



New South Wales

Moree Plains Local Environmental Plan 1995 (Amendment No 13)

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*. (S01/01819/PC)

DIANE BEAMER, M.P.,

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

2004 No 876

Clause 1 Moree Plains Local Environmental Plan 1995 (Amendment No 13)

Moree Plains Local Environmental Plan 1995 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Moree Plains Local Environmental Plan 1995 (Amendment No 13)*.

2 Aims of plan

The aims of this plan are:

- (a) to amend the map to *Moree Plains Local Environmental Plan 1995* to provide that development for the purpose of tourism may be carried out with consent on certain land within Zone No 5 (Special Uses—Community Purposes), being Lot 5, DP 817286, and
- (b) to insert a new clause into *Moree Plains Local Environmental Plan 1995* relating to the erection of buildings and residential development in the vicinity of Moree Airport, and
- (c) to reclassify certain public land from community land to operational land for the purposes of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to the following land:

- (a) in relation to the aim set out in clause 2 (a)—Lot 5, DP 817286,
- (b) in relation to the aim set out in clause 2 (b)—land shown on the map marked “Obstacle Limitation Surface (OLS) Map for Moree and environs” deposited in the office of the Moree Plains Shire Council (including Lot 5, DP 817286),

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- (c) in relation to the aim set out in clause 2 (c)—Lot 5, DP 817286, Lots 9 and 11, DP 848790, Lots 35–37, DP 867485, Lot 6, DP 746093, Lots 18–23, DP 831597, Lots 11–14, DP 792348, Lots 3–5, DP 700552, Lots 8 and 10, DP 787334, Lot 16, DP 827137, Lot 33, DP 865099 and Lots 30 and 31, DP 856873.

4 Amendment of Moree Plains Local Environmental Plan 1995

Moree Plains Local Environmental Plan 1995 is amended as set out in Schedule 1.

2004 No 876

Moree Plains Local Environmental Plan 1995 (Amendment No 13)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Moree Plains Local Environmental Plan 1995 (Amendment No 13)

[2] Clause 42

Insert after clause 41:

42 Development of land in the vicinity of Moree Airport

- (1) The council must not consent to the erection of a building on land which is shown on the OLS Map, unless it is satisfied that the height of the building will not exceed the limitation specified for the land on that map.
- (2) Despite subclause (1), the council may consent to the erection of a building on land which is shown on the OLS Map that will exceed the limitation specified for the land on that map, but only if:
 - (a) the application for that consent has been referred by the council to Airservices Australia for comment, and
 - (b) the council has taken into account any comment furnished by Airservices Australia within 28 days after that referral.
- (3) The council may grant consent to the erection of a building intended for human occupation on Lot 5, DP 817286 only if it is satisfied that measures will be taken:
 - (a) which comply with the provisions of Australian Standard AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction* published by Standards Australia, and
 - (b) which are adequate for the insulation of the building from aircraft noise.
- (4) In this clause, *OLS Map* means the map marked “Obstacle Limitation Surface (OLS) Map for Moree and environs” deposited in the office of the council.

[3] Schedule 4 Classification and reclassification of public land as operational land

Insert at the end of the Schedule:

Moree Airport	Lot 5, DP 817286, Lots 9 and 11, DP 848790, Lots 35–37, DP 867485, Lot 6, DP 746093, Lots 18–23, DP 831597, Lots 11–14, DP 792348, Lots 3–5, DP 700552, Lots 8 and 10, DP 787334, Lot 16, DP 827137, Lot 33, DP 865099 and Lots 30 and 31, DP 856873.
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