



New South Wales

# **Tamworth Regional Local Environmental Plan 2010 (Amendment No 26)**

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*.

PAUL BENNETT, GENERAL MANAGER  
TAMWORTH REGIONAL COUNCIL  
As delegate for the local plan-making authority

## **Tamworth Regional Local Environmental Plan 2010 (Amendment No 26)**

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### **1 Name of plan**

This plan is *Tamworth Regional Local Environmental Plan 2010 (Amendment No 26)*.

### **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 the following land at Browns Lane and Manilla Road, Stratheden—

- (a) Lots 1 and 2 and Part Lot 3, DP 997767,
- (b) Part Lot 708, DP 1252037,
- (c) Lot 12, DP 245544,
- (d) Part Lot 4, DP 212658,
- (e) Lots 3 and 5, DP 209387,
- (f) Lot 341, DP 622077.

### **4 Maps**

The maps adopted by *Tamworth Regional Local Environmental Plan 2010* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

## Schedule 1 Amendment of Tamworth Regional Local Environmental Plan 2010

### [1] Clause 7.12

Omit the clause. Insert instead—

#### 7.12 Minimum dwelling density

- (1) The objectives of this clause are as follows—
  - (a) to ensure the provision of a mix of dwelling types and housing choices,
  - (b) to ensure the efficient use of public infrastructure and land resources,
  - (c) to meet the demand for regional housing,
  - (d) to ensure the viability of public transport, recreation, community facilities and other services in the area.
- (2) This clause applies to land identified as “Dwelling Density” on the Dwelling Density Map.
- (3) Development consent must not be granted for the subdivision of land unless the consent authority is satisfied the subdivision—
  - (a) will result in at least the dwelling density shown for the land on the Dwelling Density Map, and
  - (b) will not result in more than the restricted dwelling yield.
- (4) In this clause—

*dwelling density* means the ratio of the number of dwellings to each hectare of land, including internal roads, but excluding land used for public open space or a purpose other than residential accommodation.

*restricted dwelling yield* means the maximum number of dwellings shown for the land on the Dwelling Density Map.

### [2] Part 7 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

#### **Development control plan for certain land at Browns Lane and Manilla Road, Stratheden**

- (1) This clause applies to the land identified as “Area 1” on the Dwelling Density Map.
- (2) Development consent must not be granted to development on the land unless a development control plan providing for the matters specified in subclause (3) is prepared.
- (3) The development control plan must provide for the following—
  - (a) statements about the character of the land,
  - (b) design principles drawn from an analysis of the land and its context,
  - (c) the objectives for development on the land,
  - (d) built form controls, including the maximum number of storeys and minimum setbacks for buildings,
  - (e) encouraging the use of sustainable transport, including the following—
    - (i) connectivity to, and increased use of, public transport,
    - (ii) safe and effective pedestrian access and cycling,

- (iii) road access and circulation networks,
  - (iv) providing car parking and transport options to reduce car use,
  - (f) landscaping of open space,
  - (g) planning for the efficient use of infrastructure, including a staging plan.
- (4) This clause does not apply to development of a minor nature if the consent authority is satisfied the development is consistent with the objectives of the zone in which the land is located.