationship of the development to railway and road linkages.
- (2) The consent authority must not consent to the subdivision of land within Zone No 4 (a) unless satisfied that:
- (a) the subdivision is necessary for a purpose that directly facilitates the objectives of the Zone, and
  - (b) the proposed lot sizes are justified on the basis of achieving the objectives of the Zone.
- (3) In this clause:
- structure plan*** means a map or document (or both) that is adopted by the consent authority identifying land that is undeveloped or could potentially be redeveloped and that broadly describes the location or character (or both) of potential land use types, transport routes, infrastructure and services, open space and areas of environmental protection, constraints, hazards and the like.