



New South Wales

Moree Plains Local Environmental Plan 2011 (Amendment No 4)

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*.

LESTER RODGERS, GENERAL MANAGER, MOREE PLAINS SHIRE COUNCIL
As delegate for the local plan-making authority

Moree Plains Local Environmental Plan 2011 (Amendment No 4)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Moree Plains Local Environmental Plan 2011 (Amendment No 4)*.

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 *Moree Plains Local Environmental Plan 2011* applies and, in particular, to land in Zone RU1 Primary Production under that Plan.

Schedule 1 Amendment of Moree Plains Local Environmental Plan 2011

[1] Land Use Table

Insert after the fifth dot point in item 1 of the matter relating to Zone RU1 Primary Production:

- To protect significant agricultural resources in recognition of their value to the longer term economic sustainability of Moree Plains.
- To maintain the rural character of the land.

[2] Land Use Table, Zone RU1 Primary Production

Insert in appropriate order in item 3:

Airstrips; Boat launching ramps; Charter and tourism boating facilities; Eco-tourist facilities; Educational establishments; Freight transport facilities; Helipads; Industrial retail outlets; Industrial training facilities; Jetties; Landscaping material supplies; Markets; Plant nurseries; Respite day care centres; Secondary dwellings; Sewerage systems; Truck depots; Warehouse or distribution centres; Water supply systems; Any other development not specified in item 2 or 4

[3] Land Use Table, Zone RU1 Primary Production, item 3

Omit “; Water storage facilities”.

[4] Land Use Table, Zone RU1 Primary Production, item 4

Omit “Any development not specified in item 2 or 3”. Insert instead:

Amusement centres; Centre-based child care facilities; Commercial premises; Entertainment facilities; Exhibition homes; Exhibition villages; Function centres; Health services facilities; Highway service centres; Industries; Registered clubs; Residential accommodation; Restricted premises; Storage premises; Vehicle body repair workshops; Vehicle repair stations; Wholesale supplies

[5] Clause 5.13 Eco-tourist facilities

Omit “[Not applicable]”. Insert instead:

- (1) The objectives of this clause are as follows:
 - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
 - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- (2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.
- (3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:
 - (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and
 - (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and

- (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and
- (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and
- (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and
- (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and
- (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and
- (h) any infrastructure services to the site will be provided without significant modification to the environment, and
- (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and
- (j) the development will not adversely affect the agricultural productivity of adjoining land, and
- (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:
 - (i) measures to remove any threat of serious or irreversible environmental damage,
 - (ii) the maintenance (or regeneration where necessary) of habitats,
 - (iii) efficient and minimal energy and water use and waste output,
 - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
 - (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

[6] Clauses 7.8 and 7.9

Insert after clause 7.7:

7.8 Truck depots in Zone RU1 Primary Production

- (1) The object of this clause is to ensure that development for the purpose of truck depots in Zone RU1 Primary Production is appropriate for the locality.
- (2) Development consent must not be granted to development for the purpose of truck depots on land in Zone RU1 Primary Production unless the consent authority is satisfied of the following:
 - (a) adequate road access is available, or will be available, to the site to support the scale of the development,
 - (b) the development will predominately service vehicles engaged in supporting the primary industry sector,
 - (c) the development will not have a significant impact on the amenity of the locality.

7.9 Warehouse or distribution centres in Zone RU1 Primary Production

- (1) The object of this clause is to ensure that development for the purpose of warehouse or distribution centres in Zone RU1 Primary Production is appropriate for the locality.
- (2) Development consent must not be granted to development for the purpose of warehouse or distribution centres on land in Zone RU1 Primary Production unless the consent authority is satisfied of the following:
 - (a) adequate road access is available, or will be available, to the site to support the scale of the development,
 - (b) the development will facilitate either or both of the following:
 - (i) the movement of freight to and from the primary industry sector,
 - (ii) the movement of freight by rail,
 - (c) the development will not increase rural land use conflict in the locality.