



New South Wales

# **Tumbarumba Local Environmental Plan 2010 (Amendment No 2)**

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*.

AUGUSTIN COX, DIRECTOR OF ENVIRONMENTAL SERVICES,  
TUMBARUMBA SHIRE COUNCIL  
As delegate for the Minister for Planning

## **Tumbarumba Local Environmental Plan 2010 (Amendment No 2)**

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### **1 Name of Plan**

This Plan is *Tumbarumba Local Environmental Plan 2010 (Amendment No 2)*.

### **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 land to which *Tumbarumba Local Environmental Plan 2010* applies, including Lots 4 and 5, DP 1081002, Courabyra Road, Tumbarumba and certain land to the south west of the village of Rosewood.

### **4 Maps**

The maps adopted by *Tumbarumba Local Environmental Plan 2010* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

## **Schedule 1      Amendment of Tumbarumba Local Environmental Plan 2010**

**[1] Land Use Table**

Insert “Environmental protection works;” in alphabetical order in item 2 of the matter relating to Zone RU1 Primary Production.

**[2] Land Use Table, Zone RU1 Primary Production**

Insert “Camping grounds; Caravan parks;” in alphabetical order in item 3.

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

Omit “Camping grounds; Caravan parks;” from item 4.

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

Omit “Environmental protection works;” from item 3.

**[5] Land Use Table, Zone RU3 Forestry**

Insert “; Water supply systems” at the end of item 3.

**[6] Clause 4.2C**

Insert after clause 4.2B:

**4.2C Exceptions to minimum subdivision lot sizes for certain rural zones**

- (1) The objective of this clause is to permit the subdivision of land in certain rural zones to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of dwelling houses or dual occupancies.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU4 Primary Production Small Lots.
- (3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than a dwelling house or dual occupancy) permitted under an existing development consent for the land.
- (4) The lot may include land from more than one of the zones.
- (5) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:
  - (a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and
  - (b) the subdivision is necessary for the ongoing operation of the permissible use, and
  - (c) the subdivision will not increase rural land use conflict in the locality, and
  - (d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.

**[7] Schedule 1 Additional permitted uses**

Omit “(When this Plan was made this Schedule was blank)”.

Insert instead:

**1 Use of certain land at Courabyra Road, Tumbarumba**

- (1) This clause applies to land at Courabyra Road, Tumbarumba, being Lots 4 and 5, DP 1081002, identified as “1” on the Additional Permitted Uses Map.
- (2) Development for the purposes of recreation facilities (indoor) is permitted with development consent.

**[8] Dictionary**

Insert in alphabetical order:

*Additional Permitted Uses Map* means the Tumbarumba Local Environmental Plan 2010 Additional Permitted Uses Map.