



New South Wales

Parry Local Environmental Plan 1987 (Amendment No 6)

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*. (TAM6364358/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 531

Clause 1 Parry Local Environmental Plan 1987 (Amendment No 6)

Parry Local Environmental Plan 1987 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Parry Local Environmental Plan 1987 (Amendment No 6)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone No 1 (c) Hobby Farms to Zone No 2 (b) Low Density Residential under *Parry Local Environmental Plan 1987*, and
- (b) to specify development controls applying to that land, and
- (c) to allow for the provision and co-ordination of essential infrastructure, facilities and services to support urban development on the land to which this plan applies.

3 Land to which plan applies

This plan applies to land within the former Shire of Parry in the vicinity of Moore Creek Road and Browns Lane, Parish of Woolomol, as shown edged heavy black on the map marked "Parry Local Environmental Plan 1987 (Amendment No 6)" deposited in the office of Tamworth Regional Council.

4 Amendment of Parry Local Environmental Plan 1987

Parry Local Environmental Plan 1987 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Omit the definition of *the map* from clause 5 (1). Insert instead:

the map means the map marked “Parry Local Environmental Plan 1987”, as amended by the maps (or specified sheets of maps) marked as follows:

Parry Local Environmental Plan 1987 (Amendment No 6)

[2] Clause 5 (4)

Insert after clause 5 (3):

- (4) A word or expression used in the matter relating to Zone No 2 (b) in the table to clause 9 has the same meaning as in *Tamworth Local Environmental Plan 1996*.

[3] Clause 8 Zones indicated on the map

Insert after the matter relating to Zone No 1 (f):

Zone No 2 (b) (Low Density Residential Zone)—edged heavy black and lettered “2 (b)”,

[4] Clause 9 Zone objectives and development control table

Insert after the matter relating to Zone No 1 (f):

Zone No 2 (b) (Low Density Residential Zone)

1 Objectives of zone

The general objectives of this zone are:

- (a) to provide for the housing needs of the community within a low density residential environment, and
- (b) to enable other land uses that provide facilities or services to meet the day to day needs of residents, and
- (c) to permit the use of rural land for low density residential purposes in accordance with the *Hills Plain Master Plan* adopted by the Council on 26 March 1996 (including any amendments adopted by the Council before the commencement of *Parry Local Environmental Plan 1987 (Amendment No 6)*).

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Schedule 1 Amendments

2 Without development consent

Bushfire hazard reduction; utility installations; utility undertakings.

3 Only with development consent

Any development not included in item 2 or 4.

4 Prohibited

Abattoirs; advertisements (other than advertisements ancillary to development permitted in the zone); airports; airport-related land uses; animal establishments; brothels; bulky goods sales rooms or showrooms; bus depots; commercial premises; depots; extractive industries; hazardous industries; hazardous storage establishments; heliports; industries; liquid fuel depots; materials recycling yards; mines; motor showrooms; offensive industries; offensive storage establishments; passenger transport terminals; re-use of effluent and biosolids; restricted premises; road transport terminals; rural industries; rural workers' dwellings; sawmills; service stations; stock and sale yards; vehicle body repair workshops; vehicle repair stations; warehouses or distribution centres; waste disposal depots.

[5] Clause 19A

Insert before clause 19:

19A Subdivision of land within Zone No 2 (b)

The Council may grant consent for the subdivision of land within Zone No 2 (b) only if each allotment proposed to be created in the subdivision has an area of not less than 2000m² and not more than 4000m².

[6] Clause 41

Insert after clause 40:

41 Restriction on certain subdivisions—infrastructure, facilities and services

- (1) This clause applies to land shown as within Zone No 2 (b) on the map marked "Parry Local Environmental Plan 1987 (Amendment No 6)", but does not apply to such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (2) The object of this clause is to require assistance towards the provision of the following infrastructure, facilities and services to

satisfy needs that arise from development on land to which this clause applies, but only if the land is developed intensively for urban purposes:

- (a) regional transport infrastructure,
 - (b) education facilities and services provided by the State,
 - (c) health facilities and services provided by the State,
 - (d) facilities and services provided by the State for the purposes of emergency services.
- (3) Despite any other provision of this plan, the Council must not grant consent to the subdivision of land to which this clause applies if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the commencement of *Parry Local Environmental Plan 1987 (Amendment No 6)*, unless the Director-General has certified in writing to the Council that satisfactory arrangements have been made to contribute to the provision of infrastructure, facilities and services referred to in subclause (2) in relation to that lot.
- (4) Subclause (3) does not apply to any lot:
- (a) identified in the certificate as a residue lot, or
 - (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose.
- (5) Subclause (3) does not apply to a subdivision for the purpose only of rectifying an encroachment on any existing allotment.
- (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to development for the purposes of subdivision on land to which this clause applies.