



New South Wales

Snowy River Local Environmental Plan 1997 (Amendment No 8)

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*. (Q01/00039/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 236

Clause 1 Snowy River Local Environmental Plan 1997 (Amendment No 8)

Snowy River Local Environmental Plan 1997 (Amendment No 8)

1 Name of plan

This plan is *Snowy River Local Environmental Plan 1997 (Amendment No 8)*.

2 Aims of plan

This plan aims to amend *Snowy River Local Environmental Plan 1997* so as:

- (a) to allow strata subdivision of certain land in residential zones, and
- (b) to correct anomalies in the wording and operation of clauses relating to rural tourist development, and
- (c) to amend the definition of *lodge* in Schedule 1 to that plan, and
- (d) to identify additional heritage items by including them in Schedule 7 to that plan.

3 Land to which plan applies

This plan applies to land within the local government area of Snowy River, being:

- (a) in respect of the aims referred to in clause 2 (a), (b) and (c), the land to which *Snowy River Local Environmental Plan 1997* applies, and
- (b) in respect of the aim referred to in clause 2 (d), Lots 2 and 40, DP 756707, Parish of Marrinumbra, as shown edged heavy black on the map marked "Snowy River Local Environmental Plan No 8" deposited in the office of the Council of Snowy River Shire.

4 Amendment of Snowy River Local Environmental Plan 1997

Snowy River Local Environmental Plan 1997 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

- [1] **Clause 31 What are the provisions for dual occupancy on land within Zones 2 (a), 2 (b) and 2 (v)?**

Omit clause 31 (5).

- [2] **Clause 33 What standards apply to residential structures and subdivision on land within Zones 2 (a), 2 (b) and 2 (v)?**

Insert after clause 33 (8):

- (9) The Council must not grant consent for a proposed subdivision under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986* or for a subdivision under the *Community Land Development Act 1989* in respect of land within Zone 2 (a) on which a residential flat building or medium density housing is located.

- [3] **Clause 36**

Omit the clause. Insert instead:

36 Can a rural tourist development be subdivided?

- (1) This clause applies to land in Zone 1 (a), 1 (d) or 7.
- (2) In this clause, *rural tourist development* means nature-based eco-tourism resorts, total destination resorts, rural tourist recreational facilities and other rural accommodation with a guest-bed capacity of 80 beds or more, but does not include camping grounds, caravan parks or on-farm tourist accommodation.
- (3) Regardless of other provisions of this plan, the Council may consent to subdivision of a rural tourism development for which consent has been granted if:
- (a) the subdivision will be under the *Community Land Development Act 1989*, and
- (b) the facility includes not less than 80 tourist beds, available on a year-round basis, and

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Schedule 1 Amendments

- (c) all components of the facility will be centrally managed, and
- (d) lots created as a result of the subdivision will each contain the whole or part of one or more accommodation buildings and their curtilage, but any lot containing access and other common facilities, infrastructure or landscaping will be held in common ownership by all owners of the other lots created by the subdivision.

[4] Schedule 1 Definitions

Omit the definition of *lodge*. Insert instead:

lodge means a building that is used for holiday accommodation with shared facilities (such as communal living, dining and kitchen areas) and that contains not more than 50 beds.

[5] Schedule 7 Heritage items

Insert at the end of the Schedule:

5.01	Homestead, garden, garden structures, relics of original driveway and entrance, cottages, building relics, shearing shed and associated buildings, sheds, old plantings	Murrumbidgee	Lot 2, DP 756707, Parish of Murrumbidgee.
5.02	House, garden, garage, shed, pine trees	Tallawarra	Lot 40, DP 756707, Parish of Murrumbidgee.

BY AUTHORITY